# DANA RESERVE SPECIFIC PLAN

# DRAFT ENVIRONMENTAL IMPACT REPORT

## SCH NO. 2021060558

**PREPARED FOR**

County of San Luis Obispo
Planning and Building Department
976 Osos Street, Room 200
San Luis Obispo, CA 93408

## VOLUME 1: EIR

**June 2022**

**PREPARED BY**

SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

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**County of San Luis Obispo**
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976 Osos Street, Room 200
San Luis Obispo, CA 93408
Contact: Jennifer Guetschow, Supervising Planner

Prepared by

Emily Creel, Project Manager

**SWCA Environmental Consultants**
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
(805) 543-7095
www.swca.com

SWCA Project No. 64873

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# Acronyms and Abbreviations

| Acronym / Abbreviation | Term |
|---|---|
| °F | degrees Fahrenheit |
| 3CE | Central Coast Community Energy |
| AAF | Average Annual Flow |
| AB | Assembly Bill |
| AC | asphaltic concrete |
| ACEP | Agricultural Conservation Easement Program |
| ACM | Asbestos Containing Material |
| ADL | aerially deposited lead |
| ADU | Accessory Dwelling Unit |
| AF | acre-feet |
| AFV | alternative fuel vehicles |
| AFY | acre-feet per year |
| AG | Agriculture land use designation |
| Agreement | Supplemental Water Management and Groundwater Replenishment Agreement |
| AHERA | Asbestos Hazard Emergency Response Act |
| AMBIENT | AMBIENT Air Quality & Noise Consulting |
| amsl | above mean sea level |
| A-P | Alquist-Priolo |
| APN | Assessor's Parcel Number |
| APS | alternative planning strategy |
| APS | auxiliary power system |
| AT&T | American Telephone & Telegraph Company |
| ATCM | Airborne Toxic Control Measure |
| BCC | Birds of Conservation Concern |
| Bikeways Plan | San Luis Obispo County Bikeways Plan |
| BMP | best management practice |
| $BOD_5$ | biological oxygen demand |
| BSC | Building Standards Commission |
| $C_2F_6$ | perfluoroethane |
| $C_2H_3Cl$ | Vinyl chloride |
| $C_3F_8$ | perfluoropropane |
| $C_4F_8$ | perfluorocyclobutane |
| $C_4F_{10}$ | perfluorobutane |
| $C_5F_{12}$ | perfluoropentane |
| $C_6F_{14}$ | perfluorohexane |
| CAA | Clean Air Act |

| Acronym / Abbreviation | Term |
|---|---|
| CAAQS | California Ambient Air Quality Standards |
| CAC | Certified Asbestos Consultant |
| CAFE | Corporate Average Fuel Economy [standards] |
| CAL FIRE | California Department of Forestry and Fire Protection |
| Cal OES | California Governor's Office of Emergency Services |
| Cal/OSHA | California Division of Occupational Safety and Health Administration |
| CalARP | California Accidental Release Prevention Program |
| CalEEMod | California Emission Estimator Model |
| CalEPA | California Environmental Protection Agency |
| CalGEM | California Department of Conservation Geologic Energy Management Division |
| CALGreen | California Green Building Standards |
| CAPTI | Climate Action Plan for Transportation Infrastructure |
| CalRecycle | California Department of Resources Recycling and Recovery |
| CalSTA | California State Transportation Agency |
| Cal-IPC | California Invasive Plant Council |
| Caltrans | California Department of Transportation |
| CAP | Clean Air Plan |
| CAPCOA | California Air Pollution Control Officers Association |
| CARB | California Air Resources Board |
| CBC | California Building Code |
| CBSC | California Building Standards Commission |
| CC&Rs | Declaration of Covenants, Conditions, and Restrictions |
| CCAA | California Clean Air Act |
| CCH | Consortium of California Herbaria |
| CCIC | Central Coast Information Center |
| CCR | California Code of Regulations |
| CCTC | Central Coast Transportation Consulting |
| CDF | County Fire Department |
| CDFW | California Department of Fish and Wildlife |
| CDOC | California Department of Conservation |
| CDP | census designated place |
| CDR | Conceptual Design Report |
| CEC | California Energy Commission |
| CEQA | California Environmental Quality Act |
| CERCLA | Comprehensive Environmental Response, Compensation, and Liability Act |
| CESA | California Endangered Species Act |
| $CF_4$ | perfluoromethane |
| CFC | California Fire Code |

| Acronym / Abbreviation | Term |
|---|---|
| CFGC | California Fish and Game Code |
| CFR | Code of Federal Regulations |
| CGS | California Geological Survey |
| CH | Federal Critical Habitat |
| $CH_4$ | methane |
| CHL | California Historic Landmark |
| CHP | California Highway Patrol |
| CHRIS | California Historical Resources Information System |
| CIP | Capital Improvement Plan |
| CKH Act | Cortese-Knox-Hertzberg Local Government Reorganization Act |
| cm | centimeter |
| cmbs | centimeters below the surface |
| CNDDB | California Natural Diversity Database |
| CNEL | Community Noise Equivalent Level |
| CNG | compressed natural gas |
| CNPS | California Native Plant Society |
| CO | carbon monoxide |
| $CO_2$ | Carbon Dioxide |
| $CO_2e$ | Carbon Dioxide Equivalent |
| Cold Canyon Landfill | Cold Canyon Sanitary Landfill |
| COSE | Conservation and Open Space Element |
| County | County of San Luis Obispo |
| CPUC | California Public Utilities Commission |
| CR | Commercial Retail land use designation |
| CRHR | California Register of Historical Resources |
| CRPP | Cultural Resources Protection Plan |
| CRPR | California Rare Plant Rank |
| CRZ | Critical Root Zone |
| CS | Commercial Service land use designation |
| CSA | community service area |
| CSD | community services district |
| CUP | Conditional Use Permit |
| CUPA | Certified Unified Program Agency |
| CVC | California Vehicle Code |
| CWA | Clean Water Act |
| CWHR | California Wildlife Habitat Relationship |
| CWPP | Community Wildfire Protection Plan |
| dB | decibel |

| Acronym / Abbreviation | Term |
|---|---|
| dBA | A-weighted decibel |
| DBH | diameter at breast height |
| DIP | ductile iron pipe |
| DLRP | Division of Land Resource Protection |
| DMA | drainage management area |
| DMG | California Department of Conservation Division of Mines and Geology |
| DMR | California Department of Conservation Division of Mine Reclamation |
| DOF | California Department of Finance |
| DPM | diesel particulate matter |
| DPR | California Department of Parks and Recreation |
| DR-FC | Flex Commercial |
| DR-MF | Residential Multi-Family |
| DR-OS | Open Space |
| DR-REC | Recreation |
| DR-SF1 | Residential Single-Family 1 |
| DR-SF2 | Residential Single-Family 2 |
| DRSP | Dana Reserve Specific Plan |
| DR-VC | Village Commercial |
| DTSC | California Department of Toxic Substance Control |
| DWR | California Department of Water Resources |
| EDD | California Employment Development Department |
| EHS | Environmental Health Services |
| EIR | Environmental Impact Report |
| EO | Executive Order |
| EOP | Emergency Operations Plan |
| EPAct | Energy Policy Act of 1992 |
| ESA | Environmentally Sensitive Area |
| ESCP | Erosion and Sedimentation Control Plan |
| ESP | Earth Systems Pacific |
| EWP | EnergyWise Plan |
| EX | Energy or Extractive Resource Area |
| EX1 | Extractive Resource Area |
| Farmland | Prime Farmland, Unique Farmland, or Farmland of Statewide Importance |
| FC | Federal Candidate |
| FCAA | Federal Clean Air Act |
| FE | Federal Endangered |
| FEMA | Federal Emergency Management Agency |
| FESA | Federal Endangered Species Act |

| Acronym / Abbreviation | Term |
|---|---|
| FHSZ | Fire Hazard Severity Zone |
| FHWA | Federal Highway Administration |
| FIRM | Flood Insurance Rate Map |
| FMMP | Farmland Mapping and Monitoring Program |
| FP | Fully Protected Species |
| FPPA | Farmland Protection Policy Act |
| FT | Federal Threatened |
| FTA | Federal Transit Administration |
| G | Global |
| GHG | greenhouse gas |
| GMO | Growth Management Ordinance |
| GO | general obligation |
| gpcd | gallons per capita per day |
| GPD | gallons per day |
| gpd/ft$^2$ | gallons per day per square foot |
| gpm | gallons per minute |
| GSA | Groundwater Sustainability Agency |
| GSP | Groundwater Sustainability Plan |
| GSWC | Golden State Water Company |
| GSWCCR | Golden State Water Company Cypress Ridge |
| GWP | global warming potential |
| $H_2S$ | hydrogen sulfide |
| HAP | hazardous air pollutant |
| HASLO | Housing Authority of the City of San Luis Obispo |
| HAZPOWER | Hazardous Waste Operations and Emergency Response |
| HCP | Habitat Conservation Plan |
| HDD | horizontal directional drilling |
| HE | high-efficiency |
| HFC | hydrofluorocarbon |
| HOA | Homeowner's Association |
| hp | horsepower |
| HRT | hydraulic retention time |
| HSC | California Health and Safety Code |
| HUD | U.S. Department of Housing and Urban Development |
| HVAC | heating, ventilation, and air conditioning |
| Hz | Hertz |
| IFC | International Fire Code |
| in/sec | inches per second |

| Acronym / Abbreviation | Term |
|---|---|
| IPaC | Information for Planning and Consultation |
| IRWMP | Integrated Regional Water Management Plan |
| IS/NOP | Initial Study/Notice of Preparation |
| ITP | Incidental Take Permit |
| IWMA | Integrated Waste Management Authority |
| JADU | Junior Accessory Dwelling Unit |
| kBTU | kilo British thermal units |
| KVA | kilo-volt-ampere |
| KVA | Key Viewing Area |
| kWh | kilowatt-hour |
| KWI | Key Wells Index |
| LAFCO | Local Agency Formation Commission |
| lbs | pounds |
| lbs/ft$^2$/hr | pounds per square foot per hour |
| Ldn | day-night average sound level |
| Leq | equivalent continuous sound level |
| LHMP | Local Hazard Mitigation Plan |
| LID | Low Impact Development |
| $L_{max}$ | Maximum Noise Level |
| $L_{min}$ | Minimum Noise Level |
| LMUSD | Lucia Mar Unified School District |
| LNG | liquefied natural gas |
| LOS | Levels of Service |
| LRA | local responsibility area |
| LUCE | Land Use and Circulation Elements |
| LUO | Land Use Ordinance |
| MBTA | Migratory Bird Treaty Act |
| MDZ | Mining Disclosure Zones |
| mgd | million gallons per day |
| MJHMP | Multi-Jurisdictional Hazard Mitigation Plan |
| MKN | MKN & Associates, Inc. |
| MLRA | Major Land Resource Area |
| MLSS | mixed liquor suspended solids |
| MMBTU | million British thermal units |
| MMF | Maximum Month Flow |
| MMT | million metric tons |
| MP | Master Plan |
| mpg | miles per gallon |

| Acronym / Abbreviation | Term |
|---|---|
| mph | miles per hour |
| MPO | Metropolitan Planning Organization |
| MRA | Mineral Resource Area |
| MRZ | Mineral Resource Zone |
| MUO | Memorandum of Understanding |
| $N_2O$ | nitrous oxide |
| NA | Not Available |
| NAAQS | National Ambient Air Quality Standards |
| NAHC | California Native American Heritage Commission |
| NBD | Neighborhood |
| NCMA | Northern Cities Management Area |
| NCSD | Nipomo Community Services District |
| NCTC | Northern Chumash Tribal Council |
| NESHAPs | National Emission Standards for Hazardous Air Pollutants |
| $NF_3$ | nitrogen trifluoride |
| NFIP | National Flood Insurance Program |
| NFPA | National Fire Protection Association |
| NHD | National Hydrography Database |
| NHSTA | National Highway Traffic Safety Administration |
| NMMA | Nipomo Mesa Management Area |
| NMWCA | Nipomo Mesa Water Conservation Area |
| $NO_2$ | nitrogen dioxide |
| NOA | Notice Occurring Asbestos |
| NOC | Notice of Completion |
| NOI | Notice of Intent |
| NOx | nitrogen oxides |
| NPDES | National Pollutant Discharge Elimination System |
| NPL | National Priorities List |
| NPPA | Native Plant Protection Act |
| NRCS | Natural Resources Conservation Service |
| NRHP | National Register of Historic Places |
| NRPA | National Recreation and Park Association |
| NSWP | Nipomo Supplemental Water Project |
| NWI | National Wetlands Inventory |
| $O_3$ | ozone |
| OEHHA | California Office of Environmental Health and Hazard Assessment |
| OES | Office of Emergency Services |
| OFR | overflow rate |

| Acronym / Abbreviation | Term |
|---|---|
| OPR | California Governor's Office of Planning and Research |
| OSHA | Occupational Safety and Health Administration |
| PA | amplified public address |
| PAHS | polynuclear aromatic hydrocarbons |
| Pb | lead |
| PBDB | Palaeobiological Database |
| P-C Region | San Luis Obispo-Santa Barbara Production-Consumption Region |
| PCBs | polychlorinated biphenyls |
| PCC | Portland cement concrete |
| pcf | per cubic foot |
| PCH | Proposed Federal Critical Habitat |
| PCR | Post Construction Requirement |
| PDF | peak day flow |
| PF | Public Facilities land use designation |
| PFC | perfluorocarbon |
| PG&E | Pacific Gas and Electric Company |
| $PGA_m$ | Peak Mean Ground Acceleration |
| PHF | peak hour flow |
| PM | particulate matter |
| PM Report | Particulate Matter Report |
| $PM_{10}$ | particulate matter less than 10 microns in diameter |
| $PM_{2.5}$ | particulate matter less than 2.5 microns in diameter |
| Porter-Cologne Act | Porter-Cologne Water Quality Control Act |
| ppb | parts per billion by volume |
| ppd | pounds per day |
| pph | pounds per hour |
| ppm | parts per million by volume |
| PPV | peak particle velocity |
| PRC | Public Resources Code |
| PRMMP | Paleontological Resources Monitoring and Mitigation Plan |
| project | Dana Reserve Specific Plan Conditional Use Permit, Vesting Tentative Tract Map, and Development Agreement |
| psf | per square foot |
| PV | solar photovoltaic |
| PVC | polyvinyl chloride |
| Qoa | aged older alluvial deposits |
| Qoe | old eolian deposits |
| Qya | younger alluvial deposits |
| RAS | Return Activated Sludge |

| Acronym / Abbreviation | Term |
|---|---|
| RCRA | Resource Conservation and Recovery Act |
| RE | Renewable Energy Overlay |
| RHNA | Regional Housing Needs Allocation |
| RL | Rural Lands land use designation |
| RMF | Residential Multi-Family land use designation |
| RMP | Risk Management Plan |
| RMS | Resource Management System |
| ROG | reactive organic gas |
| ROW | right-of-way |
| RPS | Renewables Portfolio Standard |
| RR | Rural Residential land use designation |
| RS | Rural Suburban land use designation |
| RSF | Residential Single-Family land use designation |
| RTA | Regional Transit Authority |
| RTP | Regional Transportation Plan |
| RTP/SCS | *County of San Luis Obispo 2019 Regional Transportation Plan/Sustainable Communities Strategy* |
| RTPA | Regional Transportation Planning Agency |
| RV | recreational vehicle |
| RWQCB | Regional Water Quality Control Board |
| S | State |
| SA | Special Animal |
| SAA | Streambed Alteration Agreement |
| SAF | State Alternative Fuels |
| SAFE | Safer Affordable Fuel-Efficient [Vehicles Rule] |
| Santa Maria Basin | Santa Maria River Valley Groundwater Basin |
| SARA | Superfund Amendments and Reauthorization Act |
| SB | Senate Bill |
| SCAG | Southern California Association of Governments |
| SCAP | South County Area Plan |
| SCCAB | South Central Coast Air Basin |
| SCE | State Candidate Endangered |
| SCH | State Clearinghouse |
| SCM | Stormwater Control Measure |
| SCS | Sustainable Communities Strategy |
| SCT | State Candidate Threatened |
| SDWA | Safe Drinking Water Act |
| SE | State Endangered |
| SEFs | solar electrical facilities |

| Acronym / Abbreviation | Term |
|---|---|
| sf | square foot |
| $SF_6$ | sulfur hexafluoride |
| SFP | School Facility Program |
| SGMA | Sustainable Groundwater Management Act |
| SHMA | Seismic Hazards Mapping Act |
| SJVAPCD | San Joaquin Valley Air Pollution Control District |
| SLCP | Short-lived climate pollutants |
| SLOAPCD | San Luis Obispo Air Pollution Control District |
| SLOCCFSC | San Luis Obispo County Community Fire Safe Council |
| SLOCOG | San Luis Obispo Council of Governments |
| SLOFC&WCD | San Luis Obispo County Flood Control and Water Conservation District |
| SLOLAFCO | San Luis Obispo Local Agency Formation Commission |
| SLORTA | San Luis Obispo Regional Transit Authority |
| SMARA | Surface Mining and Reclamation Act |
| SMGB | State Mining and Geology Board |
| SMVMA | Santa Maria Valley Management Area |
| $SO_2$ | sulfur dioxide |
| $SO_4^{2-}$ | Sulfates |
| SoCalGas | Southern California Gas Company |
| SOI | Sphere of Influence |
| South County | County of San Luis Obispo South County Planning Area |
| SOV | single occupancy vehicle |
| SOx | sulfur oxides |
| SP | service population |
| SR | State Route |
| SRA | State Responsibility Area |
| SRT | solid retention time |
| SSC | Species of Special Concern |
| ST | State Threatened |
| STC | Sound Transmissions Class |
| STP | shovel test pit |
| SVP | Society of Vertebrate Paleontology |
| SWCA | SWCA Environmental Consultants |
| SWPPP | Stormwater Pollution Prevention Plan |
| SWRCB | State Water Resources Control Board |
| TAC | toxic air contaminant |
| TCR | Tribal Cultural Resource |
| TDC | Transfer of Development Credit |

| Acronym / Abbreviation | Term |
|---|---|
| TDH | total dynamic head |
| TDM | transportation demand management |
| TIS | Transportation Impact Study |
| Tmc | Monterey Formation, siliceous shale |
| TMDL | total maximum daily load |
| Tob | Obispo Formation, Mafic volcanic rocks |
| TOG | Total Organic Gases |
| Tot | Obispo Formation, Tuff |
| TPRP | Tree Protection, Replacement, and Habitat Restoration Plan |
| TPZ | tree protection zone |
| TSCA | Toxic Substances Control Act |
| TSM | transportation system management |
| UFP | ultrafine particles |
| URL | urban reserve line |
| US | U.S. Route |
| USACE | U.S. Army Corps of Engineers |
| USDA | U.S. Department of Agriculture |
| USDOT | U.S. Department of Transportation |
| USEPA | U.S. Environmental Protection Agency |
| USFWS | U.S. Fish and Wildlife Service |
| USGS | U.S. Geological Survey |
| USNVC | U.S. National Vegetation Classification |
| UWMP | Urban Water Management Plan |
| VCM | Vinyl chloride |
| VMT | vehicle miles traveled |
| VOC | volatile organic compounds |
| VTTM | Vesting Tentative Tract Map |
| WDR | waste discharge requirement |
| WEAP | Worker Environmental Awareness Program |
| WET | Worker Environmental Training |
| WL | Watch List |
| WMWC | Woodlands Mutual Water Company |
| WMZ | Watershed Management Zone |
| WRF | Water Reclamation Facility |
| WSA | Water Supply Analysis |
| WSCP | Water Shortage Contingency Plan |
| WUI | wildland-urban interface |
| WWTF | Wastewater Treatment Facility |

| Acronym / Abbreviation | Term |
|---|---|
| XPI | Extended Phase I |
| ytt | ak titʸu titʸu yak tiłhini |
| ZEV | zero-emission vehicle |
| ZNE | zero net energy |
| µg/$m^3$ | micrograms per cubic meter |

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# EXECUTIVE SUMMARY

## 1. PURPOSE OF THE EIR

The County of San Luis Obispo (County), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Environmental Impact Report (EIR) to assess the impacts that would result from the approval of the proposed Dana Reserve Specific Plan project (DRSP; project). This EIR will serve as a public information document to be used by the general public, responsible and trustee agencies, and decision-making bodies to review and evaluate the environmental effects associated with the project, potential mitigation measures recommended to address or minimize those effects, and reasonable alternatives to the project. The review process gives both agencies and individuals an opportunity to share expertise, discuss agency analyses, check for accuracy, detect omissions, discover public concerns, and solicit mitigation measures and alternatives capable of avoiding or reducing the significant effects of the project while still attaining most of the basic objectives of the project.

The remainder of the Executive Summary consists of the following sections:

- A brief description of the project location;
- A summary of the project background and objectives;
- A summary of key impacts and mitigation measures associated with the project;
- A summary of the known areas of controversy; and
- A summary of project alternatives and the environmentally superior alternative.

## 2. PROJECT LOCATION

For purposes of this EIR, the project site includes the Specific Plan Area and off-site areas where project-related transportation, water system, and wastewater system improvements would occur. The DRSP project site and associated off-site improvement areas are located within the southwestern portion of unincorporated San Luis Obispo County, California. The Specific Plan Area is located adjacent to the northern boundary of the Nipomo urban reserve line (URL) and directly west of U.S. Route 101 (US 101). The Specific Plan Area consists of three adjoining parcels—Assessor's Parcel Numbers (APNs) 091-301-030, 091-301-031, and 091-301-073—totaling approximately 288 acres. The main parcel is APN 091-301-073, which underlies the majority of the Specific Plan Area and is 274.4 acres in size. The remaining parcels (APNs 091-301-030 and 091-301-031) connect the main parcel to Willow Road and are approximately 7.7 and 7.2 acres in size, respectively. Off-site transportation, water system, and wastewater system improvement areas would be located along existing roadways and/or within other previously developed areas within the vicinity of the Specific Plan Area (see Chapter 2, *Project Description*, for the full description of proposed off-site improvement areas). The project also includes the off-site dedication of an open space and conservation easement on a property known as Dana Ridge (APNs 090-031-003 and 090-031-004), located approximately 2.1 miles east of the project site.

## 3. PROJECT BACKGROUND AND OVERVIEW

The *County of San Luis Obispo General Plan* identifies the main project parcel as the Cañada Ranch Specific Plan area, which is subject to preparation and adoption of a Specific Plan prior to annexation of the site into the Nipomo URL. A Specific Plan is a planning tool that allows a county/community to provide a framework and vision for future development of a defined area. The property is designated as

an expansion area under the South County Area Plan (Sections 4.5 and 4.8) as well as the San Luis Obispo County Code (Inland) – Title 22, Land Use Ordinance (LUO) (Section 22.98.072). Per the County LUO, a Specific Plan shall be prepared for the Cañada Ranch property and shall comply with the following provisions:

a. **Types of uses.** The concept of a Specific Plan is for uses in the following priority for acreage, scale and intensity:
    (1) Open space uses within the oak woodlands;
    (2) Industrial park(s) that will generate "basic" employment for the Nipomo and south county area;
    (3) Commercial service parks that do not conflict with downtown and community shopping commercial uses within Nipomo;
    (4) Retail uses to serve the daily shopping needs of employees and residents of the site in compliance with purpose and character statements for neighborhood shopping areas in Framework for Planning - Inland Area;
    (5) Commercial retail uses that are in compliance with purpose and character statements in Framework for Planning - Inland Area for highway-oriented retail;
    (6) Residential areas to contain a mix of housing unit types, a portion of which should be affordable to average employee incomes on the site, timing to be concurrent with or following establishment and operation of nonresidential uses, the timing to be determined by a market feasibility study.

b. **Oak habitat preservation.** Designation of the existing oak forest habitat for open space preservation, where limited recreational and open space uses may be allowed.

c. **Pedestrian-oriented site planning.** Location of workplaces, shopping, services, civic buildings and residences in close proximity to each other to facilitate walking and alternative transportation to the private vehicle.

d. **Architecture and landscaping.** Guidelines for architecture and landscaping that respond to the rural character of the area.

e. **Resource, facility and services needs.** Extent of necessary public, or private where applicable, needs including, but not limited to, safety, health, waste management and water supply.

On June 24, 2020, the project applicant, Dana Reserve, LLC and NKT Development, LLC, submitted a draft Specific Plan and Vesting Tentative Tract Map (VTTM) to develop new residential, commercial, light industrial uses, and related improvements on the 288-acre Dana Reserve property (previously referred to as Cañada Ranch). The County also initiated a proposed General Plan Amendment to designate the Specific Plan Area as a single land use category (e.g., Specific Plan), which would refer to and incorporate the proposed Specific Plan and would also ensure consistency throughout the County's General Plan.

The DRSP would guide future development of the Specific Plan Area by defining land uses and development standards, circulation, parks and trails, and infrastructure for the future proposed residential, commercial, and open space uses. The DRSP would also provide a phasing/implementation plan and describe the public facility financing mechanisms available for the ongoing maintenance of public and private improvements required for the DRSP. Major components of the DRSP include:

- Land use and development standards for residential, commercial, and open space/recreational uses;
- Site and building design guidelines;
- Goals supporting a variety of housing types to allow a range of opportunities for home ownership or rental options;
- Establishment of north-to-south roadway connections through the Specific Plan Area to better connect Tefft Street and Pomeroy Road to Willow Road;
- Implementation of an interconnected network of walking, bicycling, and equestrian trails and facilities; and
- The generation of new employment opportunities and provision of access to day-to-day goods and services through development of a range of commercial uses.

The DRSP is a primarily residential project with over 75% of the Specific Plan Area designated for residential uses, which would accommodate up to 1,289 single-family and multi-family residential units. However, it identifies a mix of land uses within the Specific Plan Area to serve the new neighborhoods and surrounding community. The DRSP would allow for the future phased development of residential uses, village and flex commercial uses (including a hotel, educational/training facilities, and light industrial uses), open space, trails, and a public neighborhood park within the Specific Plan Area (Table ES-1; see Chapter 2, *Project Description*, for the full description of the proposed project).

**Table ES-1. Project Overview**

| Land Use Zones | Acres[1] | Potential Units[1] | Potential Floor Area (square feet) |
|---|---|---|---|
| Residential Single-Family | 149.5 | 831 | |
| Residential Multi-Family | 23.5 | 458 | |
| Rural Residential (Existing) | 10.0 | N/A[2] | |
| Recreation/Public Park | 11.0[3] | | |
| Village and Flex Commercial[4] | 22.3 | | 110,000–203,000 |
| Open Space, Trails, Basins | 49.8 | | |
| Roads | 21.9 | | |
| **Total** | **288** | **1,289** | **110,000–203,000** |

[1] All acreage and potential units can be adjusted up to 10% to address site-specific constraints and more suitable site design, subject to County review.

[2] The Specific Plan Area includes two parcels between Cherokee Place and Willow Road (APNs 091-301-030 and 091-301-031) that are currently designated Residential Rural (RR). The DRSP does not propose to change the land use designation of these parcels or develop additional residential, commercial, or recreational uses within these parcels. They are included in the DRSP to provide connections for Collectors A and B from Cherokee Place to Willow Road. These roadway improvements are the only development proposed on these parcels; therefore, the identification of additional potential units is not applicable for these parcels.

[3] Minimum requirement.

[4] Proposed Commercial uses include a 60,000-sf hotel and a 30,000-sf educational/training facility.

# 4. PROJECT OBJECTIVES

Section 15124(b) of the State CEQA Guidelines requires a statement of a project's objectives, which includes the underlying purpose of the project, to guide the Lead Agency in developing a reasonable range of alternatives and aid decision makers in preparing findings. The objective of the DRSP is to develop a master-planned neighborhood intended to provide a diversity of housing types, generate new

employment opportunities, provide access to day-to-day goods and services, maintain the rural history and character of the property, and integrate a multimodal transportation network. The primary objectives of the DRSP project include:

1. To provide a mix of land uses that offers a range of amenities accessible to residents and community members.
2. To respect Old Town Nipomo, by providing a small, neighborhood-oriented village commercial area designed to complement, rather than compete with, Old Town Nipomo.
3. To provide a public neighborhood park, pocket parks, and open space areas within each residential neighborhood, linking the neighborhoods together through a network of trails and open spaces.
4. To incorporate the rural history of the community through architectural design.
5. To provide a diversity of housing types and opportunities for home ownership and rental, including affordable homes consistent with the goals and policies of the Housing Element of the General Plan, the County's Inclusionary Housing Ordinance, and regional housing needs.
6. To create new employment and job training opportunities for the community and the broader South San Luis Obispo County area.
7. To enhance circulation within the DRSP and existing community by continuing the existing public roadway network through the DRSP property to connect to Willow Road, providing a new Park and Ride lot to encourage carpooling, and creating new public transportation points of connection to facilitate public transit use and reduce single-occupant automobile use.
8. To integrate a network of walking, bicycling, and equestrian facilities to connect on-site residential neighborhoods and the broader community.
9. To maintain the large, centrally located oak woodland area as a site feature and to minimize impacts to special-status plants and animals on-site.
10. To meet the County Building Code requirements for energy efficiencies and water savings.
11. To reduce uncertainty in planning for and secure the orderly development of the Specific Plan Area.
12. To provide effective and efficient development of public facilities, infrastructure, and services appropriate for the Specific Plan Area.
13. To meet or exceed the requirements of the Nipomo Community Services District (NCSD) District Code to ensure that the DRSP constructs the water and wastewater infrastructure necessary to serve the project without adverse impacts on the NCSD's ability to serve existing and future users.

In addition to the above applicant-stated primary objectives of the DRSP, the County Board of Supervisors, on January 26, 2021, entered into a Memorandum of Understanding (MOU) with the applicant that states the project would have the following benefits to the County:

1. Implementing the County's stated land use goals.
2. Dedication of an open space easement, community park, and trail system.
3. Providing the County with anticipated increased sales tax, property tax, and transient occupancy tax revenues.
4. Providing for affordable housing in furtherance of the County's Housing Element and inclusionary housing goals and to assist in meeting the County's Regional Housing Needs Allocation (RHNA).
5. Providing a portion of the site to be developed as a business park, commercial area, or such related uses, in support of the County's further economic development.

6. Permanent conservation of 388 acres of oak woodlands or similar habitat located off-site.

# 5. SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED

Section 15123(b)(1) of the State CEQA Guidelines requires identification of each significant effect with proposed mitigation measures and alternatives intended to reduce or avoid the effect. Impacts of the proposed project and alternatives have been classified using the categories described below:

- **Class I: Significant and unavoidable impacts.** Significant impacts that cannot be fully and effectively mitigated. No measures could be taken to avoid or reduce these adverse effects to insignificant or negligible levels.
- **Class II: Significant, but mitigable impacts.** These impacts are potentially similar in significance to those of significant, unavoidable, adverse impacts, but can be reduced or avoided by the implementation of mitigation measures.
- **Class III: Less than significant impacts.** Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.

The term "significance" is used throughout the EIR to characterize the magnitude of the projected impact. For the purpose of this EIR, a significant impact is a substantial or potentially substantial change to resources in the local proposed project area or the area adjacent to the proposed project. In the discussions of each issue area, thresholds are identified that are used to distinguish between significant and insignificant impacts. To the extent feasible, distinctions are also made between regional and local significance and short-term versus long-term duration. Where possible, measures have been identified to reduce project impacts to less-than-significant levels. CEQA requires that public agencies should not approve projects as proposed if there are feasible mitigation measures available that would substantially lessen the environmental effects of such projects (CEQA Statute Section 21002). Included with each mitigation measure are the plan requirements needed to ensure that the mitigation is included in the plans and construction of the project and the required timing of the action (e.g., prior to development of final construction plans, prior to commencement of construction, prior to operation, etc.).

The impacts and associated mitigation measures identified for the project are shown in Table ES-2, Summary of Impacts and Mitigation Measures. The table includes significant and less-than-significant impacts, all of which are identified with an impact number (e.g., AQ Impact 1). The impact summary table describes and classifies each impact, lists recommended mitigation when applicable, and states the level of residual impact (i.e., the level of impact remaining after implementation of identified mitigation). A summary of project alternatives, including the environmentally superior alternative, is included in Section 7, *Project Alternatives*, of this Executive Summary.

## Table ES-2. Summary of Impacts and Mitigation Measures

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| ***Aesthetics*** | | | |
| Specific Plan Area | **AES Impact 1:** The project would not have a substantial adverse effect on a scenic vista. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **AES Impact 2:** Off-site improvements would not have an adverse effect on a scenic vista. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **AES Impact 3:** The project would substantially degrade the visual character of the site and its surroundings. | **AES/mm-3.1:** The Dana Reserve Specific Plan shall create a U.S. Route 101 Visual Screening Zone along the length of the project adjacent to the utility easement and U.S. Route 101, for the purpose of reducing visibility of the development and minimizing visual impacts to the vegetated visual character of the site and its surroundings as seen from the highway. The U.S. Route 101 Visual Screening Zone shall be a minimum width of 30 feet. The screening zone shall be in addition to the minimum 50-foot width of the utility easement. Existing trees in this zone shall be preserved.<br>Where no trees exist in this zone, oak trees and native shrubs shall be planted. This screening zone shall be implemented as part of the first phase of project development. Plantings shall achieve a minimum of 50% visual screening of the development as seen from U.S. Route 101 within 10 years of planting. Trees planted in this zone shall be subject to the size and ratio requirement identified in Mitigation Measure AES/mm-3.2.<br>**AES/mm-3.2:** Replacement trees shall be planted within the “on-site” project boundaries in areas that maximize their visibility from public roadways and common areas. Replacement trees shall be planted from the following container sizes: 20% of the replacement trees shall be a minimum of 15-gallon container size, 20% of the replacement trees shall be a minimum of 24-inch box container size, and 10% of the replacement trees shall be a minimum of 48-inch container size. All replacement trees shall be maintained in perpetuity. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **AES Impact 4:** Off-site improvements would not substantially degrade the visual character of the off-site improvement areas and their surroundings. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **AES Impact 5:** The project would create a new source of nighttime lighting or glare. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Off-Site Improvements | **AES Impact 6:** Off-site improvements would create a new source of nighttime lighting or glare. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **AES Impact 7:** The project would contribute to cumulative aesthetic and visual resource impacts. | Implement Mitigation Measures **AES/mm-3.1 through AES/mm-3.3**.<br>**AES/mm-7.1:** The Dana Reserve Specific Plan shall require preparation of a Visual Impact Assessment for each subsequent implementing development. The Visual Impact Assessments shall analyze the proposed subsequent development prior to its occurrence with the goal of minimizing project noticeability from areas outside Dana Reserve boundaries. | Residual impacts would be less than significant with mitigation (Class II) |
| ***Agriculture and Forestry Resources*** | | | |
| Specific Plan Area | **AG Impact 1:** The project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the FMMP, to non-agricultural use. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **AG Impact 2:** Off-site improvements would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the FMMP, to non-agricultural use. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **AG Impact 3:** The project would not conflict with existing zoning for agricultural use or a Williamson Act contract. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **AG Impact 4:** Off-site improvements would not conflict with existing zoning for agricultural use or a Williamson Act contract. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **AG Impact 5:** The project could involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use. | Implement Mitigation Measures **AQ/mm-3.2 and AQ/mm-3.3**. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **AG Impact 6:** Off-site improvements could involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use. | Implement Mitigation Measure **AQ/mm-3.2**. | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Cumulative | **AG Impact 7:** The project would not result in a cumulatively considerable impact to agricultural resources. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| ***Air Quality*** | | | |
| Specific Plan Area | **AQ Impact 1:** The project would conflict with an applicable air quality plan. | Implement Mitigation Measures **AQ/mm-3.1 through AQ/mm-3.3 and TR/mm-3.1**. | Residual impacts would be significant and unavoidable (Class I) |
| Off-Site Improvements | **AQ Impact 2:** Off-site improvements would not conflict with an applicable air quality plan. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **AQ Impact 3:** The project would result in a cumulatively considerable net increase of criteria pollutants in exceedance of established SLOAPCD daily emissions thresholds. | Implement Mitigation Measure **TR/mm-3.1**.<br>**AQ/mm-3.1:** The following measures shall be implemented to reduce construction generated mobile-source and evaporative emissions:<br>1. Maintain all construction equipment in proper tune according to manufacturer's specifications.<br>2. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).<br>3. Diesel-fueled construction equipment shall meet, at a minimum, California Air Resources Board B's Tier 3, or newer, certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation. Heavy-duty off-road equipment meeting Tier 4 emissions standards shall be used to the extent locally available.<br>4. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2010, or cleaner, certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation.<br>5. 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 nitrogen oxides exempt area fleets) may be eligible by proving alternative compliance.<br>6. Electrify equipment when feasible.<br>7. Substitute gasoline-powered in place of diesel-powered equipment, where feasible.<br>8. Use alternative-fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel. | Residual impacts would be significant and unavoidable (Class I) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | 9. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or be permitted by the San Luis Obispo Air Pollution Control District. Such equipment may include power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, concrete plant). For more information, contact the San Luis Obispo Air Pollution Control District Engineering and Compliance Division at (805) 781-5912.<br>10. Construction of the proposed project shall use low- volatile organic compounds content paints not exceeding 50 grams per liter.<br>11. To the extent locally available, use prefinished building materials or materials that do not require the application of architectural coatings.<br>12. The following idling restrictions near sensitive receptors for both on- and off-road equipment shall be implemented:<br>a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;<br>b. Diesel idling within 1,000 feet of sensitive receptors is not permitted;<br>c. Use of alternative fueled equipment is recommended whenever possible; and<br>d. Signs that specify the no idling requirements must be posted and enforced at the construction site.<br>13. On-road vehicle operations shall comply with 13 California Code of Regulations Section 2485, which limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:<br>a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and<br>b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.<br>14. Signs shall be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following web site: www.arb.ca.gov/msprog/truck-idling/2485.pdf. | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | 15. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use Off-Road Diesel regulation available at: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.<br>**AQ/mm-3.2:** The following measures shall be implemented to reduce construction-generated fugitive dust. These measures shall be shown on grading and building plans:<br>1. Reduce the amount of disturbed area where possible.<br>2. Use water trucks, San Luis Obispo Air Pollution Control District-approved dust suppressants (see Section 4.3 in the California Environmental Quality Act Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a San Luis Obispo Air Pollution Control District-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the California Environmental Quality Act Air Quality Handbook.<br>3. All dirt stockpile areas should be sprayed daily as needed.<br>4. 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.<br>5. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast-germinating, non-invasive grass seed and watered until vegetation is established.<br>6. 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 San Luis Obispo Air Pollution Control District.<br>7. 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.<br>8. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.<br>9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between the top of load and top of trailer) in accordance with California Vehicle Code Section 23114.<br>10. Install wheel washers at the construction site entrance/exit, wash off the tires or tracks of all trucks and equipment leaving the site, or implement other San Luis Obispo Air Pollution Control District-approved track-out | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | prevention devices sufficient to minimize the track-out of soil onto paved roadways.<br>11. 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.<br>12. The burning of vegetative material shall be prohibited. Effective February 25, 2000, the San Luis Obispo Air Pollution Control District prohibited developmental burning of vegetative material within San Luis Obispo County. For more information, contact the San Luis Obispo Air Pollution Control District Engineering and Compliance Division at (805) 781-5912.<br>13. 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 prevent the transport of dust off-site. 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 San Luis Obispo Air Pollution Control District Compliance Division prior to the start of any grading or earthwork.<br>**AQ/mm-3.3:** The following mitigation measures shall be implemented, to the extent possible, to minimize long-term operational emissions:<br>1. Install electric fireplaces in place of U.S. Environmental Protection Agency -certified Tier 2 residential wood-burning appliances.<br>2. Provide a pedestrian-friendly and interconnected streetscape with good access to/from the development for pedestrians, bicyclists, and transit users to make alternative transportation more convenient, comfortable, and safe. Features may include appropriate signalization and signage, safe routes to school, linking cul-de-sacs and dead ends, orienting buildings toward streets with automobile parking in the rear, etc.<br>3. For all commercial and multi-family residential land uses, provide shade (e.g., through tree plantings or built structures) over 50% of parking spaces to reduce evaporative emissions from parked vehicles, excluding areas where increased shade would affect the performance of solar photovoltaic systems.<br>4. Reduce fugitive dust from roads and parking areas with the use of paving or other materials.<br>5. Use a San Luis Obispo Air Pollution Control District-approved suppressant on private unpaved roads leading to the site, unpaved driveways, and parking areas applied at a rate and frequency that ensures compliance with San Luis Obispo Air Pollution Control District Rule 401: Visible Emissions and that off-site nuisance impacts do not occur.<br>6. Incorporate traffic calming modifications to project roads to reduce vehicle speeds and increase pedestrian and bicycle usage and safety.<br>7. Work with San Luis Obispo Council of Governments to create, improve, or expand an on-site or nearby Park and Ride lot with car parking and bike | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | lockers in proportion to the size of the project. The Park and Ride lot proposed as part of the Dana Reserve Specific Plan could meet the requirements of this measure, if upon review of final design plans, the County and San Luis Obispo Council of Governments concur that the on-site Park and Ride lot is in proportion to the size of the Dana Reserve Specific Plan project.<br>8. Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment.<br>9. Require future commercial land uses to provide employee lockers and showers to promote bicycle and pedestrian use. One shower and five lockers for every 25 employees is recommended.<br>10. Increase bicycle accessibility and safety in the vicinity of the project; for example, provide interconnected bicycle routes/lanes or construction of bikeways.<br>11. Provide on-site bicycle parking: both short-term racks and long-term lockers, or a locked room with standard racks and access limited to bicyclists only.<br>12. If the project is located on an established transit route, provide improved public transit amenities (e.g., covered transit turnouts, direct pedestrian access, bicycle racks, covered bench, smart signage, route information displays, lighting, etc.).<br>13. Encourage commercial land uses to provide a bicycle-share program.<br>14. Require 15% of fleet vehicles owned by commercial land uses to be zero-emission vehicles (ZEVs). This requirement shall apply to commercial land uses and fleets based on-site within the Specific Plan Area and not on a larger scale for commercial operations that occur at multiple locations.<br>15. Encourage neighborhood electric vehicles/car-share program for the development.<br>16. Provide dedicated parking for carpools, vanpools, and/or high-efficiency vehicles to meet or exceed California Green Building Standards Tier 2 for nonresidential land uses.<br>17. Work with SLO Regional Rideshare to educate occupants with alternative transportation and smart commute information (e.g., transportation board, electronic kiosk, new hire packets, web portal, newsletters, social media, etc.)<br>18. Encourage nonresidential land uses to implement and promote programs to reduce employee vehicle miles traveled (e.g., incentives, SLO Regional Rideshare trip reduction program, vanpools, on-site employee housing, alternative schedules (e.g., 9/80s, 4/10s, telecommuting, satellite work sites, etc.).<br>19. Community event centers (i.e., amphitheaters, theaters, and stadiums) shall provide free valet bicycle parking. | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | 20. Meet or exceed applicable building standards at the time of development for providing electric vehicle charging infrastructure.<br>21. Meet or exceed applicable building standards at the time of development for building energy efficiency with a goal of achieving zero net energy (ZNE) buildings.<br>22. Implement a "No Idling" vehicle program, which includes signage enforcement, etc.<br>23. Meet or exceed applicable building standards at the time of development for utilizing recycled content materials.<br>24. Meet or exceed applicable building standards at the time of development for reducing cement use in the concrete mix as allowed by local ordinance and conditions.<br>25. Meet or exceed applicable building standards at the time of development for the use of greywater, rainwater, or recycled water.<br>26. Meet or exceed applicable building standards at the time of development for water conservation (e.g., use of low-flow fixtures, water-efficient irrigation systems, drought-tolerant landscaping).<br>27. Meet or exceed applicable building standards at the time of development for using shading, trees, plants, cool roofs, etc. to reduce the "heat island" effect.<br>28. All built-in appliances shall comply with California Title 20, Appliance Efficiency Regulation.<br>29. Utilize on-site renewable energy systems (e.g., solar, wind, geothermal, biomass and/or biogas) sufficient to meet or exceed applicable building standards at the time of development with a goal of achieving zero net energy (ZNE) buildings.<br>**30.** Design roof trusses to handle dead weight loads of standard solar-heated water and photovoltaic panels. | |
| Off-Site Improvements | **AQ Impact 4:** Off-site improvements could result in a cumulatively considerable net increase of criteria pollutants in exceedance of established SLOAPCD emissions thresholds. | Implement Mitigation Measures **AQ/mm-3.1** and **AQ/mm-3.2**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **AQ Impact 5:** The project could expose sensitive receptors to substantial pollutant concentrations. | Implement Mitigation Measures **AQ/mm-3.1 and AQ/mm-3.2**.<br>**AQ/mm-5.1:** The following mitigation measures shall be implemented to reduce long-term exposure to localized pollutant concentrations:<br>1. Sensitive land uses, including, but not limited to, residential dwellings, childcare facilities, and convalescent care facilities, shall be oriented as far from U.S. Route 101 as possible and shall not be located within 500 feet of the edge of pavement of U.S. Route 101 (see Figure 2 of Environmental Impact Report Appendix D). In the event future development proposals include sensitive land uses within the 500-foot | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | buffer from U.S. Route 101, those sensitive land uses shall be disallowed unless a detailed Health Risk Assessment, approved by the County and San Luis Obispo Air Pollution Control District, documents that health risks associated with proximity to U.S. Route 101 would be within acceptable thresholds in effect at the time development is proposed. | |
| Off-Site Improvements | **AQ Impact 6:** Off-site improvements could expose sensitive receptors to substantial pollutant concentrations. | Implement Mitigation Measures **AQ/mm-3.1** and **AQ/mm-3.2**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **AQ Impact 7:** The project could result in other emissions (such as those leading to odors) that may adversely affect a substantial number of people. | Implement Mitigation Measures **AQ/mm-3.1, AQ/mm-3.2, and AQ/mm-5.1**.<br>**AQ/mm-7.1:** Prior to any grading activities, a geologic evaluation shall be conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If naturally occurring asbestos is not present, an exemption request must be filed with the San Luis Obispo Air Pollution Control District. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations (ATCM). These requirements may include but are not limited to:<br>1. Development of an Asbestos Dust Mitigation Plan, which must be approved by the San Luis Obispo Air Pollution Control District before operations begin; and<br>2. Development and approval of an Asbestos Health and Safety Program (required for some projects). | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **AQ Impact 8:** Off-site improvements could result in other emissions (such as those leading to odors) that may adversely affect a substantial number of people. | Implement Mitigation Measures **AQ/mm-3.1**, **AQ/mm-3.2**, and **AQ/mm-7.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Cumulative | **AQ Impact 9:** The project would result in cumulatively considerable impacts related to air quality. | Implement Mitigation Measures **AQ/mm-3.3** and **TR/mm-3.1**. | Residual impacts would be significant and unavoidable (Class I) |
| ***Biological Resources*** | | | |
| Specific Plan Area | **BIO Impact 1:** The project could directly or indirectly impact special-status plant and wildlife species. | **BIO/mm-1.1: Environmental Monitor.** Prior to permit issuance for any future development within the project area, the applicant shall retain an environmental monitor for all measures requiring environmental mitigation. The monitor shall be responsible for: | Residual impacts would be significant and unavoidable (Class I) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | 1. ensuring that procedures for verifying compliance with environmental mitigations are implemented;<br>2. establishing lines of communication and reporting methods;<br>3. conducting compliance reporting;<br>4. conducting construction crew training regarding environmentally sensitive areas and protected species;<br>5. maintaining authority to stop work; and<br>6. outlining actions to be taken in the event of non-compliance.<br>Monitoring shall be conducted full time during the initial disturbances (site clearing) and be reduced to monthly following initial disturbances.<br>**BIO/mm-1.2: Worker Environmental Training Program.** Prior to implementation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend a training to facilitate worker environmental awareness. The Worker Environmental Training shall be conducted by a County of San Luis Obispo-approved qualified biologist to help workers recognize special-status plants and animals to be protected in the project area. The training program shall include:<br>1. Identification of relevant sensitive species and habitats.<br>2. Description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and avoidance measures required to reduce impacts to biological resources within the work area.<br>3. Consequences for non-compliance.<br>4. Fact sheet with information covered in training for distribution to all contractors and other personnel involved with construction of the project.<br>5. Web-link to maps showing locations of special-status taxa on-site, and literature and photographs or illustrations of sensitive plants, animals, and habitats.<br>6. Documentation of each employee's participation in trainings and information presented.<br>7. Annual renewal training for the duration of the project.<br>The contractor shall set aside time for the project biologist to provide the Worker Environmental Training for all contractor's and subcontractor's employees that will be on-site regarding resource protection. Topics will include regulatory framework and best practices to avoid and minimize impacts to protected plants, protected animals, and their habitats. Approximately 30 minutes shall be allocated for training. Each group of new personnel or individuals shall be provided with an environmental briefing by the project biologist. This training may be virtual. During morning safety briefings, the project biologist may provide updates related to environmental conditions affected by scheduled actions.<br>Contractor's and subcontractor's employees will be given a pocket-sized booklet by the project biologist in digital and/or paper format summarizing the Worker | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | Environmental Training. The booklet prepared by the project biologist will include points of contact and protocol regarding emergencies and protected resource matters. Contractor's and subcontractor's employees shall be familiar with the information in the booklet and shall follow all rules and directions in the booklet while performing work for the project. Contractor's and subcontractor's employees shall always have a copy of the booklet while on the project site.<br>**BIO/mm-1.3: Cover Excavations.** During construction, all trenches, holes, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope and 2 or more feet deep shall be covered when workers or equipment are not actively working in the excavation. If any such excavations remain uncovered, they shall have an escape ramp of earth or a non-slip material with a 1:1 (45 degree) slope or flatter. All excavated areas shall be inspected for wildlife before backfilling.<br>**BIO/mm-1.4: Biodegradable Erosion Control.** During construction, use erosion control products made of natural fiber (biodegradable) to prevent wildlife from getting ensnared or strangled by monofilament, coir rolls, erosion control mats or blankets, straw or fiber wattles, or similar erosion control products.<br>**BIO/mm-1.5: Public Education Program.** In support of the mitigation measures listed above, public education shall be provided to homeowners, commercial facility owners, and investors regarding protected plants, protected animals, and their habitat. A colorful booklet shall be distributed to homeowners, commercial owners, and occupants. Information in the booklet shall also be made available as an interactive website provided to the County of San Luis Obispo and the Homeowners' Association(s). Information shall include descriptions of sensitive plant and animal habitats impacted, protected, and mitigations implemented. Diagnostic information for sensitive plant and animal taxa and their habitats shall be provided in a reader-friendly format. Booklet and website text shall be prepared by technical experts and produced in cooperation with professional graphic artists and publication specialists.<br>**BIO/mm-1.6: Prohibition of Invasive Plants.** The landscape architect shall provide a signed statement on the landscape plans that the planting plan does not include any plant that occurs on the California Exotic Pest Plant Council and the California Invasive Plant Council (Cal-IPC) Lists 1, 2, and 4. Plants considered to be invasive by the California Exotic Pest Plant Council and the Cal-IPC shall not be used on-site. | |
| Specific Plan Area | **BIO Impact 2:** The project could directly and indirectly impact Pismo clarkia. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6**.<br>**BIO/mm-2.1: Incidental Take Permit.** Prior to any ground or vegetation disturbance that would impact Pismo clarkia (e.g., nearby tree removal, grading), the project applicant shall obtain all necessary approvals from the California Department of Fish and Wildlife. Concurrence shall be provided by the California Department of Fish and Wildlife that the project would result in take of a state-listed species and that an Incidental Take Permit, Conservation Easement, and Habitat Management Plan are required prior to disturbance under California Fish and Game Code Section 2081. A conservation easement over the Pismo clarkia habitat will include the California Department of Fish and Wildlife as a third-party beneficiary and may also include the County of San Luis Obispo. | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | **BIO/mm-2.2: Avoidance.** Pismo clarkia patches identified on-site during 2019 and 2020 surveys shall be avoided to the maximum extent practicable.<br>Immediately prior to construction, appropriately timed surveys will be conducted by a qualified biologist to determine the extent of the distribution of plants during the construction year. The extant population boundaries mapped in 2019 and 2020, plus any expansions observed during surveys conducted in the year of construction, will be flagged by a qualified biologist.<br>**BIO/mm-2.3: Mitigation.** Impacts to Pismo clarkia shall be mitigated at a 3:1 ratio of reoccupied habitat to occupied habitat impacted. The population extent and number of plants impacted will be equal to or will not exceed 0.02 acre and/or 40 individuals when seasonal climate conditions are similar to 2020 climate conditions. Additional surveys shall be conducted in 2022 and in the year immediately prior to construction to determine population size and the extent of impacts. In years less favorable than 2020 (appropriately timed and sufficient rainfall and temperature), the areal extent will remain the same.<br>Impacts to individual Pismo clarkia plants will occur after seed collection. On-site seed collection of remaining populations used to reestablish additional populations shall be limited to no more than 10% of each remaining patch. The topsoil of impacted patches will be collected prior to site grading in order to preserve the seed bank. Topsoil will be relocated to suitable unoccupied habitat areas to promote the expansion of occupied habitat.<br>Using seeds collected from the impacted population and preserved populations on-site, additional patches of the plant shall be reestablished at a 3:1 ratio along appropriate boundaries of preserved oak woodland habitat areas.<br>A protective conservation easement shall be placed over on-site habitats that contain occupied and unoccupied habitat suitable for Pismo clarkia.<br>Genetic analysis will be conducted to determine the similarity or difference between the population of Pismo clarkia on the Dana Reserve with at least two other populations in the Arroyo Grande region. This research and findings will be submitted to a peer reviewed journal and be part of the public record during the mitigation monitoring period. | |
| Specific Plan Area | **BIO Impact 3:** The project could directly and indirectly impact mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6, BIO/mm 14.1, and BIO/mm 15.1**.<br>**BIO/mm-3.1: Mitigation for Plants Ranked 1B (Rare or Endangered) by the California Native Plant Society.** Due to the highly endemic nature of the plant taxa being impacted and the loss of a significant portion of occupied habitat within their limited range, mitigation to offset impacts shall include a combination of preservation of existing populations either on- or off-site at a 1:1 ratio of individuals impacted to individuals preserved and the restoration of suitable habitat at a 2:1 ratio of individuals impacted to individuals restored. Prior to issuance of the grading permit, the applicant shall secure appropriate habitat with known populations of mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita and enough suitable | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | habitat to reestablish 14,000 mesa horkelia, 100 Nipomo Mesa ceanothus, and 626 sand mesa manzanita.<br>The applicant shall also prepare and begin implementation of a Habitat Mitigation and Monitoring Plan to preserve and expand patches of mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita on- and off-site. The Habitat Mitigation and Monitoring Plan shall be prepared by a qualified individual acceptable to the Director of Planning and Building and shall conform to California Native Plant Society mitigation guidelines (California Native Plant Society 1998). Habitat Mitigation and Monitoring Plan implementation must demonstrate a trajectory toward successful mitigation (i.e., meeting annual performance criteria) prior to occupancy of the last phase. To meet the County of San Luis Obispo's policy of No Net Loss, any enhanced and/or created habitat would need to confirm establishment of individuals and suitable/occupied habitat such that there is no net loss. Maintenance, monitoring, and reporting to the County of San Luis Obispo would be required until the enhanced/created habitat has successfully established individuals at the required 2:1 ratio.<br>Measures within the Habitat Mitigation and Monitoring Plan shall include salvaging plant and seed material from impacted populations, habitat protection, herbicide avoidance, fencing, and propagation of pollinator plants appropriate to support native bees associated with pollination of these plants.<br>Prior to grading, plant and seed material shall be salvaged and used to enhance or establish populations in protected habitat areas. This should include the excavation and relocation of the root burls of sand mesa manzanita where practical since they are known resprout from burls as well as from seed. The Habitat Mitigation and Monitoring Plan shall also establish a mitigation receptor site for the long term storage of salvaged material.<br>In addition to direct habitat preservation, the applicant may also fund Public Benefit restoration efforts on conserved land to be implemented and monitored by organizations such as The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, or Cambria Land Trust. The fee would be used to pay for mitigation planting, maintenance, and long-term monitoring in perpetuity. Material salvaged on-site should be incorporated into these mitigation planting efforts where possible.<br>Measures to protect and expand mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita within protected oak woodland shall also be incorporated in the On-Site Oak Woodland Habitat Protection and Management Plan. | |
| Specific Plan Area | **BIO Impact 4:** The project could directly and indirectly impact CRPR 4 and Watch List plant species, including California spineflower, sand buck brush, and sand almond. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6, BIO/mm 14.1, and BIO/mm 15.1**.<br>**BIO/mm-4.1: Mitigation for Plants Ranked CRPR 4 (Limited Distribution – Watch List) by the California Native Plant Society.** Restoration and/or enhancement of 45 acres of conserved sandy habitat suitable for California spineflower, sand buck brush, and sand almond shall occur to mitigate for impacts at | Residual impacts would be significant and unavoidable (Class I) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | a 1:1 ratio above the 10% impact threshold. Prior to issuance of the grading permit, a plan to conserve and/or restore off-site habitat for California spineflower, sand buck brush, and sand almond shall be prepared. The plan shall be prepared by a qualified individual acceptable to the Director of Planning and Building and approved prior to implementation. The plan shall include purchase for conservation of land containing impacted species and/or restoration of approximately 45 acres of grassland habitat with high microsite suitability for California spineflower, sand buck brush, and sand almond. The plan shall conform to California Native Plant Society guidelines for mitigation (California Native Plant Society 1998). The applicant may fund Public Benefit restoration efforts on conserved land to be implemented and monitored by organizations such as The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, or Cambria Land Trust. The funds would be used to pay for mitigation planting, maintenance, and long-term monitoring in perpetuity.<br>Sand buck brush and sand almond shall be planted at a ratio over 1:1 to achieve a no-net loss after 5 years. California spineflower shall be seeded in grassland habitat managed by mowing or grazing in a manner than supports spineflower reproduction in normal rainfall years. Plant material shall be derived from sources on the Nipomo Mesa.<br>Habitat protection and long-term maintenance shall be funded by an endowment sufficient to monitor and maintain habitat appropriate to attempt reestablishment or expansion of California spineflower on the restoration site.<br>**BIO/mm-4.2: Michael's Rein Orchid.** Measures to avoid and protect Michael's rein orchid in on-site oak woodland areas proposed for protection shall be incorporated into an on-site Habitat Mitigation and Monitoring Plan. Since all observed individuals of Michael's rein orchid are located directly south of Pismo clarkia Patch 3, this species shall incidentally benefit from being included in Mitigation Measure BIO/mm 2.3. Construction workers and biological monitors shall also be made aware of and instructed to avoid this orchid during monitoring for Pismo clarkia (Mitigation Measures BIO/mm-2.1 and BIO-mm/2.2). | |
| Specific Plan Area | **BIO Impact 5:** The project could indirectly impact monarch butterflies. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6**.<br>**BIO/mm-5.1: Monarch Butterfly Preconstruction Survey.** Site disturbance and construction activity adjacent to suitable monarch butterfly overwintering habitat shall be avoided during the monarch butterflies' fall and winter migration (late October through February) to the greatest extent feasible. If tree or vegetation removal or site disturbance is necessary during the monarch butterflies' fall and winter migration, a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees on the site for overwintering. If monarch butterflies are detected, development will be postponed until after the overwintering period or until a qualified biologist determines monarch butterflies are no longer utilizing the trees on site for overwintering. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **BIO Impact 6:** The project could directly and indirectly impact northern California legless lizards and Blainville's horned lizards. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4**.<br>**BIO/mm-6.1: Special-Status Reptiles Protection and Relocation.** Prior to issuance of the grading permit, the project applicant shall develop a Special-status | Residual impacts would be less than significant |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | Reptile Relocation Plan for northern California legless lizard and Blainville's (coast) horned lizard. The goal of the relocation plan is to establish guidelines and protocols for relocating special-status reptiles out of harm's way. The relocation plan shall include an overview of prior surveys for the species, figures of known and potential habitat areas, timing of relocation efforts, and details regarding capture and relocation methods. Additionally, the relocation plan shall identify and characterize suitable on-site relocation sites for each species. The following details shall be specifically incorporated and expanded upon in the relocation plan:<br>1. Relocation surveys for special-status reptiles shall be conducted during appropriate times of year when the species are active and can be located. Subject to expert refinement in the relocation plan, legless lizard cover board and raking surveys shall be conducted between January and July. Because legless lizards are not expected to move back into work areas after relocation, these surveys can be done well in advance of earthwork. Horned lizard surveys shall be conducted on warm days in April through August, immediately prior to commencement of earthwork. The relocation plan shall require a minimum of three surveys conducted during the time of year/day when each species is most likely to be observed.<br>2. Relocation surveys for legless lizards shall utilize a combination of cover boards and soil raking to find lizards in suitable habitat areas prior to commencement of earthwork activities. Relocation surveys for horned lizards shall be completed by pedestrian transects on warm days utilizing narrow spacing to visually search for lizards on the surface of the soil. Special-status reptiles shall be captured by hand, stored in suitable wildlife relocation bins, and immediately relocated to approved habitat.<br>3. The relocation plan shall identify suitable legless lizard relocation habitat as any sandy soil area with suitable leaf litter under shrub or oak tree canopy. For horned lizard, suitable relocation habitat shall be identified as that which has friable soils, a detectable prey source, and sandy barrens for burrowing and basking.<br>4. The Special-Status Reptile Relocation Plan shall be submitted to the County of San Luis Obispo and California Department of Fish and Wildlife for approval no less than 60 days prior to any ground-disturbing activities within potentially occupied habitat.<br>5. A qualified biologist shall be present during ground-disturbing activities immediately adjacent to or within habitat that supports special-status reptiles.<br>6. Clearance surveys for special-status reptiles shall be conducted by a qualified biologist prior to the initiation of ground-disturbing construction each day, especially along the interface between open space and construction areas.<br>7. Results of the surveys and relocation efforts shall be provided to the County of San Luis Obispo and California Department of Fish and Wildlife in the annual mitigation status report. Collection and relocation of animals | with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | shall only occur with the necessary scientific collection and handling permits. | |
| Specific Plan Area | **BIO Impact 7:** The project could directly and indirectly impact special-status birds, raptors, and nesting birds. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4**.<br>**BIO/mm-7.1: Nesting Bird Preconstruction Survey and Nest Avoidance.** Within 1 week prior to ground-disturbing activities, if work occurs between February 1 and September 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may begin. If nesting birds are located, no construction activities shall occur within 100 feet of nests or within 500 feet of raptors until chicks have fledged. The project biologist may recommend a buffer decrease depending on site conditions (such as line-of-sight to the nest) and the birds' level of tolerance for construction activities. The biologist shall collect data on the birds' baseline behavior and their tolerance to disturbance by observing the birds at the nest prior to construction activities. If the birds are incubating, the biologist shall record how long they stay in the nest. If nestlings are present, the biologist shall record how frequently adults deliver food and visit the nest. The biologist shall also record the birds' reaction to the biologist and how close the biologist can get to the nest before the birds' behavior is altered or they show signs of stress or disturbance. The biologist shall set the reduced buffer distance based on these data. Nesting bird buffers may be reduced up to 50 feet, while raptor nest buffers may be reduced up to 250 feet. If nest buffers are reduced, the biologist shall monitor any construction activities that take place within 100 feet of nesting birds and 500 feet of raptor nests. If nesting birds show any signs of disturbance, including changes in behavior, significantly reducing frequency of nests visits, or refusal to visit the nest, the biologist will stop work and increase the nest buffer. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **BIO Impact 8:** Project activities, including tree removal, have the potential to impact special-status bat species and roosting bats. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4**.<br>**BIO/mm-8.1: Bat Preconstruction Surveys and Passive Relocation.** Within 30 days of construction between April and September, structures and trees or snags to be removed or pruned that are greater than 20 inches diameter at breast height shall be inspected for bats. If a bat roost is found, the qualified biologist shall implement passive relocation measures, such as installation of one-way valves. Bat maternity colonies may not be disturbed. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **BIO Impact 9:** The proposed project could directly impact American badger. | Implement Mitigation Measures **BIO/mm-1.1** through **BIO/mm-1.6**.<br>**BIO/mm-9.1: Badger Den Preconstruction Survey and Relocation.** Preconstruction surveys shall be conducted within 30 days of beginning work on the site to identify if badgers are using proposed work areas. Survey results shall be submitted to the County with monthly construction update reports.<br>If suitable American badger dens are identified within the disturbance footprint, den openings shall be monitored with tracking medium or an infrared camera for 3 consecutive nights to determine current use. If the den is not in use, the den shall be excavated and collapsed to ensure that no animals are present during construction. If the den is occupied during the non-maternity period and avoidance is not feasible, badgers may be relocated by first incrementally blocking the den over a 3-day | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | period, followed by slowly excavating the den (either by hand or with mechanized equipment under the direct supervision of a qualified biologist, removing no more than 4 inches at a time) before or after the rearing season (February 15–June 30). Passive relocation of American badgers shall be conducted under the direction of a qualified biologist.<br>If the preconstruction survey finds potential badger dens, the dens shall be inspected by the project biologist to determine whether they are occupied. If a potential badger den is too long to completely inspect from the entrance, a fiber optic scope may be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent reuse of dens during construction. If badgers occupy active dens in proposed work areas between February and July, nursing young may be present.<br>To avoid disturbance and the possibility of direct impacts to adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, American badger dens determined to be occupied during the breeding season (February 15–June 30) shall be flagged. Between February and July, no grading or ground-disturbing activities shall occur within 100 feet of active badger dens to protect adults and nursing young. Buffers may be modified by the qualified biologist, provided the badgers are protected, and buffers only removed after the qualified biologist determines that the den is no longer in use.<br>If a potential den is located outside of the disturbance footprint but within 500 feet of ground-disturbing activities (including staging areas), dens shall be avoided by installation of highly visible orange construction fencing a minimum of 100 feet from the den, designating the area an Environmentally Sensitive Area. Fencing shall be installed in a manner that allows badgers to move through the fencing at-will. No equipment, vehicles, or personnel shall be permitted within Environmentally Sensitive Areas without clear permission from a qualified biologist. | |
| Off-Site Improvements | **BIO Impact 10:** The development of the North Frontage Road Extension Parcel could directly or indirectly impact special-status plant and wildlife species. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and 4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, and BIO/mm-9.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **BIO Impact 11:** Off-site transportation, water, and wastewater improvements could directly or indirectly impact monarch butterfly, sharp-shinned hawk, Cooper's hawk, white-tailed kite, and other nesting birds. | Implement Mitigation Measures **BIO/mm 1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and 4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, and BIO/mm-12.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **BIO Impact 12:** Off-site NCSD water improvements could directly or indirectly impact California red-legged frog, western pond turtle, and two-striped gartersnake. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6**.<br>**BIO/mm-12.1: California Red-Legged Frog, Western Pond Turtle, and Two-Striped Gartersnake Surveys and Relocation.** All work areas within 100 feet of known California red-legged frog habitat shall be surveyed by a qualified biologist each day prior to the initiation of construction activities. As necessary, the qualified biologist shall physically relocate semiaquatic, special-status species (e.g., western | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | pond turtle, two-striped gartersnake, etc.) and common semi-aquatic species (e.g., western toad, Pacific chorus frog, etc.) to suitable habitat areas located outside the construction zone(s). Exact procedures and protocols for relocation of the special-status species shall be based upon pre-project consultation with the California Department of Fish and Wildlife. In the event a California red-legged frog is identified in a work area, all work shall cease until the California red-legged frog has safely vacated the work area. At no time shall any California red-legged frog be relocated and/or affected by project operations without prior approval from the U.S. Fish and Wildlife Service. | |
| Off-Site Improvements | **BIO Impact 13:** Off-site NCSD water improvements could directly or indirectly impact least Bell's vireo and southwestern willow flycatcher. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6 and BIO/mm-7.1**.<br>**BIO/mm-13.1: Nesting Bird Surveys.** If construction activities are proposed during the typical nesting bird season (February 1–September 15), a nesting bird survey will be conducted by qualified biologists no more than 2 weeks prior to the start of construction to determine presence/absence of nesting birds within the project area and immediate vicinity (within 100 feet of the Nipomo Creek corridor). The County of San Luis Obispo will be notified if federally listed nesting bird species are observed during the surveys and Nipomo Community Services District will be responsible for facilitating coordination with the U.S. Fish and Wildlife Service, if necessary, to determine an appropriate avoidance strategy. Likewise, coordination with the California Department of Fish and Wildlife will be facilitated by the Nipomo Community Services District if necessary to devise a suitable avoidance plan for state-listed nesting bird species. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **BIO Impact 14:** The project will directly impact Burton Mesa chaparral. | Implement Mitigation Measure **BIO/mm-3.1**.<br>**BIO/mm-14.1: Mitigation for Burton Mesa Chaparral (*Arctostaphylos [purissima, rudis]* Shrubland Special Stands).** Prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces, the applicant shall permanently protect (conserve), enhance (increase suitability of a site as habitat), and/or restore (repair damaged habitat) Burton Mesa chaparral in maritime coastal California at a 2:1 ratio of habitat preserved to habitat lost. This ratio will achieve the "no-net loss" requirement in County of San Luis Obispo Conservation and Open Space Element Policy BR 1.4 of the County of San Luis Obispo Conservation and Open Space Element. Habitat appropriate for restoration will ideally be located on the Nipomo Mesa with climatic and soil conditions that match those found on Dana Reserve.<br>Conservation/enhancement/restoration of habitat areas contiguous with protected/restored *Quercus agrifolia* / *Adenostoma fasciculatum* – (*Salvia mellifera*) habitat shall be prioritized over isolated patches of mitigation. Areas contiguous with other protected maritime chaparral or oak woodland shall also be prioritized over isolated patches of mitigation. Where restoration is proposed, a restoration and enhancement plan approved by the California Department of Fish and Wildlife shall be submitted to the County prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces. A conservation easement over protected habitat shall be controlled by a qualified conservation organization | Residual impacts would be significant and unavoidable (Class I) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | approved by the County. Potential conservation organizations include, but are not limited to, The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, Cambria Land Trust, or the California Department of Fish and Wildlife. The County of San Luis Obispo shall review and approve additional analysis prior to final approval of any proposed conservation area.<br>If appropriate habitat is not available in San Luis Obispo County at a 2:1 ratio, the applicant may fulfill half of this mitigation requirement through restoring Burton Mesa chaparral in Santa Barbara County at an additional 2:1 ratio (e.g., if only 35 acres can be preserved/restored within San Luis Obispo County, then an additional 70 acres would be required to satisfy the mitigation if purchased in Santa Barbara County).<br>A combination of preservation and restoration at a 2:1 ratio would allow for a no-net-loss of cover by Burton Mesa chaparral constituent elements and maintain species diversity within the county. | |
| Specific Plan Area | **BIO Impact 15:** The project will directly impact coast live oak woodland. | **BIO/mm-15.1: Off-Site Mitigation for Coast Live Oak Woodland (*Quercus agrifolia / Adenostoma fasciculatum* – [*Salvia mellifera*]).** Prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces, the applicant shall permanently protect (conserve), enhance (increase suitability of a site as habitat), restore (repair damaged habitat), and/or recreate (revegetate previously lost habitat) *Quercus agrifolia / Adenostoma fasciculatum* – (*Salvia mellifera*) in coastal California at a 2:1 ratio within the range of Burton Mesa chaparral. This ratio will achieve the "no-net loss" requirement in County of San Luis Obispo Conservation and Open Space Element Policy BR 1.4 of the County of San Luis Obispo Conservation and Open Space Element.<br>Conservation/enhancement/recreation of habitat areas shall be contiguous with mitigation for Burton Mesa chaparral. A combined approach for habitat mitigation shall include the preservation of expanded contiguous habitat of protected *Quercus agrifolia / Adenostoma fasciculatum* – (*Salvia mellifera*), recreate, restore, and/or enhance contiguous areas of *Quercus agrifolia / Adenostoma fasciculatum* – (*Salvia mellifera*). However, to comply with Senate Bill 1334, only half the mitigation requirement for loss of coast live oak can be achieved through recreation. Where restoration is proposed, a restoration and enhancement plan approved by the California Department of Fish and Wildlife shall be submitted to the County prior to issuance of the grading permit. A conservation easement over protected habitat shall be controlled by a qualified conservation organization approved by the County of San Luis Obispo. Potential conservation organizations include, but are not limited to, The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, Cambria Land Trust, or the California Department of Fish and Wildlife. The County of San Luis Obispo shall review and approve additional analysis prior to final approval of the proposed off-site conservation area.<br>Preservation and recreation would allow for a no-net-loss of cover by *Quercus agrifolia / Adenostoma fasciculatum* – (*Salvia mellifera*) constituent elements and preserve the diversity of oak woodland habitats in the County consistent with County of San Luis Obispo Conservation and Open Space Element Policy BR 3.3.1. | Residual impacts would be significant and unavoidable (Class I) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| Off-Site Improvements | **BIO Impact 16:** Off-site NCSD water improvements could directly and indirectly impact riparian habitat and sensitive aquatic resources. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6 and BIO/mm-11.1**.<br>**BIO/mm-16.1: Riparian Habitats.** The following measures shall be implemented for any grubbing, grading, and other ground-disturbing activities conducted within 100 feet of riparian habitat along Nipomo Creek or its tributaries to avoid potential project-related impacts to these resources and special-status species that may utilize these habitats:<br>1. All construction-related activities must observe a 100-foot setback from the Nipomo Creek riparian corridor, as measured from the outer edge of the riparian canopy. A minimum 50-foot setback shall be observed from the ephemeral drainages and flood channels, as measured from the outer edge of riparian vegetation.<br>2. If construction-related activities within the 100- or 50-foot buffers from Nipomo Creek or any other surface water resource, to the extent practicable, construction activities shall be conducted during the dry season (typically May 1–November 1), or as specified by resource agency permits and authorizations. This would reduce potential impacts to aquatic and semi-aquatic species that might be using the aquatic habitat and associated riparian vegetation as a movement/dispersal corridor.<br>3. Any construction activities conducted within 50 feet of Nipomo Creek, watercourses, pond, and riparian habitat shall be monitored by a qualified biologist.<br>4. If any special-status species are observed, the qualified biologist shall implement the measures described in BIO/mm-1.1 through BIO/mm 1.6 and BIO/mm-11.1. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **BIO Impact 17:** Off-site NCSD water improvements will directly and indirectly impact aquatic habitats under the jurisdiction of the USACE, CDFW, and RWQCB. | **BIO/mm-17.1: Wetland Delineation.** Prior to construction in any undeveloped area where surface water resources or wetland indicators are present, the Nipomo Community Services District shall retain a qualified biologist to conduct a wetland delineation along the proposed alignment route, including at minimum a 50-foot buffer area and a 100-foot buffer along the Nipomo Creek riparian corridor.<br>**BIO/mm-17.2:** Prior to construction within 50 feet of any stream or other surface water resource, the Nipomo Community Services District shall prepare project-specific plans for crossings. If construction activities require any earthwork within the banks of the drainages (including beneath the bed of the channel), the Nipomo Community Services District shall coordinate with the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board to obtain the appropriate permits for direct impacts to jurisdictional features. The Nipomo Community Services District shall implement all pre- and post-construction conditions identified in the permits issued. The plan shall be submitted to the County and applicable agencies 60 days prior to construction.<br>**BIO/mm-17.3:** Prior to construction within 50 feet of any stream or other surface water resource, the Nipomo Community Services District shall implement the following measures: | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | 1. Prior to project implementation, the project area shall be clearly flagged or fenced so that the contractor is aware of the limits of allowable site access and disturbance. Areas within the designated project site that do not require regular access shall be clearly flagged as off-limit areas to avoid unnecessary damage to sensitive habitats or existing vegetation within the project area.<br>2. Prior to project implementation, a project Erosion Control Plan shall be prepared. During project activities, erosion control measures shall be implemented. Silt fencing, fiber rolls, and barriers (e.g., hay bales) shall be installed to establish a minimum 25-foot setback distance between the project impact areas and adjacent wetlands and other waters. At a minimum, silt fencing shall be checked and maintained on a daily basis throughout the construction period.<br>3. Prior to construction, the applicant shall prepare and submit to the Regional Water Quality Control Board or State Water Resources Control Board a Notice of Intent and prepare a Stormwater Pollution Prevention Plan in accordance with the requirements of the State General Order related to construction projects. The Stormwater Pollution Prevention Plan shall identify the selected stormwater management procedures, pollution control technologies, spill response procedures, and other means that will be used to minimize erosion and sediment production and the release of pollutants to surface water during construction. The applicant shall ensure that sedimentation and erosion control measures are installed prior to any ground-disturbing activities.<br>4. Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant will identify required best management practices on all construction plans. These practices will be implemented prior to, during, and following construction activities as necessary to ensure their intended efficacy. Measures will include, but not necessarily be limited to, the placement of silt fencing along the down-slope side of the construction zone, on-site storage of a spill and clean-up kit at all times, and employment of both temporary and permanent erosion and sedimentation control measures (e.g., silt fencing, hay bales, straw wattles).<br>5. During project activities, if work occurring within stream channels is necessary, it shall be conducted during the dry season if possible (typically May 1–November 1).<br>6. Prior to construction, the applicant shall ensure preparation and implementation of a Spill Prevention and Contingency Plan that includes provisions for avoiding and/or minimizing impacts to sensitive habitat areas, including wetland and riparian areas and waterbodies due to equipment-related spills during project implementation. The applicant shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the applicant shall ensure that the plan allows a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | measure to take should a spill occur. The plan shall include the following provisions:<br>a. All equipment fueling shall be conducted within the designated staging areas of the project site. Such areas shall consist of roadway or ruderal habitat. At no time shall any equipment fueling be conducted within 100 feet of any wetland and riparian habitat area or waterbody.<br>b. An overview of the containment measures to appropriately store and contain all fuels and associated petroleum products during the project shall be included in the plan. This shall include provisions for equipment staging areas, such as the need for drip pans underneath parked equipment and designated storage areas for fuel dispensing. | |
| Specific Plan Area | **BIO Impact 18:** The project will result in direct and indirect impacts to coast live oak woodland, coast live oak forest, and individual oak trees. | **BIO/mm-18.1: Prepare On-Site Tree Protection Plan for Trees Retained.** Prior to issuance of a grading permit for any future development within the Specific Plan Area, a qualified arborist shall prepare a Tree Protection Plan designed to protect retained oaks during construction. Tree protection guidelines and a root protection zone shall be established and implemented for each retained tree over 4 inches diameter at breast height within 50 feet of site disturbance. The following criteria shall be included:<br>1. **Preserve Oak Forest Habitat on Dana Reserve.** Designate oak forest habitat for open space preservation where limited recreational and open space uses may be allowed. Preserve a minimum of 17 acres of oak forest habitat on-site.<br>2. **Map and Number Trees to be Retained.** Tree canopies and trunks within 50 feet of proposed disturbance zones shall be mapped and numbered by a County of San Luis Obispo-approved arborist or biologist and a licensed land surveyor. Data for each tree shall include date, species, number of stems, diameter at breast height of each stem, critical root zone diameter, canopy diameter, tree height, health, habitat notes, and nests observed.<br>Impacts shall be identified for native oak trees with a diameter at breast height of 4 inches or greater, as measured at a height of 4.5 feet aboveground. Impacts include any ground disturbance within the critical root zone, trunk damage, or any pruning of branches 3 inches in diameter or greater.<br>A qualified arborist shall determine the critical root zone for each retained tree on a case-by-case basis, generally 1.5 times the average canopy radius (distance from trunk to edge of drip line). For example, a tree with a 24-foot-diameter canopy would have a 36-foot critical root zone, or approximately 18 feet from the trunk. Where the canopy has been pruned prior to evaluation, the critical root zone may be calculated as 1.5 feet per inch of the tree's diameter at breast height. For example, an 18-inch diameter at breast height tree would be assigned a 24-foot critical root zone. The extent of the critical root zone shall be used as the basis for a | Residual impacts would be significant and unavoidable (Class I) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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tree protection zone, such as the line of encroachment for the edge of a group of trees, shown on all construction plans.

3. **Preconstruction Meeting.** On-site preconstruction meetings for each phase that affects oak trees shall be attended by the arborist(s), owner(s), Planning staff, and earth-moving team. Explicit exhibits and discussion will focus on tree protection during construction and provisions of the Tree Protection Plan.
4. **Install Protective Fencing.** Tree protection fencing shall be installed at the perimeter of the tree protection zone. At a minimum, a tree protection zone shall be delineated as a no-construction zone. Preferably, fencing shall be installed 6 feet outside the tree protection zone. No construction equipment shall be staged, parked, or stored within 6 feet of any oak tree dripline.

   The fence shall be installed with arborist field consultation before any construction or earth moving begins. The proposed fencing shall be shown on the grading plan. It must be a minimum of 4-foot-high chain-link, snow, or safety fence staked (with t-posts 8 feet on center). The owner/applicant shall be responsible for maintaining an erect fence throughout the construction period. (For trees to be protected longer than 4 months, metal fencing is preferred to minimize maintenance requirements.) The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval.

   If plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. Weatherproof signs shall be permanently posted on the fences every 50 feet, with the following information: Tree Protection Zone. No personnel, equipment, materials, or vehicles allowed.
5. **Avoid and Minimize Tree Impacts.** Impacts to the oak canopy or critical root zone shall be avoided where feasible in light of project layout and the locations of physical structures, paved or otherwise altered surfaces, and infrastructure. Impacts include pruning branches over 3 inches in diameter, any ground disturbance or soil compaction within the dripline or critical root zone of the tree (whichever distance is greater), and trunk damage.
   a. No Tree Attachments. Wires, signs, and other similar items shall not be attached to the oak trees.
   b. Pruning. Pruning shall be implemented by, or under the direction of, a certified arborist. The purpose and type of pruning implemented shall be tracked by service date and class of pruning for each tree. A certified arborist shall direct all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned prior to any grading activities to avoid branch tearing. Unless a hazardous or unsafe situation exists, major trimming shall be done only during the summer months.

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | (Coast live oaks, which retain their leaves year-round, are generally dormant July through October.)<br>i. Class 1 pruning emphasizes aesthetics, removal of dead, dying, and decaying weak branches and selective thinning to lessen wind resistance.<br>ii. Class 2 pruning is for structural integrity and tree health concerns. It consists of removal of dead, dying, decaying, interfering, obstructing, and weak branches and selective thinning to lessen wind resistance.<br>iii. Class 3 pruning is conducted for safety considerations and hazardous conditions.<br>iv. Class 4 pruning includes crown-reduction pruning, such as reduction of tops, sides, or individual limbs.<br>Removal of larger lower branches shall be minimized to avoid making tree tops heavy and more susceptible to "blow-overs," reduce large limb cuts that are susceptible to disease and infestation, retain wildlife habitat values associated with the lower branches, retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers), and retain the natural shape of the tree. The amount of trimming (roots or canopy) done in any one season shall be limited as much as possible to reduce tree stress/shock (10% or less is best, 25% maximum).<br>c. Surface Root Protection. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.<br>d. Utility Placement. All utilities, sewer, and storm drains shall be placed down the roads and driveways and, when possible, outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over roots larger than 3 inches in diameter. Boring under oaks is also acceptable.<br>e. Permeable Paving within 20 Feet of the Critical Root Zone. Paving shall be pervious material where access roads or driveways encroach within 20 feet of a retained oak tree's critical root zone.<br>f. Trenching within the Critical Root Zone. All trenching within the critical root zone of native trees shall be hand dug or implemented with an air spade or bore. All major roots shall be avoided whenever possible. All exposed roots larger than 1 inch in diameter shall be clean cut with sharp pruning tools and not | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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left ragged. A mandatory meeting between the arborists and grading contractor(s) must take place prior to work start.

g. Grading within the Critical Root Zone. Grading shall not encroach within the critical root zone unless authorized by the grading permit. Grading shall not disrupt the normal drainage pattern around the trees. Fills shall not create a ponding condition and excavations shall not leave the tree on a rapidly draining mound. Any exposed roots shall be covered the same day they were exposed if possible. If left exposed for more than a day, roots must be covered with burlap or another suitable material and wetted down two times per day until reburied.

h. Equipment Operation. Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also, there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless preapproved by the arborist.

i. Existing Surfaces. The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted, or impaired, unless shown on the grading plans and approved by the arborist. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts.

ii. Construction Materials and Waste. No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials. No waste or contaminated water shall be dumped on the ground or into any grate between the outer edge of the critical root zone and the base of the oak trees, or uphill from any oak tree where such substance might reach the roots through a leaching process.

iii. No Permanent Irrigation within the Dripline of Existing Oaks. No permanent irrigation shall occur within the dripline of any existing oak tree

6. **Correct Damage to Oaks.** The applicant shall be responsible for correcting any damage to oak trees on the property in a manner specified by an arborist approved by the County at the applicant's expense.

a. Impacted Root Treatment. Roots impacted during construction (e.g., trenching or grading operations) shall be treated by the arborist on a case-by-case basis using best practices, such as clean cuts accompanied by application of appropriate fungicides and insecticides by a licensed pest control applicator.

b. Soil Aeration Methods. Soils within the critical root zone that have been compacted by heavy equipment and/or construction

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2–3 feet apart with a 2–4-inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.<br>c. Chip Mulch. All impacted areas within the critical root zone of the trees shall receive a 4- to 6-inch layer of chip mulch to retain moisture, retain soil structure, and reduce the effects of soil compaction.<br>d. Landscape. All landscape within the critical root zone shall consist of drought-tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise aboveground drip irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation. For this site, it is strongly recommended that drought-tolerant native landscape is used with the approval of the arborist. This includes all sidewalk/greenbelt areas.<br>e. Fertilization and Cultural Practices. As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhizal inoculation applications that will benefit tree health. Application of mycorrhizal inoculum offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.<br>f. Post-Construction Tree Inspection. Prior to occupancy of each phase, a letter from the arborist(s) shall be required that verifies health/condition of all impacted trees and provides recommendations for additional mitigation. The letter shall verify that the arborist(s) or their designee were on-site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work in these areas was completed to the standards set forth above.<br>7. **Arborist Supervision and Treatment of Impacted Trees.** A licensed arborist shall supervise all ground disturbances within the tree protection zone and activities that may impact branches. The arborist shall provide guidance such as temporary damaged root protection, use of air spades, timing between impact and root treatment by arborist, appropriate use of air spade or hand tools to minimize tree damage specific to the action proposed, and to treat root zone and branch damage.<br>During and upon completion of construction, the licensed arborist shall provide treatment, as the licensed arborist determines is appropriate, to maintain and improve the health of the tree, including pruning of the broken main stem, and soil supplement and watering programs. All root pruning shall be completed with sharpened hand pruners. Pruned roots | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | shall be immediately covered with soil or moist fabric. Damaged roots shall be treated within 24 hours by a qualified tree specialist to inhibit fungus, insects, or other disease damage.<br>8. **Report Tree Impacts.** Damage to any tree during construction shall be reported to the project arborist within 24 hours. The damage should be treated as soon as possible, as appropriate, by an arborist or his/her designee approved by the County of San Luis Obispo to prevent disease or pest infestation. Damage will be reported to the County of San Luis Obispo and applicant during each month of construction.<br>All monitoring will be documented on the field report form, which will be forwarded to the project manager and County.<br>9. **Protect Replacement/Mitigation Oaks.** The following activities are not allowed within the root zone of newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plants for up to 7 years), grading (includes cutting and filling of material), compaction (e.g., regular use of vehicles), placement of impermeable surfaces (e.g., pavement), and disturbance of soil that impacts roots (e.g., tilling).<br>10. **Notes on Plans.** The standards in BIO/mm-18.1(1–7) shall be noted and shown on all grading and building plans, as well as an additional map sheet recorded with any Final Map in order to describe the activities prohibited outside the approved construction envelopes. All trees to be retained within 50 feet of impact areas shall be shown with tree protection zone for groups of trees and critical root zone for individual trees.<br>11. **Prepare and Implement On-Site Oak Tree Protection, Replacement, and Habitat Restoration Plan.** Prior to recordation of a Final Map for a land division on the property, the developer shall submit a Tree Protection Plan, Tree Replacement Plan (BIO/mm-18.2), and Oak Woodland Habitat Restoration Plan (BIO/mm-18.3) for the review and approval by the County of San Luis Obispo Planning and Building Director. The Oak Tree Protection, Replacement, and Habitat Restoration Plan will be approved by the County of San Luis Obispo and provided to all contractors and subcontractors that work within or adjacent to the critical root zone of native trees. Provisions of the Oak Tree Protection, Replacement, and Habitat Restoration Plan shall be included in the Worker Environmental Training Program to confirm that workers and supervisors are trained in maintaining fencing, protecting root zones, and conforming to all tree protection goals. Each contractor must sign and acknowledge the plan. Any future changes (within the critical root zone) will need project arborist review and implementation of potential mitigation measures before proceeding.<br>12. **Mitigate Impacts to Preserved Trees.** Damage that occurs to protected retained trees or sensitive habitats resulting from construction activities shall be mitigated in a manner approved by the County of San Luis Obispo Planning and Building Director. Impacts to less than 10% of the | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | tree's critical root zone and canopy shall be mitigated at a 2:1 ratio (plant two trees for each tree impacted). Impacts over 10% and less than 50% of the tree's critical root zone and/or canopy shall be mitigated at a 3:1 ratio. Impacts to more than 50% of the trees' critical root zone shall require mitigation at a 4:1 ratio. See BIO/mm-18.2 for replacement tree performance criteria.<br><br>Mitigation for impacted trees shall be tracked with the following information: tree tag number, location (latitude/longitude WGS84 datum), number of trunks, diameter at breast height of main trunk, proposed critical root zone impact percent, proposed mitigation ratio, actual impact percent, date of impact (month/year), document if accounted for in approved plans, actual replacement ratio, actual replacement number, date of planting (month/year), location of mitigation planting (Phase and general location), and expected year performance criteria to be met.<br><br>Quarterly impact and proposed mitigation documentation shall be provided to the County during the active phases of construction. Annual reports shall be provided until the project is completed.<br><br>**BIO/mm-18.2: Tree Replacement Plan.** Prior to issuance of a grading permit for any future development within the Specific Plan Area, a qualified arborist shall prepare and submit an Oak Tree Replacement Plan for the review and approval by the County of San Luis Obispo Planning and Building Director. The Oak Tree Replacement Plan will be approved by the County of San Luis Obispo and will include a plan for adding native oaks to the landscape planting plan for streets and recreational open spaces.<br><br>The Oak Tree Replacement Plan shall specify the number of oak trees to be planted based on the following mitigation ratios:<br><br>1. **Mitigation for Removed Trees.** Oak trees removed from habitat types not mapped as oak woodland or oak forest in Figure 4.4-2, shall be mitigated for by planting replacement trees at a 4:1 ratio (four trees for each tree removed, e.g., 120 oaks planted for 30 removed).<br>2. **Mitigation for Impacts to Preserved Trees.** Per BIO/mm-18.1, damage that occurs to protected retained trees resulting from construction activities shall be mitigated for at the following ratios:<br>a. Impacts to less than 10% of a tree's critical root zone and canopy shall be mitigated at a 2:1 ratio (plant two trees for each tree impacted).<br>b. Impacts over 10% and less than 50% of a tree's critical root zone and/or canopy shall be mitigated at a 3:1 ratio (plant three trees for each tree impacted).<br>c. Impacts to more than 50% of a trees' critical root zone and/or canopy shall require mitigation at a 4:1 ratio (plant four trees for each tree impacted). | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | 3. **Criteria for Replacement Trees:**<br>a. Mitigation trees may be planted to enhance the on-site oak woodland and/or included in the landscape planting plan but are not allowed in the preserved oak forest habitat.<br>b. If on-site planting areas are not available, off-site oak habitat mitigation areas shall be calculated at two times 1,750 square feet per tree (assuming a 47-foot-diameter average canopy of trees removed from grassland habitats).<br>c. Replacement trees shall not be planted within designated fire fuel management zones (i.e., within 100 feet of structures).<br>d. A minimum of 25% of the oak trees planted in mitigation areas and in on-site restoration areas shall be propagated from acorns collected from on-site oak trees, preferably from those proposed to be removed. All mitigation trees propagated from acorns must reach at least 1-inch in diameter prior to the removal of mature trees.<br>e. All other mitigation trees must be from Central Coast acorns. All replacement trees shall be at least 1-inch in diameter.<br>f. Mitigation trees shall be maintained and monitored for a minimum of 7 years and must have reached a minimum height of 6 feet prior to certification of completion.<br>g. The following activities are not allowed within the root zone of newly planted oak trees: Year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plants for up to 7 years), grading (includes cutting and filling of material), compaction (e.g., regular use of vehicles), placement of impermeable surfaces (e.g., pavement), and disturbance of soil that impacts roots (e.g., tilling).<br>In addition to oaks, the Oak Tree Replacement Plan shall include plants typical of Nipomo Mesa native oak woodlands in open space planting palettes, as well as herbs and shrubs that thrive near oaks, and generally require less irrigation than some of the landscaping commonly employed on the Central Coast. The table below provides appropriate plants associated with oak trees, including species found on the Dana Reserve. This list includes several with California Rare Plant Rank status. The landscape planting plan shall include common native understory species, such as western nettle and California plantain, as they may be naturally present in native landscapes and allowed to be retained by maintenance crews during restoration and site maintenance. Special-status species should be encouraged to be represented in the native plant landscape plan, especially in areas where already present or in the vicinity. | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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***Recommended Native Plant Species for Landscaping***

| Scientific Name | Common Name | Special Status |
|---|---|---|
| ***Shrubs – 12 Native Taxa*** | | |
| *Artemisia californica* | California sagebrush | -- |
| *Ceanothus impressus* var. *nipomensis* | Nipomo Mesa ceanothus | CRPR 1B.2 |
| *Ceanothus cuneatus* var. *fascicularis* | Sand buck brush | CRPR 4.2 |
| *Cercocarpus betuloides* var. *betuloides* | Birch-leaf mountain-mahogany | -- |
| *Frangula californica* | California coffee berry | -- |
| *Heteromeles arbutifolia* | Toyon | -- |
| *Prunus ilicifolia* | Hollyleaf cherry | -- |
| *Prunus fasciculata* var. *punctata* | Sand almond | CRPR 4.3 |
| *Rhamnus crocea* | Spiny redberry | -- |
| *Salvia mellifera* | Black sage | -- |
| *Sambucus nigra* ssp. *caerulea* | Blue elderberry | -- |
| *Symphoricarpos mollis* | Creeping snowberry | -- |
| ***Forbs – Annual and Perennial Native Taxa*** | | |
| *Acmispon americanus* | American bird's foot trefoil | -- |
| *Acmispon glaber* | Deer weed | -- |
| *Anaphalis margaritacea* | Pearly everlasting | -- |
| *Asclepias eriocarpa* | Kotolo | -- |
| *Cirsium occidentale* | Cobweb thistle | -- |
| *Clarkia purpurea* ssp. *viminea* | Wine cup Clarkia | -- |
| *Claytonia parviflora* ssp. *parviflora* | Miner's lettuce | -- |
| *Corethrogyne filaginifolia* | Common tansyaster | -- |

| Project Component | Impacts | Mitigation Measures | | | Residual Impacts |
|---|---|---|---|---|---|
| | | *Dichelostemma capitatum* ssp. *capitatum* | Blue dicks | -- | |
| | | *Diplacus aurantiacus* | Sticky monkeyflower | -- | |
| | | *Helianthemum scoparium* | Broom rose | -- | |
| | | *Hesperocnide tenella* | Western nettle | -- | |
| | | *Heterotheca grandiflora* | Telegraph weed | -- | |
| | | *Horkelia cuneata* var. *puberula* | Mesa horkelia | CRPR 1B.1 | |
| | | *Lupinus bicolor* | Miniature lupine | -- | |
| | | *Lupinus nanus* | Sky lupine | -- | |
| | | *Lupinus truncatus* | Blunt leaved lupine | -- | |
| | | *Paeonia californica* | California peony | -- | |
| | | *Pedicularis densiflora* | Warrior's plume | -- | |
| | | *Phacelia ramosissima* | Branching phacelia | -- | |
| | | *Phacelia tanacetifolia* | Lacy phacelia | -- | |
| | | *Pholistoma auritum* | Fiesta flower | -- | |
| | | *Piperia michaelii* | Michael's rein orchid | CRPR 4.2 | |
| | | *Plantago erecta* | California plantain | -- | |
| | | *Pseudognaphalium californicum* | Ladies' tobacco | -- | |
| | | *Pterostegia drymarioides* | Fairy mist | -- | |
| | | *Silene laciniata* | Cardinal catchfly | -- | |
| | | *Solanum americanum* | Common nightshade | -- | |
| | | *Solanum xanti* | Chaparral nightshade | -- | |
| | | **BIO/mm-18.3: Protect On-Site Oak Woodland Resources Intended to be Retained and Preserved On-Site.** Prior to issuance of a grading permit for any future development within the Specific Plan Area, the applicant shall submit an Oak Woodland Protection and Restoration Plan to be reviewed and approved by the County of San Luis Obispo Planning and Building Department. Coast live oak forest, woodland, and retained trees within 50 feet of development shall be shown on all grading and development plans. The plan shall be prepared by a qualified individual acceptable to the County of San Luis Obispo Director of Planning and Building. The plan shall specify short- and long-term management actions necessary to preserve | | | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | and enhance the on-site biological open space and will include sections for (1) habitat protection, (2) monitoring during project construction, (3) reporting, (4) oak tree replacement planting, (5) rare plant mitigation planting and protection, and (6) wildlife habitat protection. The plan shall include (7) a fuel management component that provides measures to protect native understory vegetation and downed woody debris in a manner that optimizes wildlife habitat protection and reduces fire risk to neighborhoods.<br><br>Fire fuel management shall address reduction of fire fuel loads within 100 feet of structures. The first 30 feet from residences/structures (e.g., the back of yards) shall be maintained to remove dead plant material, and trees shall be maintained to keep branches 10 feet from other trees. In the next 70 feet, annual grass shall be cut or grazed to a maximum average height of 4 inches. A horizontal space shall be created between patches of native shrubs. Fallen branches, twigs, and bark shall be removed to reduce total fuel load. Patches of live shrubs shall be retained, and patches of annual wildflowers shall be mowed/grazed after seeds have set. Young trees that are in shrub-form shall be shaped to minimize fuel load but allow for trees to protect their trunks during the growth period. Heavy branches of mature trees at least 6 feet from the ground shall be removed per California Department of Forestry and Fire Protection's "Prepare for Wildfire" recommendations to maintain defensible space. Management of defensible space (100 feet from structures and 10 feet from roads) must protect special-status plant and wildlife taxa as specified in Mitigation Measures BIO/mm 1.1 through BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, and BIO/mm-14.1.<br><br>**BIO/mm-18.4: Off-Site Preservation.** Prior to recordation of a Final Map for a land division over the Specific Plan Area, the applicant shall protect coast live oak forest (*Quercus agrifolia* / *Toxicodendron diversilobum* association) and coast live oak woodland (*Quercus agrifolia* / *Adenostoma fasciculatum* – [*Salvia mellifera*] association) at a ratio of 2:1 (2 acres conserved for each acre removed). A conservation easement over the protected habitat shall be controlled by a qualified conservation organization approved by the County of San Luis Obispo. Potential conservation organizations include, but are not limited to, The Nature Conservancy, Land Conservancy of San Luis Obispo County, Greenspace, or Cambria Land Trust.<br><br>Applicant-Proposed Mitigation: The applicant proposes to conserve 187 acres of coast live oak woodland and 67.5 acres of coast live oak forest that is intermixed with the 95.9 acres of chamise chaparral, 19.2 acres of La Panza manzanita chaparral, and 26.4 acres of annual grassland on the Dana Ridge Ranch. This property is located southeast of Dana Reserve (see Figure 4.4-13). Habitat descriptions, a plant list, and figures associated with this off-site mitigation location are detailed in Althouse and Meade (2021). The project proposes to impact 21.7 acres of coast live oak forest and 75.3 acres of coast live oak woodland (97.0 acres total). The applicant's proposed mitigation on Dana Ridge Ranch would yield a mitigation ratio of 3.1:1 for coast live oak forest and 2.5:1 for coast live oak woodland habitats. No restoration or replacement of removed oak trees is proposed. | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| Off-Site Improvements | **BIO Impact 19:** Off-site transportation improvements and/or trenching of new water and wastewater pipelines could result in direct and indirect impacts to oak trees. | **BIO/mm-19.1: Oak Tree Monitoring.** Impacts to oak trees shall be avoided where feasible. Impacts include any ground disturbance or soil compaction within the dripline or critical root zone of the trees (whichever distance is greater). A qualified arborist shall determine the critical root zone for each oak tree within the path of the pipeline alignments. Ground disturbance shall be supervised by a licensed arborist if excavation is proposed within the critical root zone of an oak tree. The arborist shall supervise all trenching within the critical root zone. The arborist shall provide guidance such as temporary damaged root protection, use of air spades, timing between impact and root treatment by arborist, appropriate use of air spade or hand tools to minimize tree damage specific to the action proposed, and to treat root zone and branch damage. During and upon completion of construction, the licensed arborist shall provide treatment, as the licensed arborist determines is appropriate, to maintain and improve the health of the tree, including pruning of the broken main stem, and soil supplement and watering programs. All root pruning shall be completed with sharpened hand pruners. Pruned roots shall be immediately covered with soil or moist fabric. Damaged roots shall be treated within 24 hours by a qualified tree specialist to inhibit fungus, insects, or other disease damage. | Residual impacts would be less than significant with mitigation (Class II) |
| Cumulative | **BIO Impact 20:** The project would have cumulatively considerable impacts related to biological resources. | Implement Mitigation Measures **BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-11.1, BIO/mm-12.1, BIO/mm-13.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-16.1, BIO/mm-17.1 through BIO/mm-17.3, BIO/mm-18.1 through BIO/mm-18.4, and BIO/mm-19.1**. | Residual impacts would be significant and unavoidable (Class I) |
| ***Cultural Resources*** | | | |
| Off-Site Improvements | **CR Impact 1:** Off-site improvements could result in adverse effects to historical resources. | **CR/mm-1.1: Prepare Historical Resources Evaluation.** Prior to development of off-site improvements, a qualified architectural historian will conduct a review to determine the presence of historical resources and/or the potential for the improvements to affect historical resources and prepare a report that details the evaluation methodology, findings, and recommended mitigation measures to avoid and/or minimize potential impacts. The report shall be submitted to the Nipomo Community Services District for implementation and to the County of San Luis Obispo Planning and Building Department for verification of compliance with this measure. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | CR Impact 2: Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of known archaeological resources P-40-002132, P-40-002273, and DR-001. | **CR/mm-2.1: Environmentally Sensitive Areas.** The Extended Phase I study identified areas within each resource that contain subsurface deposits, which have higher potential to yield important information. Although abundant within the project area, non-diagnostic surface artifacts generally lack significant data potential. As such, the localized portions of each respective resource that contain evidence of subsurface deposits shall be avoided.<br>These areas shall be labeled as Environmentally Sensitive Areas on construction plans for initial site preparation and infrastructure establishment, as well as construction plans for all future phases of the project. Highly visible temporary construction fencing shall be installed along the boundary and shall remain in place | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | during initial ground disturbance. To the greatest extent feasible, no ground disturbance, construction worker foot traffic, storage of materials, or storage or use of equipment shall occur within 50 feet of the Environmentally Sensitive Areas. If an Environmentally Sensitive Area will be accessible by occupants or visitors to the development, the Environmentally Sensitive Area shall be clearly marked, and designated trails will be established to ensure that no future impacts to the Environmentally Sensitive Areas occur as a result of the project. Where feasible, native vegetation shall be planted and maintained in a way that protects off-trail activity within the Environmentally Sensitive Area(s) and minimizes impacts from planting, irrigation, and use for the life of the project.<br><br>**CR/mm-2.2: Data Recovery Plan.** If a resource cannot be protected and avoided as an Environmentally Sensitive Area as described in CR/mm-2.1, the applicant shall retain a County of San Luis Obispo-qualified archaeologist to conduct and implement resource-specific data recovery prior to initial site preparation and infrastructure establishment, as well as prior to construction of all future phases of the project occurring within 50 feet of an Environmentally Sensitive Area. Prior to implementation of data recovery, a County-qualified archaeologist shall prepare a Data Recovery Plan outlining the goals and methods for conducting and reporting on the work. The Data Recovery Plan will include, but not be limited to:<br><br>1. Research design;<br>2. Excavation methodology;<br>3. Curation or repatriation plan;<br>4. Treatment of human remains;<br>5. Proposed sample size;<br>6. Proposed excavation locations; and<br>7. Coordination with local tribal groups.<br><br>The Data Recovery Plan will be tailored to the level of physical disturbance at each resource (if any). As the full extent of proposed disturbance cannot be determined at this time, it is not practical to include the preparation of the Data Recovery Plan as part of this Environmental Impact Report. The Data Recovery Plan will be prepared in direct coordination with local tribal groups and shall be submitted to the County of San Luis Obispo Planning and Building Department for review and approval.<br><br>**CR/mm-2.3: Cultural Resources Protection Plan.** In addition to the resource-specific Data Recovery program, a County of San Luis Obispo -qualified archaeologist shall prepare a Cultural Resources Protection Plan to ensure impacts to unknown resources are avoided or minimized during all future phases of the project, including off-site improvements. The Cultural Resources Protection Plan shall include, but not be limited to, the following provisions:<br><br>1. List of personnel involved in the observation and oversight activities;<br>2. Description of how monitoring will occur;<br>3. Description of frequency of monitoring (e.g., full-time, part time, spot checking); | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | 4. Description of what resources are expected to be encountered;<br>5. Description of circumstances that would result in the halting of work at the project site (e.g., what is considered significant archaeological resources?);<br>6. Description of procedures for halting work on the site and notification procedures;<br>7. Description of reporting procedures; and<br>8. Consultation with appropriate Chumash tribal representatives.<br>The Cultural Resources Protection Plan shall outline how and when archaeological and/or tribal monitoring may occur during initial project activities. The intent of the Cultural Resources Protection Plan is to ensure avoidance of adverse impacts to resources protected as Environmentally Sensitive Areas and to ensure proper treatment in the case unknown resources are inadvertently discovered during project implementation.<br>**CR/mm-2.4: Worker Awareness Training.** Prior to construction activities, the applicant shall have a County of San Luis Obispo-qualified archaeologist and a tribal representative conduct a cultural resources training for all construction personnel, including the following:<br>1. Review the types of archaeological artifacts that may be uncovered;<br>2. Provide examples of common archaeological artifacts to examine;<br>3. Review what makes an archaeological resource significant to archaeologists and local Native Americans;<br>4. Describe procedures for notifying involved or interested parties in case of a new discovery;<br>5. Describe reporting requirements and responsibilities of construction personnel;<br>6. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and,<br>7. Describe procedures that would be followed in the case of discovery of disturbed and/or intact human burials and burial-associated artifacts. | |
| Off-Site Improvements | **CR Impact 3:** Off-site improvements could result in adverse effects to archaeological resources. | Implement Mitigation Measures **CR/mm-2.3 and CR/mm-2.4**.<br>**CR/mm-3.1: Retain Archaeologist.** Prior to development of off-site improvements, a County of San Luis Obispo-qualified archaeologist shall be retained by the applicant to conduct a review of California Historical Resources Information System records search data to determine the presence of known resources and determine if the off-site improvement areas have been previously subject to archaeological study, and whether the study adequately addresses the potential for archaeological resources to occur within the disturbance area associated with implementation of the project.<br>If it is determined a study has not been conducted or existing research does not meet California Environmental Quality Act requirements for the identification and treatment of California Register of Historical Resources-eligible resources, a new study shall be conducted. The study shall identify archaeological resources that | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | have the potential to be impacted by future development and provide mitigation measures to avoid and/or minimize potential impacts. Additional tasks, such as Native American coordination, Phase II archaeological testing, Phase III data recovery, and historic research, shall be conducted as necessary. The study shall identify cultural resources that have the potential to be impacted by future development and identify resource-specific mitigation measures to avoid and/or minimize potential impacts. The study shall be submitted to the County of San Luis Obispo Planning and Building Department prior to initiation of site preparation for off-site improvements. | |
| Specific Plan Area | **CR Impact 4:** Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of unknown human remains. | Implement Mitigation Measures **CR/mm-2.3 and CR/mm-2.4**. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **CR Impact 5:** Off-site improvements could result in disturbance and destruction of unknown human remains. | Implement Mitigation Measures **CR/mm-2.3 and CR/mm-2.4**. | Residual impacts would be less than significant with mitigation (Class II) |
| Cumulative | **CR Impact 6:** Project implementation may result in the cumulative disturbance and destruction of historic resources, including archaeological and historical resources pursuant to State CEQA Guidelines Section 15064.5, and human remains. | Implement Mitigation Measures **CR/mm-1.1, CR/mm-2.1 through CR/mm-2.4, and CR/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| ***Energy*** | | | |
| Specific Plan Area | **EN Impact 1:** The project could result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. | Implement Mitigation Measures **AQ/mm-3.1, AQ/mm-3.3, and TR/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **EN Impact 2:** Off-site improvements could result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. | Implement Mitigation Measure **AQ/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **EN Impact 3:** The project could conflict with or obstruct a state or local plan for renewable energy or energy efficiency. | Implement Mitigation Measure **AQ/mm-3.3**. | Residual impacts would be less than significant |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | | with mitigation (Class II) |
| Off-Site Improvements | **EN Impact 4:** Off-site improvements could conflict with or obstruct a state or local plan for renewable energy or energy efficiency. | Implement Mitigation Measure **AQ/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Cumulative | **EN Impact 5:** The project would not result in a cumulatively considerable impact to energy resources. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| ***Geology and Soils*** | | | |
| Specific Plan Area | **GEO Impact 1:** The project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground shaking, or seismic-related ground failure. | **GEO/mm-1.1: Foundations.** The following recommendations shall be incorporated into the design criteria for future development of the Specific Plan Area:<br>1. Conventional continuous and spread footings bearing on compacted soils may be used to support the new structures. Grade beams shall also be placed across all large entrances into the buildings. Footings and grade beams shall have a minimum depth of 12 inches below lowest adjacent grade; however, footings and grade beams for commercial buildings and residential buildings two stories or greater shall have a minimum depth of 18 inches below lowest adjacent grade. All spread footings shall be a minimum of 2 square feet. Footing and grade beam dimensions shall also conform to the applicable requirements of Section 1809 of the 2019 California Building Code. Footing reinforcement shall be in accordance with the requirements of the architect/engineer; minimum continuous footing and grade beam reinforcement shall consist of two No. 4 rebar, one near the top and one near the bottom of the footing.<br>2. Footings shall be designed using a maximum allowable bearing capacity of 2,000 pounds per square foot (psf) dead plus live load. The allowable bearing capacity may be increased by 200 psf for each additional 6 inches of embedment below a depth of 12 inches below lowest adjacent grade. The allowable bearing capacity shall not exceed 3,000 psf dead plus live loads. Using these criteria, maximum total and differential settlement under static conditions are expected to be on the order of 3/4-inch and 1/4-inch in 25 feet, respectively. Footings shall also be designed to withstand total and differential dynamic settlement of 1/2-inch and 1/4-inch across the largest building dimension, respectively.<br>3. Lateral loads may be resisted by soil friction and by passive resistance of the soil acting on foundations. Lateral capacity is based on the assumption that backfill adjacent to foundations is properly compacted. A passive equivalent fluid pressure of 375 pounds per cubic foot (pcf) and a | Residual impacts would be less than significant with mitigation (Class II) |

<table>
<tr><th>Project Component</th><th>Impacts</th><th>Mitigation Measures</th><th>Residual Impacts</th></tr>
<tr><td></td><td></td><td>coefficient of friction of 0.39 may be used in design. No safety, load, and/or other factors have been applied to any of the values.<br>4. The allowable bearing capacity may be increased by one-third when transient loads, such as wind or seismicity, are included if the structural engineer determines they are allowed per Sections 1605.3.1 and 1605.3.2 of the 2019 California Building Code. The following seismic parameters are presented for use in structural design.<br><table><tr><th colspan="2">2019 Mapped CBC Values</th><th colspan="2">Site Class “D” Adjusted Values</th><th colspan="2">Design Values</th></tr><tr><th>Seismic Parameters</th><th>Values (g)</th><th>Site Coefficients</th><th>Values (g)</th><th>Seismic Parameters</th><th>Values (g)</th><th>Seismic Parameters</th><th>Values (g)</th></tr><tr><td>$S_S$</td><td>1.056</td><td>$F_a$</td><td>1.078*</td><td>$S_{MS}$</td><td>1.138</td><td>$S_{DS}$</td><td>0.759*</td></tr><tr><td>$S_1$</td><td>0.386</td><td>$F_V$</td><td>1.914</td><td>$S_{M1}$</td><td>0.739</td><td>$S_{D1}$</td><td>0.493</td></tr></table>Peak Mean Ground Acceleration ($PGA_M$) = 0.527g<br>Seismic Design Criteria = D<br>*$F_a$ should be taken as 1.4 and $S_{DS}$ as 0.996 if the Simplified Lateral Force Analysis Procedure in Section 12.14.8 of the American Society of Civil Engineers Publications is used in structural design<br>5. Foundation excavations shall be observed by the geotechnical engineer prior to placement of reinforcing steel or any formwork. Foundation excavations shall be thoroughly moistened prior to Portland cement concrete placement and no desiccation cracks shall be present.</td><td></td></tr>
<tr><td>Off-Site Improvements</td><td>GEO Impact 2: Off-site improvements could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground shaking, or seismic-related ground failure.</td><td>Mitigation is not necessary.</td><td>Residual impacts would be less than significant (Class III)</td></tr>
<tr><td>Specific Plan Area</td><td>GEO Impact 3: The project could result in substantial soil erosion or the loss of topsoil during future construction activities.</td><td>Mitigation is not necessary.</td><td>Residual impacts would be less than significant (Class III)</td></tr>
<tr><td>Off-Site Improvements</td><td>GEO Impact 4: Off-site improvements could result in substantial soil erosion or the loss of topsoil during future construction activities.</td><td>Mitigation is not necessary.</td><td>Residual impacts would be less than significant (Class III)</td></tr>
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| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| Specific Plan Area | **GEO Impact 5:** The project may 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. | Implement Mitigation Measure **GEO/mm-1.1**.<br>**Site Preparation.**<br>1. The existing ground surface in the building and surface improvements areas shall be prepared for construction by removing existing improvements, vegetation, large roots, debris, and other deleterious material. Any existing fill soils shall be completely removed and replaced as compacted fill. Any existing utilities that will not remain in service shall be removed or properly abandoned; the appropriate method of utility abandonment will depend upon the type and depth of the utility. Recommendations for abandonment can be made as necessary.<br>2. Voids created by the removal of materials or utilities, and extending below the recommended overexcavation depth, shall be immediately called to the attention of the geotechnical engineer. No fill shall be placed unless the geotechnical engineer has observed the underlying soil.<br>**GEO/mm-5.2: Grading.**<br>1. Following site preparation, the soils in the building area for one- and two-story buildings shall be removed to a level plane at a minimum depth of 3 feet below the bottom of the deepest footing or 4 feet below existing grade, whichever is deeper. The soils in the building area for three- and four-story buildings shall be removed to a level plane at a minimum depth of 4 feet below the bottom of the deepest footing or 5 feet below existing grade, whichever is deeper. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.<br>2. In addition to the recommendations of measure 1, all cut or cut/fill transition areas shall be overexcavated such that a minimum of 5 feet of compacted fill is provided within all the building areas. Also, the minimum depth of the fill below the building area shall not be less than half of the maximum depth of fill below the building area. For example, if the maximum depth of fill below the building area is 20 feet, then the minimum depth of fill below the same building area grades shall be no less than 10 feet. In no case shall the depth of fill be less than 5 feet on the building areas.<br>3. Following site preparation, the soils in the surface improvement area shall be removed to a level plane at a minimum depth of 1 foot below the proposed subgrade elevation or 2 feet below the existing ground surface, whichever is deeper. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.<br>4. Following site preparation, the soils in fill areas beyond the building and surface improvement areas shall be removed to a depth of 2 feet below existing grade. During construction, locally deeper removals may be | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.<br>5. Voids created by dislodging cobbles and/or debris during scarification shall be backfilled and compacted, and the dislodged materials shall be removed from the area of work.<br>6. On-site material and approved import materials may be used as general fill. All imported soil shall be non-expansive. The proposed imported soils shall be evaluated by the geotechnical engineer before being used, and on an intermittent basis during placement on the site.<br>7. All materials used as fill shall be cleaned of any debris and rocks larger than 6 inches in diameter. No rocks larger than 3 inches in diameter shall be used within the upper 3 feet of finish grade. When fill material includes rocks, the rocks shall be placed in a sufficient soil matrix to ensure that voids caused by nesting of the rocks will not occur and that the fill can be properly compacted.<br>8. Soils are estimated to shrink by approximately 15% to 20% when prepared and graded as recommended above.<br>**GEO/mm-5.3: Project Design, Construction Observation, and Testing.**<br>1. A geotechnical engineer shall be retained to provide consultation during the design phase, aid in incorporating recommendations of this report in future project design, review final plans once they are available, interpret this report during construction, and provide construction monitoring in the form of testing and observation.<br>2. At a minimum, the geotechnical engineer shall be retained to provide:<br>a. Review of final grading, utility, and foundation plans;<br>b. Professional observation during grading, foundation excavations, and trench backfill;<br>c. Oversight of compaction testing during grading; and<br>d. Oversight of special inspection during grading;<br>3. Special inspection of grading shall be provided as per California Building Code Section 1705.6 and Table 1705.6. The special inspector shall be under the direction of the geotechnical engineer. Special inspection of the following items shall be provided by the special inspector:<br>a. Stripping and clearing of vegetation<br>b. Overexcavation to the recommended depths<br>c. Scarification, moisture conditioning, and compaction of the soil<br>d. Fill quality, placement, and compaction<br>e. Utility trench backfill<br>f. Retaining wall drains and backfill<br>g. Foundation excavations | |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | h. Subgrade and aggregate base compaction and proof rolling<br>4. A program of quality control shall be developed prior to beginning grading. The contractor or project manager shall determine any additional inspection items required by the architect/engineer or the governing jurisdiction.<br>5. Locations and frequency of compaction tests shall be as per the recommendation of the geotechnical engineer at the time of construction. The recommended test location and frequency may be subject to modification by the geotechnical engineer, based on soil and moisture conditions encountered, size and type of equipment used by the contractor, the general trend of the results of compaction tests, or other factors.<br>6. The geotechnical engineer shall be notified at least 48 hours prior to beginning construction operations. | |
| Off-Site Improvements | **GEO Impact 6:** The project may 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. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **GEO Impact 7:** Off-site improvements may 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. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **GEO Impact 8:** Paleontological resources could be present in geological units that underlay the Specific Plan Area, and ground-disturbing activities could damage paleontological resources that may be present below the surface. | **GEO/mm-8.1:** ***Preparation of a Paleontological Resources Monitoring and Mitigation Plan.*** A qualified paleontologist, meeting the standards of the Society of Vertebrate Paleontology (2010), shall be retained prior to the approval of grading permits. The qualified paleontologist shall develop a Paleontological Resources Monitoring and Mitigation Plan for all ground-disturbing activities, provide mitigation measures to reduce potential impacts when existing information indicates that a site proposed for development may contain paleontological resources, and report to the site in the event potential paleontological resources are encountered.<br>**GEO/mm-8.2:** ***Worker Environmental Awareness Program.*** The qualified paleontologist shall conduct a Worker Environmental Awareness Program for all construction workers prior to the start of ground-disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. This information may be presented to contractors and their staff through the use of in-person “tailgate” meetings or other mechanisms | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
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| | | (e.g., handouts). Documentation shall be retained demonstrating that all construction personnel attended the training.<br>**GEO/mm-8.3: Paleontological Monitoring and Handling of Resources Inadvertently Discovered during Ground-Disturbing Activities.** Part-time/on-call paleontological resources monitoring shall be conducted by a qualified paleontologist who meets the standards of the Society of Vertebrate Paleontology (2010), for all ground-disturbing activities that occur in previously undisturbed sediments, as outlined in the Paleontological Resources Monitoring and Mitigation Plan prepared to satisfy Mitigation Measure GEO/mm-8.1. If required per the requirements of the Paleontological Resources Monitoring and Mitigation Plan, the qualified paleontologist shall spot check the excavation on an intermittent basis and recommend whether the depth of required monitoring shall be revised based on his/her observations. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils in order to recover the fossil specimens. Any significant fossils collected during project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage as designated in the Paleontological Resources Monitoring and Mitigation Plan. Monitors shall prepare daily logs detailing the types of activities and soils observed and any discoveries. The qualified paleontologist shall prepare a final monitoring and mitigation report to document the results of the monitoring effort.<br>If construction or other project personnel discover any potential fossils during construction, regardless of the depth of work or location, work at the discovery location shall cease in a 50-foot radius of the discovery until the qualified paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. If the find is deemed significant, it shall be salvaged following the standards of the Society of Vertebrate Paleontology (2010) and curated with a certified repository. | |
| Off-Site Improvements | **GEO Impact 9:** Paleontological resources could be present in geological units that underlay the area of off-site improvements, and ground-disturbing activities could damage paleontological resources that may be present below the surface. | Implement Mitigation Measures **GEO/mm-8.1 through GEO/mm-8.3**. | Residual impacts would be less than significant with mitigation (Class II) |
| Cumulative | **GEO Impact 10:** The project would not result in a cumulatively considerable impact to geology and soils. | Implement Mitigation Measures **GEO/mm-1.1, GEO/mm-5.1, GEO/mm-5.2, and GEO/mm-5.3, GEO/mm-8.1, GEO/mm-8.2, and GEO/mm-8.3**. | Residual impacts would be less than significant with mitigation (Class II) |
| ***Greenhouse Gas Emissions*** | | | |
| Specific Plan Area | **GHG Impact 1:** The project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. | Implement Mitigation Measures **AQ/mm-3.1, AQ/mm-3.3, and TR/mm-3.1**.<br>**GHG/mm-1.1:** The following measures shall be implemented to reduce project-generated emissions of greenhouse gases: | Residual impacts would be less than significant |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | 1. To the extent practical, the proposed project shall reuse and recycle construction waste, including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.<br>2. The servicing of residential development by natural gas shall be prohibited. To the extent possible, nonresidential development shall install electrically powered appliances and building mechanical equipment in place of natural gas-fueled equipment.<br>3. Encourage future land uses to participate in Central Coast Community Energy as the electricity provider if it is an option that would be available at the time of occupancy.<br>4. The project shall provide organic waste pick up and shall provide the appropriate on-site enclosures consistent with County requirements.<br>5. The project shall be designed to incorporate drought-resistant and native plants.<br>6. The project shall be designed to incorporate water-efficient irrigation systems.<br>7. The project shall be designed to incorporate low-flow water fixtures.<br>8. The project shall install high-reflectance roofing materials (e.g., U.S. Environmental Protection Agency "Energy Star"-rated), to the extent practical, to reduce building heat absorption and summer energy costs.<br>9. The electrical systems for single-family homes shall be designed with sufficient capacity to accommodate Level 2 residential-use electric vehicle chargers. | with mitigation (Class II) |
| Off-Site Improvements | **GHG Impact 2:** Off-site improvements could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. | Implement Mitigation Measure **AQ/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **GHG Impact 3:** The project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. | Implement Mitigation Measures **AQ/mm-3.1**, **AQ/mm-3.3**, **GHG/mm-1.1**, and **TR/mm-3.1**. | Residual impacts would be significant and unavoidable (Class I) |
| Off-Site Improvements | **GHG Impact 4:** Off-site improvements could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **GHG Impact 5:** The project would result in a cumulatively considerable impact to greenhouse gas emissions. | Implement Mitigation Measure **TR/mm-3.1**. | Residual impacts would be significant and |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | | unavoidable (Class I) |
| ***Hazards and Hazardous Materials*** | | | |
| Specific Plan Area | **HAZ Impact 1:** The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **HAZ Impact 2:** Off-site improvements would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **HAZ Impact 3:** The project could 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. | Implement Mitigation Measure **AQ/mm-7.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **HAZ Impact 4:** Off-site improvements could 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. | Implement Mitigation Measures **AQ/mm-7.1 and BIO/mm-16.1 through BIO/mm-16.3**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **HAZ Impact 5:** The project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **HAZ Impact 6:** Off-site improvements could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **HAZ Impact 7:** Off-site improvements would be located near a hazardous materials site pursuant to California Government Code Section 65962.5. | **HAZ/mm-7.1:** Prior to initiation of vegetation removal, demolition activities, or any earth-moving activities within 1,000 feet of any open hazardous materials site pursuant to California Government Code Section 65962.5, the project contractor shall prepare and implement a Hazardous Materials Management Plan that details procedures that will be taken to ensure the appropriate handling, stockpiling, testing, and disposal of excavated materials to prevent the inadvertent release of contaminated soil and demolished materials to the environment during construction | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | activities. Elements of the plan shall include, but would not necessarily be limited to, the following:<br>**Worker Health and Safety**<br>1. Accident prevention measures.<br>2. The requirement that all construction crew members be trained regarding best practices for the appropriate handling, stockpiling, testing, and disposal of excavated materials prior to beginning work.<br>**Soil Contamination**<br>1. Procedures for the proper handling, stockpiling, testing, and disposal of excavated materials in accordance with California Code of Regulations Title 14 and Title 22.<br>2. Soil contamination evaluation and management procedures, including how to properly identify potential contamination (e.g., soil staining, odors, buried material), the requirement that construction activities within a 50-foot radius of potentially contaminated soil be halted until the hazard has been assessed and appropriately addressed, the requirement that access to potentially contaminated areas be limited to properly trained personnel, and procedures for notification and reporting, including internal management and local agencies (e.g., California Department of Forestry and Fire Protection, County of San Luis Obispo Environmental Health Services), as needed.<br>3. Monitoring of ground-disturbing activities for soil contamination may include visual and organic vapor monitoring by personnel with appropriate hazardous materials training, including 40 hours of Hazardous Waste Operations and Emergency Response (HAZWOPER) training.<br>4. If visual and organic vapor monitoring indicates signs of suspected contaminated soil, then soil samples shall be collected and analyzed to characterize soil quality.<br>5. Evaluation of all potentially contaminated materials encountered during project construction activities in accordance with applicable federal, state, and local regulations and/or guidelines governing hazardous waste. All materials deemed to be hazardous shall be remediated and/or disposed of following applicable regulatory agency regulations and/or guidelines. Disposal sites for both remediated and non-remediated soils shall be identified prior to beginning construction. All evaluation, remediation, treatment, and/or disposal of hazardous waste shall be supervised and documented by qualified hazardous waste personnel. | |
| Specific Plan Area | **HAZ Impact 8:** The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Off-Site Improvements | **HAZ Impact 9:** Off-site improvements would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **HAZ Impact 10:** The project would not result in a cumulatively considerable impact to hazards and hazardous materials. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| ***Hydrology and Water Quality*** | | | |
| Specific Plan Area | **HYD Impact 1:** The project could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **HYD Impact 2:** Off-site improvements could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. | Implement Mitigation Measures **BIO/mm-17.1 through BIO/mm-17.3**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **HYD Impact 3:** The project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **HYD Impact 4:** Off-site improvements could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **HYD Impact 5:** The project could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Off-Site Improvements | **HYD Impact 6:** Off-site improvements could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems. | Implement Mitigation Measures **BIO/mm-17.1 through BIO/mm-17.3**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area and Off-Site Improvements | **HYD Impact 7:** The project could conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **HYD Impact 8:** Off-site improvements would not risk the release of pollutants due to project inundation. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **HYD Impact 9:** The project would not result in a cumulatively considerable impact to hydrology and water quality. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| ***Land Use and Planning*** | | | |
| Specific Plan Area | **LUP Impact 1:** The project would not physically divide an established community. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **LUP Impact 2:** Off-site improvements would not physically divide an established community. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **LUP Impact 3:** The project would adversely affect the local jobs-to-housing ratio within the project area and would be inconsistent with Land Use Planning Policy L-3 of the San Luis Obispo County Clean Air Plan. | No feasible mitigation has been identified. | Residual impacts would be significant and unavoidable (Class I) |
| Specific Plan Area | **LUP Impact 4:** The project would result in an increase in regional VMT and would generate VMT per employee above applicable thresholds; therefore, the project would be potentially inconsistent with Policy AQ 1.2 of the County of San Luis Obispo General Plan Conservation and Open Space Element. | Implement Mitigation Measure **TR/mm-2.1**. | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Specific Plan Area | **LUP Impact 5:** The project would result in the net loss of CRPR 4 and Watch List plant species, native oak woodland, and sensitive habitats; therefore, the project would be potentially inconsistent with goals and policies of the County of San Luis Obispo General Plan Conservation Open Space Element pertaining to preservation of biological resources and Policy 3.8 of the Parks and Recreation Element. | Implement Mitigation Measures **BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-4.1, BIO/mm-15.1, BIO/mm-16.1, BIO/mm-18.1 through BIO/mm-18.4, and BIO/mm-19.1**. | Residual impacts would be significant and unavoidable (Class I) |
| Specific Plan Area | **LUP Impact 6:** The project could be inconsistent with Policy 2.2, Goal 2/Objective B, and Policies 6.4, 6.9, and 6.10 of the County of San Luis Obispo General Plan Parks and Recreation Element and three Public Facilities, Services, and Resources policies in the South County Inland Area Plan. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **LUP Impact 7:** The project could be inconsistent with policies within the County of San Luis Obispo General Plan Conservation and Open Space Element, Framework for Planning (Inland), Land Use Ordinance, and South County Inland Area Plan related to preservation of rural visual character, compatibility with the natural landscape, and preservation of views of oak woodlands and other visually significant features. | Implement Mitigation Measures **AES/mm-3.1, AES/mm-3.2, and AES/mm-7.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **LUP Impact 8:** The project could be inconsistent with policies in the Sustainable Communities Strategy and County Framework for Planning (Inland) associated with establishment of development and utility services within of existing transit corridors and/or urban reserve line/village reserve line boundaries. | Implement Mitigation Measure **PS/mm-1.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **LUP Impact 9:** Off-site improvements would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **LUP Impact 10:** The project would result in cumulative impacts associated with inconsistency with goals and policies identified within the County of San Luis Obispo General Plan Conservation and Open Space Element, Framework for Planning (Inland), Land Use | Implement Mitigation Measures **BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-4.1, BIO/mm-15.1, BIO/mm-16.1, BIO/mm-18.1 through BIO/mm-18.4, BIO/mm-19.1, AES/mm-3.1 through AES/mm-3.3, and AES/mm-7.1**. | Residual impacts would be significant and unavoidable (Class I) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | Ordinance, and South County Area Plan regarding preservation and no net loss of sensitive biological resources and preservation of rural visual character. | | |
| ***Mineral Resources*** | | | |
| Cumulative | **MR Impact 1:** The project would not result in a cumulatively considerable impact to mineral resources. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| ***Noise*** | | | |
| Specific Plan Area | **N Impact 1:** The project would generate a substantial temporary or permanent increase in ambient noise levels in excess of established standards. | **N/mm-1.1:** The following mitigation measures shall be implemented to reduce exposure to short-term construction noise.<br>1. Unless otherwise provided for in a validly issued permit or approval, noise-generating construction activities should be limited to between the hours of 7:00 a.m. and 7:00 p.m. Noise-generating construction activities should not occur on Sundays or legal holidays.<br>2. Construction equipment should be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment-engine shrouds should be closed during equipment operation.<br>3. Equipment shall be turned off when not in use for an excess of 5 minutes, except for equipment that requires idling to maintain performance.<br>4. Construction haul truck routes shall be routed away from nearby noise-sensitive land uses to the extent possible.<br>5. Staging and queuing areas shall be located at the farthest distance possible from nearby noise-sensitive land use identified in the project area at the time of construction.<br>6. Stationary equipment (e.g., generators, compressors) shall be located at the farthest distance possible from nearby noise-sensitive land use identified in the project area at the time of construction.<br>7. A public liaison shall be appointed for project construction and shall be responsible for addressing public concerns related to construction-generated noise, including excessive noise. As needed, the liaison shall determine the cause of the concern (e.g., starting too early, bad muffler) and implement measures to address the concern. Where necessary, additional measures, such as equipment repairs, equipment enclosures, or temporary barriers, shall be implemented to address local concerns.<br>8. Signage shall be placed at the project site construction entrance(s) to advise the public of anticipated dates of construction. The signage shall | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | include the phone number of the public liaison appointed to address construction-related noise concerns.<br><br>**N/mm-1.2:** The following mitigation measures shall be implemented to reduce long-term exposure to transportation and non-transportation noise:<br><br>1. The County of San Luis Obispo shall require acoustical assessments to be prepared as part of the County development review process for future noise-sensitive land uses located within the projected 60 A-weighted decibels Community Noise Equivalent Level noise contour of U.S. Route 101 (i.e., within 1,005 feet from the centerline of U.S. Route 101, refer to Figure 4 in Environmental Impact Report Appendix I). The acoustical assessments shall address compatibility with the County of San Luis Obispo's noise standards for transportation noise sources. Where the acoustical assessments determine that transportation noise levels would exceed applicable County noise standards, noise-reduction measures shall be incorporated sufficient to reduce operational noise levels to below applicable noise standards. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, or berms. The emphasis of such measures shall be placed upon site planning and project design. (Refer to Table 4.13-6 of this Environmental Impact Report for noise-sensitive land uses and corresponding noise standards.)<br><br>2. The County shall require acoustical assessments to be prepared as part of the environmental review process for future commercial land uses involving the proposed installation of exterior noise-generating equipment, including, but not limited to, back-up power generators, trash compactors, amplified public address systems, and commercial-use air conditioning condensers. The acoustical assessments shall evaluate potential noise impacts attributable to the proposed project in comparison to applicable County noise standards for stationary noise sources (refer to Table 4.13-7). The acoustical assessment shall evaluate impacts to nearby existing off-site, as well as future planned on-site, noise-sensitive land uses. Where the acoustical analysis determines that stationary-source noise levels would exceed applicable County noise standards, noise-reduction measures shall be incorporated sufficient to reduce operational noise levels to below applicable noise standards. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, berms, hourly limitations, or equipment enclosures. The emphasis of such measures shall be placed upon site planning and project design (see Table 4.13-7 of this Environmental Impact Report for applicable County of San Luis Obispo noise standards). | |
| Off-Site Improvements | **N Impact 2:** Off-site improvements would generate a substantial temporary or permanent increase in ambient noise levels in excess of established standards. | Implement Mitigation Measure **N/mm-1.1**. | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Specific Plan Area | **N Impact 3:** The project would not result in the generation of excessive short- or long-term groundborne vibration or noise levels. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **N Impact 4:** Off-site improvements would not result in the generation of excessive short- or long-term groundborne vibration or noise levels. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **N Impact 5:** The project would not result in a cumulatively considerable impact to noise. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| ***Population and Housing*** | | | |
| Specific Plan Area | **PH Impact 1:** The project would induce substantial unplanned population growth in the Nipomo area. | No feasible mitigation has been identified. | Residual impacts would be significant and unavoidable (Class I) |
| Off-Site Improvements | **PH Impact 2:** Off-site improvements would not result in substantial unplanned population growth. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **PH Impact 3:** The project would not displace existing people or housing. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **PH Impact 4:** Off-site improvements would not displace existing people or housing. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| **Cumulative** | **PH Impact 5:** The project would result in a cumulatively considerable impact related to substantial and unplanned population growth. | No feasible mitigation has been identified. | Residual impacts would be significant and unavoidable (Class I) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| ***Public Services*** | | | |
| Specific Plan Area | **PS Impact 1:** The project would result in an increased need for fire protection services. | **Provision of Land for a New Fire Station.** The project applicant shall be required to coordinate with the County of San Luis Obispo and California Department of Forestry and Fire Protection to identify and dedicate land for the future construction and operation of a new fire station in the community of Nipomo. The dedication of land for the new fire station shall be included in the Development Agreement between the project applicant and the County of San Luis Obispo. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **PS Impact 2:** The project would not contribute to the existing need for expanded police protection services within the project area. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **PS Impact 3:** The project could increase demand on existing LMUSD facilities. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **PS Impact 4:** The project could result in an increased demand on public park facilities. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **PS Impact 5:** The project could increase demand on library services. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **PS Impact 6:** Off-site improvements would not result in an increased need for fire protection services. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **PS Impact 7:** Off-site improvements would not contribute to the existing need for expanded police protection services within the project area. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **PS Impact 8:** Off-site improvements would not increase demand on existing LMUSD facilities. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Off-Site Improvements | **PS Impact 9:** Off-site improvements would not result in an increased demand on public park facilities. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **PS Impact 10:** Off-site improvements would not increase demand on library services. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **PS Impact 11:** The project could result in cumulative impacts related to public services. | Implement Mitigation Measure **PS/mm-1.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| ***Recreation*** | | | |
| Specific Plan Area | **REC Impact 1:** The project could increase the use of existing neighborhood, community, or regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **REC Impact 2:** Off-site improvements would not increase the use of existing neighborhood or regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **REC Impact 3:** The project includes the development of recreational facilities that may have an adverse physical effect on the environment. | Implement Mitigation Measures **AES/mm-3.1 and AES/mm-3.2, AQ/mm-3.1 and AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, GEO/mm-1.1, GEO/mm-5.1 through GEO/mm-5.3, GEO/mm-8.1 through GEO/mm-8.3, N/mm-1.1 and N/mm-1.2, USS/mm-3.1, and WF/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Cumulative | **REC Impact 4:** The project could result in a cumulatively considerable impact to recreational facilities. | Implement Mitigation Measures **AES/mm-3.1 and AES/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, HAZ/mm-7.1, GEO/mm-1.1, GEO/mm-5.1 through GEO/mm-5.3, GEO/mm-8.1 through GEO/mm-8.3, N/mm-1.1 and N/mm-1.2, USS/mm-3.1, and WF/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| ***Transportation*** | | | |
| Specific Plan Area | **TR Impact 1:** Phased implementation of the Specific Plan Area could conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **TR Impact 2:** Off-site improvements could conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **TR Impact 3:** Buildout of the Specific Plan Area would exceed the County VMT thresholds and therefore would not be consistent with State CEQA Guidelines Section 15064.3(b). VMT per employee would be incrementally reduced compared to existing conditions; however, the project-related increase in residential VMT per capita and overall VMT would exceed the County VMT thresholds. | **TR/mm-3.1:** A transportation demand management program or identification of transportation demand management strategies to implement would be required of each applicant. The residential, commercial, education, and/or hotel development applicant in consultation with the County of San Luis Obispo will choose feasible transportation demand management strategies and tailor to the development proposal. Potential measures to reduce vehicle miles traveled include, but are not limited to:<br>1. Improve or increase access to transit<br>2. Increase access to common goods and services<br>3. Incorporate affordable housing into the project<br>4. Orient the project towards transit, bicycle, and pedestrian facilities<br>5. Improve bicycle and/or pedestrian facilities and/or transit services<br>6. Limit or eliminate parking supply<br>7. Implement or provide access to commute reduction programs<br>8. Provide car-, bike-, and ride-sharing programs<br>9. Provide transit passes<br>10. Provide on-site amenities at places of work | Residual impacts would be significant and unavoidable (Class I) |
| Off-Site Improvements | **TR Impact 4:** Off-site improvements would not generate VMT in a manner that would be inconsistent with State CEQA Guidelines Section 15064.3(b). | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **TR Impact 5:** Phased buildout of the Specific Plan Area would not substantially increase hazards due to a geometric design feature or incompatible uses. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Off-Site Improvements | **TR Impact 6**: Off-site improvements would not substantially increase hazards due to a geometric design feature or incompatible uses. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **TR Impact 7:** Phased buildout of the Specific Plan Area would not result in inadequate emergency access. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **TR Impact 8:** Off-site improvements would not result in inadequate emergency access. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **TR Impact 9:** The project would result in a cumulatively considerable impact to transportation and traffic. | Implement Mitigation Measure **TR/mm-3.1**. | Residual impacts would be significant and unavoidable (Class I) |
| ***Tribal Cultural Resources*** | | | |
| Specific Plan Area | **TCR Impact 1:** Proposed development of the Specific Plan Area could directly and indirectly impact CRHR-eligible resources and resources considered by the County to be significant pursuant to PRC Section 5024.1 (DR-001, P-40-02132, and P-40-002273). | Implement Mitigation Measures **CR/mm-2.1 through CR/mm-2.4**.<br>**TCR/mm-1.1: Deeded Repatriation Location.** A specific location, protected by a deed restriction, shall be dedicated to repatriate cultural materials encountered during future archaeological study, development, and occupation within the Specific Plan Area. An accessible vault, protected from the elements, and accessible to the tribes shall be constructed within the boundary of DR-001. The specific location, size, and construction methodology of the vault will be developed in direct consultation with the consulting tribes.<br>**TCR/mm-1.2: Project Design Considerations.** The applicant shall incorporate, to the extent feasible, themes, infrastructure, and placenames associated with local Chumash tribes into the overall project design throughout all phases of future development. These design considerations shall include, but not be limited to the following aspects:<br>1. Designated areas for local Chumash tribes to use for various purposes, such as ceremonial gatherings, education, and events;<br>2. Planting of native vegetation, specifically species varieties that have significance to the local Chumash tribes;<br>3. Incorporation of informative and interpretive signage;<br>4. Incorporation of tribal names, placenames, and phrases for appropriate project design features; and | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | 5. Development of designated trails outside of the boundaries of known resources to limit unauthorized use and reduce potential for looting. | |
| Off-Site Improvements | **TCR Impact 2:** Off-site improvements could result in adverse effects to known and unknown CRHR-Eligible Resources or resources considered by the County to be significant pursuant to PRC Section 5024.1. | Implement Mitigation Measures **CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Cumulative | **TCR Impact 3:** Project implementation could result in the cumulative disturbance and destruction of tribal cultural resources, including known and unknown CRHR-Eligible Resources and resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1. | Implement Mitigation Measures **CR/mm-2.1. through CR/mm-2.4, CR/mm-3.1, TCR/mm-1.1, and TCR/mm-1.2**. | Residual impacts would be less than significant with mitigation (Class II) |
| ***Utilities and Service Systems*** | | | |
| Specific Plan Area | **USS Impact 1:** The project would require the construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunications facilities. | Implement Mitigation Measures **AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **USS Impact 2:** The project would require the construction of new and expanded off-site water and wastewater system improvements. | Implement Mitigation Measures **AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-11.1, BIO/mm-13.1, BIO/mm-16.1, BIO/mm-17.1 through BIO/mm-17.3, BIO/mm-19.1, CR/mm-1.1 through CR/mm-1.4, HAZ/mm-7.1, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| Specific Plan Area | **USS Impact 3:** The project may not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. | **USS/mm-3.1:** Prior to issuance of development permits for any project phase, the project developer shall be required to provide proof of water supply sufficient to meet the estimated water demand for proposed development based on the demand projections included in the Dana Reserve WSA. The proof of water supply shall include an affirmative concurrence from the Nipomo Community Services District that they have adequate water supply to serve the development and shall be subject to review and approval by the County prior to issuance of any development permits. | Residual impacts would be less than significant with mitigation (Class II) |
| Off-Site Improvements | **USS Impact 4:** Off-site improvements would not result in an increase in demand on water supply. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Specific Plan Area | **USS Impact 5:** The NCSD could have adequate capacity to treat wastewater generated by the project. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **USS Impact 6:** Off-site improvements would not result in an increase in demand on wastewater services. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **USS Impact 7:** The project could generate solid waste in excess of the capacity of local infrastructure or otherwise impair state or local solid waste reduction goals. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **USS Impact 8:** Off-site improvements could generate solid waste in excess of the capacity of local infrastructure or otherwise impair state or local solid waste reduction goals. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **USS Impact 9:** The project would comply with federal, state, and local solid waste reduction goals. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **USS Impact 10:** Off-site improvements would comply with federal, state, and local solid waste reduction goals. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **USS Impact 11:** The project could result in a cumulatively considerable impact to utilities and service systems. | Implement Mitigation Measure **USS/mm-3.1**. | Residual impacts would be less than significant with mitigation (Class II) |
| ***Wildfire*** | | | |
| Specific Plan Area | **WF Impact 1:** The project could impair an adopted emergency response plan or emergency evacuation plan. | **WF/mm-1.1:** Prior to occupancy of any Dana Reserve Specific Plan neighborhoods, the master Dana Reserve Homeowner's Association shall coordinate with individual Dana Reserve Specific Plan neighborhood Homeowner's Associations and County of San Luis Obispo Fire Department to identify temporary refuge areas throughout the community. Temporary refuge areas shall be documented and available for residents and guests within the Specific Plan Area. Refuge areas may include the following:<br>1. Parking lots in commercial and multi-family residence areas<br>2. Neighborhoods parks | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | 3. Public parks<br>4. Neighborhood pocket parks<br>The master Homeowner's Association shall also coordinate with individual Dana Reserve Specific Plan neighborhood Homeowner's Associations and County of San Luis Obispo Fire Department to develop a method of public outreach to provide information regarding emergency planning and alerting within the Specific Plan Area. Information to be provided to the public shall include, but not be limited to, the following:<br>1. Location of established refuge areas<br>2. Emergency entry and exit points within the community<br>3. Nearest emergency entry and exit points to each specific neighborhood<br>4. Family emergency planning<br>5. Types of emergency alerting and methods to receive emergency notifications<br>6. Emergency supply kit necessities<br>7. Care options for pets and other animals in an emergency<br>Public outreach shall be conducted annually and include any updated emergency planning information, as necessary. Compliance shall be documented with the County of San Luis Obispo. | |
| Off-Site Improvements | **WF Impact 2:** Off-site improvements could impair an adopted emergency response plan or emergency evacuation plan. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **WF Impact 3:** The project could exacerbate wildfire risks due to development within a high fire hazard severity zone. | **WF/mm-3.1:** Prior to project occupancy, the master Homeowner's Association shall adopt Covenants, Conditions, and Restrictions that include requirements for the maintenance and protection of the open space areas that ensure that these spaces are maintained in perpetuity. Prior to adoption by the master Homeowner's Association, Covenants, Conditions, and Restrictions shall be created in coordination with the County to ensure feasibility of open space management practices. The Covenants, Conditions, and Restrictions shall be enforced by the master Homeowner's Association throughout the lifetime of the project. Language regarding protection and management of open space areas as it pertains to wildfire may include, but shall not be limited to:<br>1. Smoking, use of cooking equipment, or any other ignition source is prohibited in the open space areas.<br>2. Safety precautions are required when using equipment capable of creating a spark; this includes spark arrestors.<br>3. All fireworks or other devices that could cause an ignition of a fire are prohibited throughout the Dana Reserve.<br>4. Overnight camping is prohibited. | Residual impacts would be less than significant with mitigation (Class II) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| | | 5. Motorized vehicles are not permitted in the open space areas. (except emergency vehicles, vehicles permitted by the Homeowner's Association to conduct official business, and single-rider motorized vehicles adapted for recreational use by people with disabilities).<br>6. Discharging or carrying firearms, crossbows, fireworks, or projectile weapons of any kind is not permitted (except law enforcement officials) in the Dana Reserve.<br>7. The Homeowner's Association will maintain fire prevention signage in fire-prone areas near or on trails.<br>8. The Homeowner's Association will conduct vegetation management in the open spaces, in the retention basins, on trails, and near U.S. Route101 that prevent or reduce the ability for a wildfire to spread to other properties in proximity. Methods used will provide for the protection of the open space environment.<br>9. Fencing or barriers adjoining the open space areas, whether owned privately or by the Homeowner's Association, will be constructed of a fire-resistive material so that it will not convey or contribute to the spread of fire from or to the open space areas (exception may include an open-type fence, such as a split-rail fence). Combustible fence material will not be used within 5 feet of structures.<br>10. Vegetation management will be consistent with Dana Reserve's County of San Luis Obispo-approved oak woodland habitat management plan.<br>11. The Homeowner's Association is authorized to enter into contracts and agreements for vegetation management in and near the open space areas that includes hand, mechanical, animal, prescribe fire, herbicide, and other methods consistent with accepted vegetation management practices.<br>12. The Homeowner's Association is authorized to increase assessment and fines necessary to protect and maintain the open space areas. This may include funds for the hiring of staff and contracts.<br>13. The Homeowner's Association is authorized to enter into agreements with agencies, land conservancies, and other organizations who also have a mutual concern for the protection of the open space areas. | |
| Off-Site Improvements | **WF Impact 4:** The project could exacerbate wildfire risks due to development within a high fire hazard severity zone. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **WF Impact 5:** The project would require installation of internal roads, public utility easements, and utility infrastructure that may exacerbate fire risk. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |

| Project Component | Impacts | Mitigation Measures | Residual Impacts |
|---|---|---|---|
| Off-Site Improvements | WF Impact 6: Off-site improvements could exacerbate fire risk. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Specific Plan Area | **WF Impact 7:** The project could expose people or structures to risk associated with downslope or downstream flooding or landslides. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Off-Site Improvements | **WF Impact 8:** The project could expose people or structures to risk associated with downslope or downstream flooding or landslides. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| Cumulative | **WF Impact 9:** The project would not result in a cumulatively considerable impact related to wildfire. | Mitigation is not necessary. | Residual impacts would be less than significant (Class III) |
| ***Growth-Inducing Impacts*** | | | |
| Specific Plan Area Cumulative | **GI Impact 1:** The project would result in substantial growth inducement associated with the proposed project's population as well as the potential to induce additional spatial, economic, or population growth in a geographic area. | No feasible mitigation has been identified. | Residual impacts would be significant and unavoidable (Class I) |

# 6. AREAS OF CONTROVERSY

Section 15123(b)(2) of the State CEQA Guidelines requires identification of the areas of controversy known to the Lead Agency, including issues raised by agencies and the public. In compliance with State CEQA Guidelines Section 15082, as amended, an Initial Study and Notice of Preparation (IS/NOP) was circulated on June 24, 2021, to various agencies, organizations, and interested persons throughout the region. The proposed project was described, the scope of the environmental review was identified, and agencies and the public were invited to review and comment on the IS/NOP. The close of the IS/NOP review period was July 25, 2021. Following the close of the 30-day comment period on the IS/NOP, a review of comment letters was conducted to identify any key issues that may require additional technical studies or background research. Pursuant to State CEQA Guidelines Section 15082 (c)(1), for projects of statewide, regional, or areawide significance, the Lead Agency is required to conduct at least one scoping meeting. The scoping meeting is for jurisdictional agencies and interested persons or groups to provide comments regarding, but not limited to, the range of actions, alternatives, mitigation measures, and environmental effects to be analyzed. The County hosted a scoping meeting on July 19, 2021, via a Zoom webinar.

Areas of controversy raised by public agencies, public organizations, and individual members of the public primarily included concerns regarding neighborhood compatibility, including the density of the proposed project, light pollution, and safety; the sustainability of the potable water supply in the project region; an increase in traffic congestion and associated traffic-related noise; loss of oak woodlands and sensitive biological resources; and development within an area prone to wildfire risk. These concerns are addressed in the evaluation and identification of potential mitigation measures for each environmental issue area included in Chapter 4, *Environmental Impact Analysis*, respectively.

# 7. PROJECT ALTERNATIVES

Section 15123(b)(3) of the State CEQA Guidelines requires identification of the choice among project alternatives. Alternatives to the proposed project are discussed in detail in Chapter 5, *Alternatives Analysis*, of this EIR in accordance with Section 15126.6 of the State CEQA Guidelines. Alternatives to be considered under CEQA are those that would avoid or substantially lessen one or more of the significant environmental effects identified during evaluation of the proposed project. As identified in Table ES-2, the project would result in significant impacts related to air quality, biological resources, greenhouse (GHG) gas emissions, land use and planning, population and housing, and transportation. In order to maximize the range of alternatives considered and provide flexibility during project approval, the EIR evaluated a total of eight variations of the proposed project aimed at reducing the project's significant and unavoidable impacts. In addition, the EIR also evaluated the No Project Alternative as required by State CEQA Guidelines Section 15126.6(e), to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project.

State CEQA Guidelines Section 15126.6(c) requires that an EIR disclose potential alternatives that were considered and eliminated along with a brief explanation of the reason for elimination. Factors used to eliminate alternatives from detailed consideration include: (1) failure to meet most of the basic project objectives; (2) infeasibility; and/or (3) inability to avoid significant environmental impacts. The following alternatives were considered but ultimately eliminated based on the above stated criteria:

- **Burton Mesa Chaparral Avoidance Alternative.** Under this potential alternative, proposed development would be limited to the eastern portion of the project site by increasing the density of proposed single-family residential dwellings, multi-family residential dwellings, and proposed commercial development in the eastern portion of the site and reducing the area of proposed buildout, particularly in sensitive areas of biological resources in the western portion of the

Specific Plan Area, including areas supporting Burton Mesa chaparral. While the Burton Mesa Chaparral Avoidance Alternative would substantially avoid and reduce impacts to biological resources and reduce air pollutant and GHG emissions, reduce vehicle miles traveled (VMT), reduce unplanned population growth, and improve project consistency with applicable plans and policies, this alternative would not reduce significant impacts related to aesthetic resources and would potentially increase impacts associated with compatibility with the surrounding areas. Further, this alternative would not meet all of the basic project objectives, such as providing a diversity of housing types, including affordable homes, and connecting on-site residential neighborhoods to the community through development of pedestrian, bicycle, and equestrian trails via Collector B and an on-site trail system in the majority of the Specific Plan Area. The Burton Mesa Chaparral Avoidance Alternative does not meet all of the basic project objectives and is likely infeasible from a cost perspective. It also has the potential to generate more severe and/or new potentially significant impacts; therefore, this alternative was eliminated from further review, consistent with State CEQA Guidelines Section 15126.6(c).

- **Residential Rural Development Alternative.** This alternative would result in a future buildout scenario that is consistent with the existing Residential Rural (RR) land use designation for the project site. While this alternative would result in residential development in a manner that would be more consistent with the scale of adjacent residential land uses and would reduce air pollutant emissions, GHG emissions, VMT, and population growth, the Residential Rural Development Alternative would not meet the basic project objectives related to providing a diversity of housing types, including affordable homes. This alternative also has the potential to increase impacts related to utilities and service systems. Therefore, the Residential Rural Development Alternative was eliminated from further discussion in accordance with State CEQA Guidelines Section 15126.6(c).
- **Exclusively Commercial/Retail Development Alternative.** Under this alternative, the 288-acre project site would not be developed with residential uses and would instead be developed with flex commercial and village commercial uses over 238.2 acres of the project site. While this alternative would reduce air pollutant emissions, GHG emissions, VMT, and population growth, the Exclusively Retail Development Alternative would not meet the basic project objectives and would be inconsistent with the General Plan. This alternative would not meet project objectives and County objectives (as defined in the County's MOU with the Applicant) related to providing a diversity of housing types, including affordable homes, and providing public parks. This alternative would continue to result in the loss of oak woodland, Burton Mesa chaparral, and other natural habitats and would alter the existing visual character of the project site. This alternative may also be infeasible due to the project area's inability to support this significantly increased extent of commercial/retail uses. Since the Exclusively Commercial/Retail Development Alternative would not meet the basic project objectives, if potentially infeasible, and would not reduce all of the project's significant impacts, this alternative was eliminated from further consideration, consistent with State CEQA Guidelines Section 15126.6(c).
- **Alternative Location Alternative.** Under this alternative, the project would not be developed on the proposed 288-acre Dana Reserve and would be developed at another location within the county. An alternative location would need to be large enough to accommodate approximately 173 acres of residential land uses, including 831 residential single-family units, 458 residential multi-family units, and up to 152 ADUs; 22.3 acres of commercial land uses; 49.8 acres of open space; 21.9 acres of roadways; and 11 acres of public recreational facilities. The applicant does not own alternative sites that could accommodate the proposed development; therefore, it is uncertain whether an alternative site would be feasible, successfully reduce the project's significant impacts, and meet the basic project objectives. Therefore, the Alternative Location

Alternative was eliminated from further discussion in accordance with State CEQA Guidelines Section 15126.6(c).

Criteria used to develop preliminary project alternatives to be carried forward for further evaluation included: (1) whether the alternative would avoid or substantially lessen significant impacts to air quality, biological resources, GHG emissions, land use and planning, population and housing, and transportation; (2) whether the alternative would generally meet most of the basic project objectives and underlying fundamental purpose; and (3) whether implementation of the alternative would be feasible. The following alternatives were carried forward for detailed evaluation:

- **No Project Alternative.** Under this alternative, implementation of the DRSP would not occur and future buildout of the project site, including off-site improvement areas, would not occur. This alternative assumes no development would occur on the site to provide a clear comparison of the project to existing (undeveloped) baseline conditions; development as envisioned in the current General Plan for Cañada Ranch is evaluated in La Cañada Ranch Alternative, below. As no physical changes to the environment would occur, potentially significant impacts would be substantially reduced in comparison to the proposed project. However, the No Project Alternative would not meet any of the project objectives.
- **Alternative 1: Applicant-Preferred Alternative.** This alternative would change the conceptual master plan slightly by reconfiguring the conceptual master plan to relocate a multi-family neighborhood (Neighborhood [NBD] 10) from the northeastern portion of the project site to the central portion of the site adjacent to the eastern side of the proposed public neighborhood park. As a result, the proposed public park would be reduced to 6 acres in size. This alternative would also relocate the future construction of Collector A through APN 091-301-029 to connect North Frontage Road to Willow Road; consistent with the proposed project, Collector B would connect Hetrick Avenue to Willow Road through APN 091-301-031. Under Alternative 1, buildout of the project site would be consistent with the scale and proposed land use types included under the proposed project. As a result, impacts under this alternative would be generally consistent with impacts associated with the proposed project. However, this alternative would change the alignment of Collector A and would move a proposed neighborhood from the northeastern portion of the site, which would substantially reduce the number of impacted oak trees. Alternative 1 would meet all of the project objectives.
- **Alternative 2: La Cañada Ranch Specific Plan Alternative.** Under this alternative, buildout of the project site would be consistent with the buildout scenario for the site as envisioned in the County's General Plan. This alternative would result in an increase in light industrial and commercial development and a decrease in residential development and would also substantially increase the amount of land designated for open space and eliminate recreational land uses, consistent with the types of uses prioritized in LUO Section 22.98.072 (listed above). Under this alternative, impacts related to air quality, biological resources, GHG emissions, land use and planning, population and housing, and transportation would be reduced. However, the La Cañada Ranch Alternative would increase impacts related to recreation. Although this alternative would facilitate the future development of residential land uses, due to the substantial reduction in the number of proposed units, the number of affordable units would be significantly decreased in order to provide funding for site development and other improvements. As a result, the La Cañada Ranch Alternative would not meet most of the basic project objectives, including providing a mix of residential development, including affordable homes, and providing public recreational facilities at the project site.
- **Alternative 3: Residential Rural Cluster Subdivision Alternative.** Under this alternative, no commercial development would occur, and the density of residential development would be limited, resulting in a smaller scale of buildout as compared to the proposed project. Based on the

reduction of proposed residential units, this alternative would reduce population growth in comparison to the proposed project. As a result, impacts related to biological resources, GHG emissions, land use and planning, population and housing, and public services would be reduced. However, the Residential Rural Cluster Subdivision Alternative would result in similar impacts related to air quality and transportation. In addition, this alternative may preclude annexation into the NCSD due to infrastructure costs to serve the reduced number of new connections and would, therefore, potentially increase impacts related to utilities and service systems. Due to the substantial reduction in the number of proposed residential units, the Rural Residential Cluster Subdivision Alternative would not meet the basic project objective of providing a diversity of housing types, including affordable homes. This alternative would also be inconsistent with the commercial and light industrial land uses planned for the site as identified in County's General Plan.

- **Alternative 4: Development on Non-Native Grassland Alternative.** This alternative would increase the amount of land dedicated to open space by reducing the area of proposed residential, commercial, and recreational development, and by avoiding to a greater extent the amount of impacted oak woodland and Burton Mesa chaparral habitat. This alternative would marginally reduce population growth in comparison to the proposed project but would require higher density development within the reduced project footprint to maintain the same general level of buildout of the Specific Plan Area. Buildout of this alternative would still constitute a substantial increase in growth within the community of Nipomo and impacts related to air quality, GHG emissions, land use and planning, population and housing, and transportation would be generally consistent with the proposed project. By avoiding the majority of onsite oak woodlands and Burton Mesa chaparral, this alternative would substantially reduce impacts to biological resources; however, the increased density may increase impacts related to compatibility with surrounding areas. The Development on Non-Native Grassland Alternative is considered feasible; however, it may conflict with the basic project objective of providing a mix of housing types and affordable housing options.
- **Alternative 5: Gradual Transition along the Fringe Alternative.** This alternative would include the same type and configuration of land uses as Alternative 1: the Applicant-Preferred Alternative, but it would reduce the density of residential development along the property boundaries to provide a more gradual transition between surrounding rural residential development and the denser residential development within the Specific Plan Area. The maximum number of units within neighborhoods located adjacent to the northern, southern, or western boundary of the Specific Plan would be reduced by 20% (approximately 154 units of a 12% total reduction) to accommodate the lower density build-out of the Specific Plan Area's perimeter. This alternative would marginally reduce population growth in comparison to the proposed project; however, buildout of this alternative would still constitute a substantial increase in growth within the community of Nipomo and impacts related to air quality, biological resources, greenhouse gas emissions, land use and planning, population and housing, and transportation would be generally consistent with the proposed project. This alternative is considered feasible; however, it will likely reduce the affordability of housing within the Specific Plan Area and, therefore, may conflict with the basic project objective of providing a mix of affordable housing options. In addition, this alternative fails to substantially reduce or avoid any of the significant impacts identified for the proposed project.

The State CEQA Guidelines require an analysis of alternatives to identify an environmentally superior alternative among the alternatives evaluated in the EIR. The environmentally superior alternative is the alternative that would minimize adverse impacts to the environment. Based on the evaluation of alternatives, the No Project Alternative would be the environmentally superior alternative because it would minimize the project's adverse impacts to the environment. However, State CEQA Guidelines

Section 15126.6(e)(2) states that if the No Project Alternative is also the environmentally superior alternative, the EIR should then identify an environmentally superior alternative among the other alternatives. Based on the detailed evaluation of project alternatives included in EIR Chapter 5, *Alternatives Analysis*, Alternative 3: the Residential Rural Cluster Subdivision Alternative would be considered the environmentally superior alternative. Since residential development would be central to this alternative, this alternative would help the County reach its housing development allocation goals per the County RHNA required by state law. However, based on the clustered development and other site constraints, this alternative may not meet project goals for the provision of affordable market rate housing units. Therefore, Alternative 3 would reduce the project's significant impacts; however, it would not meet all of the project's objectives. Because it would most successfully reduce the number and extent of significant environmental impacts, and would meet more of the project's primary objectives than other alternatives, Alternative 3 is the Environmentally Superior Alternative.

# CHAPTER 1. INTRODUCTION

Dana Reserve, LLC and NKT Development, LLC, collectively referred to as the project applicant, are requesting the adoption of the Dana Reserve Specific Plan (DRSP; EIR Appendix A) by the County of San Luis Obispo (County). The proposed project includes a request for a Specific Plan, Conditional Use Permit (CUP) (for Oak Tree Removal and Grading/Impervious Surfaces), Vesting Tentative Tract Map (VTTM) 3159, and Development Agreement to allow for the phased development of a master planned community known as the Dana Reserve (project). The full project description is provided in Chapter 2, *Project Description*.

The County, as the Lead Agency, has determined, based on the preliminary analysis of the Initial Study (EIR Appendix B), that an Environmental Impact Report (EIR) is the appropriate environmental document for the project pursuant to the California Environmental Quality Act (CEQA). The County prepared this EIR with assistance from their environmental planning consultant, SWCA Environmental Consultants (SWCA).

## 1.1 PURPOSE OF THE EIR

Several of the proposed project's actions are discretionary actions requiring approval by the County's Board of Supervisors; therefore, the project is subject to the requirements of CEQA (Public Resources Code [PRC] Section 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et seq.). State CEQA Guidelines Section 15151 provides the following standards for EIR adequacy:

> An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

The DRSP EIR will analyze the project's significant impacts on the environment, identify necessary mitigation and/or avoidance measures, and identify alternatives to the proposed project that avoid or reduce these impacts. This EIR is intended to serve as an informational document for the County, other responsible agencies, and the general public in their consideration and evaluation of the environmental consequences associated with implementation of the proposed project. Under the CEQA process, an EIR must serve as a full disclosure document that enables the lead and responsible agencies to fully evaluate potential environmental impacts and the consequences of their decision on a proposed project. This EIR has been written to comply with the requirements of CEQA for the analysis of the proposed project, as well as the development and evaluation of alternatives to the proposed project. The County Planning Commission and Board of Supervisors will consider the information in the EIR, including the public comments and staff responses to those comments, during the public hearing process. The final decision will be made by the Board of Supervisors, which may approve, conditionally approve, or deny the project.

An EIR also discloses growth-inducing impacts, impacts found not to be significant, and significant cumulative impacts of past, present, and reasonably foreseeable future projects. CEQA requires an EIR to reflect the independent judgment of the lead agency with respect to impacts, disclose the level of significance of the impacts both with and without mitigation, and describe mitigation measures proposed

to reduce the impacts. An EIR is circulated to responsible agencies, trustee agencies with resources affected by the project, and interested agencies and individuals. The review process gives both agencies and individuals an opportunity to share knowledge and expertise, discuss agency analyses, check for accuracy, detect omissions, discover public concerns, and solicit mitigation measures and alternatives capable of avoiding or reducing the significant effects of the project while still attaining most of the basic objectives of the project. Comments are most helpful when they suggest better ways to avoid or mitigate significant environmental impacts (e.g., through additional alternatives or mitigation measures).

## 1.2 SCOPING AND NOTICE OF PREPARATION PROCESS

In compliance with State CEQA Guidelines Section 15082, as amended, an Initial Study and Notice of Preparation (IS/NOP) was circulated on June 24, 2021 (see EIR Appendix B), to various agencies, organizations, and interested persons throughout the region. The proposed project was described, the scope of the environmental review was identified, and agencies and the public were invited to review and comment on the NOP. The close of the IS/NOP review period was July 25, 2021. Following the close of the 30-day comment period on the IS/NOP, a review of comment letters was conducted to identify any key issues that may require additional technical studies or background research.

Pursuant to State CEQA Guidelines Section 15082(c)(1), for projects of statewide, regional, or areawide significance, the lead agency is required to conduct at least one scoping meeting. The scoping meeting is for jurisdictional agencies and interested persons or groups to provide comments regarding, but not limited to, the range of actions, alternatives, mitigation measures, and environmental effects to be analyzed. The County hosted a scoping meeting on July 19, 2021, via a Zoom webinar.

## 1.3 EIR CONTENTS

The scope of the EIR includes issues identified by the lead agency during the preparation of the IS/NOP for the proposed project, as well as environmental issues raised by agencies and the general public in response to the IS/NOP and at the scoping meeting. The EIR is divided into the following major sections:

**Executive Summary.** Provides a brief summary of the project background, description, impacts and mitigation measures, and alternatives.

**Introduction.** Describes the purpose of an EIR, as well as the scope, content, and use of the document.

**Project Description.** Provides the general background of the project, identified project objectives, a detailed description of the project characteristics, and a listing of necessary permits and government approvals.

**Environmental Setting.** Describes the physical setting of the project site and surrounding land uses.

**Environmental Impacts Analysis.** Discusses the environmental setting as it relates to the various issue areas, regulatory setting, thresholds of significance, impact assessment and methodology, project-specific impacts and mitigation measures, cumulative impacts, and secondary impacts. The EIR analyzes the potentially significant impacts to the following resource areas, as identified during the preparation of the IS/NOP:

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

Although all issue areas identified above will be discussed in this EIR, not all subsequent thresholds as identified by State CEQA Guidelines Appendix G will be discussed. Individual resource sections will identify the thresholds that will be discussed in each section.

**Alternatives Analysis.** Summarizes the environmental advantages and disadvantages associated with the project and alternatives. As required, the "No Project" alternative is included among the alternatives considered and an "Environmentally Superior Alternative" is identified.

**Other CEQA Considerations.** Identifies growth-inducing impacts and provides a discussion of long-term/short-term productivity and irreversible environmental changes.

**Mitigation Monitoring and Reporting Program.** Contains a matrix of all mitigation measures contained in the EIR, the requirements of the mitigation measures, the applicant's responsibility and timing for implementation of these measures, the party responsible for verification, the method of verification, and verification timing.

## 1.4 AGENCY USE OF THE DOCUMENT

Lead agency reviewers and decision makers (i.e., the County Planning Commission and Board of Supervisors) will use the EIR as an informational document to assist in the decision-making process, ultimately resulting in the approval, denial, or conditions of approval to the project. The following jurisdictions may also use this EIR in reviewing and issuing their respective permits and authorizations (as applicable):

- U.S. Fish and Wildlife Service
- California Department of Fish and Wildlife
- San Luis Obispo Local Agency Formation Commission
- Nipomo Community Services District

# 1.5 PROJECT SPONSORS

**Lead Agency:** County of San Luis Obispo
976 Osos Street, Room 200
San Luis Obispo, CA 93408
Jennifer Guetschow, Supervising Planner

**Project Applicant:** Dana Reserve, LLC / NKT Development, LLC
648 South Higuera Street, Suite B
San Luis Obispo, CA 93401
Nick Tompkins, Project Representative

**Environmental Consultant:** SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
Emily Creel, Project Manager

# 1.6 REVIEW OF THE DRAFT EIR

This Draft EIR was distributed to responsible and trustee agencies, other affected agencies, surrounding cities, interested parties, and all parties requesting a copy of the Draft EIR in accordance with PRC Section 21092(b)(3). The Notice of Completion and Notice of Availability of the Draft EIR were distributed and posted as required by CEQA. During the 45-day public review period, the EIR and all technical appendices are available for review at the following locations:

San Luis Obispo Library
995 Palm Steet
San Luis Obispo, CA 93403

County of San Luis Obispo
https://www.slocounty.ca.gov/

On behalf of the lead agency, comments on the Draft EIR shall be addressed to:

County of San Luis Obispo
Attn: Jennifer Guetschow, Supervising Planner
976 Osos Street, Room 200
San Luis Obispo, CA 93408
jguetschow@co.slo.ca.us

Written responses to all significant environmental issues raised will be prepared and included as part of the Final EIR and the administrative record for consideration by decision makers for the project.

# CHAPTER 2. PROJECT DESCRIPTION

## 2.1 INTRODUCTION

Dana Reserve, LLC and NKT Development, LLC, collectively referred to as the project applicant, is requesting the adoption of the Dana Reserve Specific Plan (DRSP; Appendix A) by the County of San Luis Obispo (County). The proposed project includes a request for a Specific Plan, Conditional Use Permit (CUP) for Oak Tree Removal and Grading/Impervious Surfaces, Vesting Tentative Tract Map (VTTM) 3159, and Development Agreement to allow for the phased development of a master planned community known as the Dana Reserve (project). On January 26, 2021, the County Board of Supervisors authorized County staff to move forward with processing of the DRSP project (including related requested entitlements) and approved a memorandum of understanding between the County and Dana Reserve, LLC to help guide the planning and development process.

The project would require annexation into the Nipomo Community Services District (NCSD) service area to facilitate NCSD's provision of water and wastewater services within the proposed 288-acre Dana Reserve (Specific Plan Area). The Specific Plan Area is within the NCSD's Sphere of Influence. Annexation of the Specific Plan Area into NCSD's service area would be subject to the review and approval of the San Luis Obispo Local Agency Formation Commission (SLOLAFCO).

Concurrent with the DRSP project, the County Board of Supervisors also authorized a County-initiated General Plan amendment to change the land use categories within the Specific Plan Area to allow for development consistent with the proposed DRSP, to reflect the proposed incorporation of the Specific Plan Area into the Nipomo urban reserve line (URL), and to ensure the General Plan is consistent with the DRSP. This Environmental Impact Report (EIR) will evaluate both the proposed DRSP project, including all related requested entitlements—DRSP, CUP, VTTM, Development Agreement, and annexation into the NCSD—and the related General Plan amendment being initiated by the County.

### 2.1.1 Overview of the Proposed Dana Reserve Specific Plan

A specific plan is a planning tool that allows a county/community to provide a framework and vision for future development of a defined area (Government Code Sections 65450-65457). The DRSP would provide a land use and conceptual development plan with associated goals, policies, and development standards to guide future development within the proposed Specific Plan Area, which is comprised of the 288-acre Dana Reserve. The DRSP would guide development of the Dana Reserve by defining land uses and development standards, circulation, parks and trails, and infrastructure for the future proposed residential, commercial, and open space uses. The DRSP would also provide a phasing/implementation plan and describe the public facility financing mechanisms available for the ongoing maintenance of public and private improvements required for the DRSP.

The DRSP is a primarily residential project with a majority of the Specific Plan Area designated for residential uses, which would accommodate up to 1,289 single- and multi-family residential units. However, it also identifies a mix of land uses within the Specific Plan Area to serve the new neighborhoods and surrounding community. The DRSP would allow for the future phased development of residential uses, village and flex commercial uses (including a hotel, educational/training facilities, and retail/light industrial uses), open space, trails, and a public neighborhood park within the approximately 288-acre Specific Plan Area (Table 2-1). Major components of the DRSP include:

- Land use and development standards for residential, commercial, and open space/recreational uses;
- Site and building design guidelines;
- Goals supporting a variety of housing types to allow a range of opportunities for home ownership or rental options;
- Establishment of north-to-south roadway connections through the Specific Plan Area to better connect Tefft Street and Pomeroy Road to Willow Road;
- Implementation of an interconnected network of walking, bicycling, and equestrian trails and facilities; and
- The generation of new employment opportunities and provision of access to day-to-day goods and services through development of a range of commercial uses.

**Table 2-1. Project Overview**

| Land Use Zones | Acres[1] | Potential Units[1] | Potential Floor Area (square feet) |
|---|---|---|---|
| Residential Single-Family | 149.5 | 831 | |
| Residential Multi-Family | 23.5 | 458 | |
| Residential Rural (Existing) | 10.0 | N/A[2] | |
| Recreation/Public Park | 11.0[3] | | |
| Village and Flex Commercial[4] | 22.3 | | 110,000-203,000 |
| Open Space, Trails, Basins | 49.8 | | |
| Roads | 21.9 | | |
| **Total** | **288** | **1,289** | **110,000–203,000** |

[1] All acreage and potential units can be adjusted up to 10% to address site specific constraints and more suitable site design, subject to County review.

[2] The Specific Plan Area includes two parcels between Cherokee Place and Willow Road (Assessor's Parcel Numbers [APNs] 091-301-030 and 091-301-031) that are currently designated Residential Rural. The DRSP does not propose to change the land use designation of these parcels or develop additional residential, commercial, or recreational uses within these parcels; they are included in the DRSP to provide a transit center and roadway connections for Collectors A and B from Cherokee Place to Willow Road. These roadway and roadway-related improvements are the only development proposed on these parcels; therefore, the identification of additional potential units is not applicable for these parcels.

[3] Minimum requirement.

[4] Proposed Commercial uses include a 60,000-square-foot hotel and a 30,000-square-foot educational/training facility.

## 2.1.2 Project Applicant Team

**Applicant:** Dana Reserve, LLC / NKT Development, LLC
Project Representative: Nick Tompkins
648 South Higuera Street, Suite B
San Luis Obispo, CA 93401

**Project Design:** RRM Design Group
Project Manager: Victor Montgomery, AIA
3765 S. Higuera Street, Suite 102
San Luis Obispo, CA 93401

# 2.2 PROJECT LOCATION

## 2.2.1 Project Site

The DRSP project site is located within the southwestern portion of unincorporated San Luis Obispo County, California (Figure 2-1). The site is located approximately 7 miles east of the Pacific Ocean and 7 miles southeast of the city of Arroyo Grande and is adjacent to the northern boundary of the Nipomo URL. Although the proposed DRSP would only apply to development within Dana Reserve (the Specific Plan Area), for purposes of this EIR, the project site includes the Specific Plan Area and any off-site areas where project-related improvements would occur, as described in detail below.

### *2.2.1.1 Specific Plan Area*

The Specific Plan Area consists of three adjoining parcels totaling approximately 288 acres, including Assessor's Parcel Numbers (APNs) 091-301-030, 091-301-031, and 091-301-073 (Figure 2-2). The main parcel—APN 091-301-073—underlies the majority of the Specific Plan Area and is 274.4 acres in size. The remaining parcels—APNs 091-301-030 and 091-301-031—connect the main parcel to Willow Road and are approximately 7.7 and 7.2 acres in size, respectively (Figure 2-3). The Specific Plan Area is generally bounded by rural residential uses, Willow Road, and Cherokee Place to the north; existing residential development within the community of Nipomo to the south; existing residential development and Hetrick Avenue to the west; and U.S. Highway 101 (US 101) to the east.

### *2.2.1.2 Off-Site Project Areas*

Although not within the Specific Plan Area, the project would require project-related disturbances and/or improvements at additional off-site areas to facilitate the proposed development within the Specific Plan Area. Off-site project areas include locations where necessary transportation-, water-, and wastewater-related improvements would be necessary to serve the project. These off-site areas, described in further detail below, are included in the project area and have been fully evaluated in this EIR.

#### 2.2.1.2.1 OFF-SITE TRANSPORTATION IMPROVEMENTS

Buildout of the Specific Plan Area would require a number of off-site transportation-related improvements, including improvements to the following roadways and intersections:

1. An extension of North Frontage Road through APN 091-325-022 at the southeast corner of the Specific Plan Area;
2. Widening of Willow Road and signalization at the Willow Road/Collector A intersection within existing right-of-way (ROW) areas;
3. Restriping and one-way stop-control at the Willow Road/Collector B intersection within existing ROW areas;
4. Removal/closure of the existing Hetrick Avenue driveway access from Pomeroy Road and provision of a new driveway access to Hetrick Avenue from Collector B;
5. Restriping and one-way stop control at the Pomeroy Road/Collector B intersection within existing ROW areas; and
6. Emergency access at Hetrick Avenue and Cory Way.

These areas are shown in Figure 2-4 and described in further detail in Section 2.5.3.3.6, *Off-Site Transportation Improvements*.

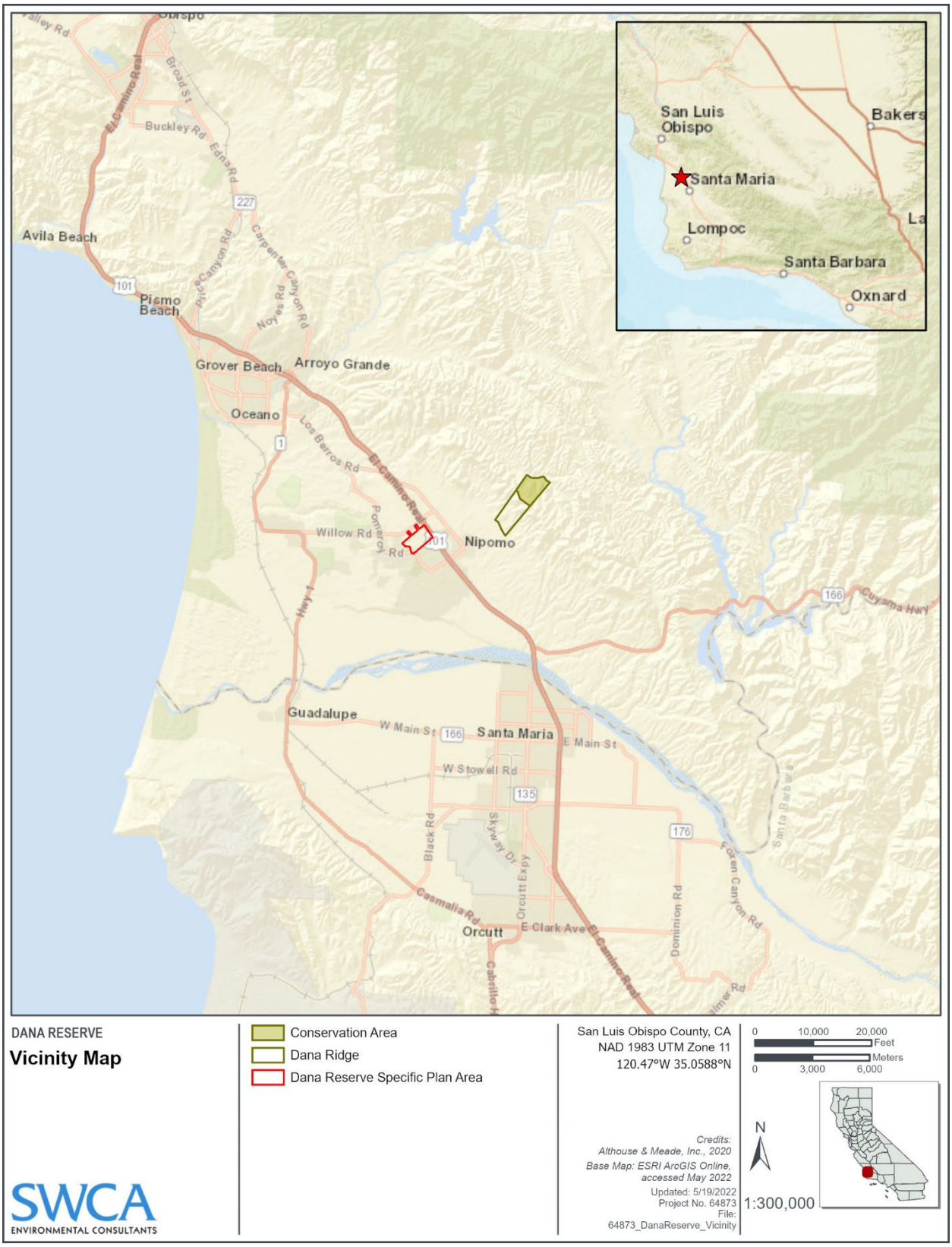


**Figure 2-1. Project vicinity map.**

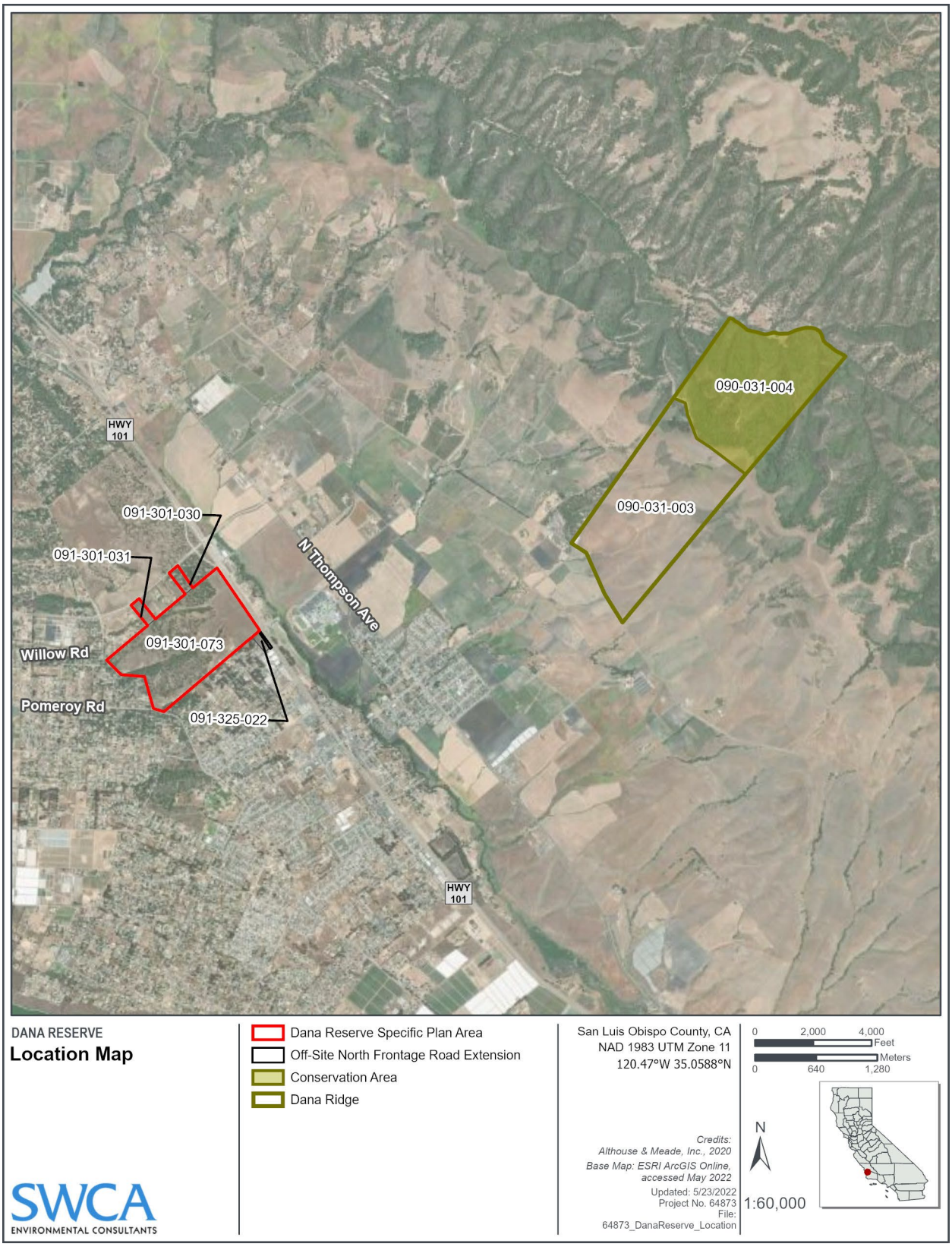


**Figure 2-2. Project location map.**

**Figure 2-3. Project site map.**

**Figure 2-4. Off-site transportation improvements.**

### 2.2.1.2.2 OFF-SITE WATER AND WASTEWATER IMPROVEMENTS

Buildout of the Specific Plan Area would also require a number of off-site water- and wastewater-related improvements, including improvements to the following NCSD infrastructure:

- Water System Improvements
    1. Extension of a 16-inch ductile iron pipe (DIP) from the intersection of West Tefft Street/North Oakglen Avenue to the north end of North Oakglen Avenue to be installed within the existing paved roadway;
    2. Extension of a 16-inch DIP from the north end of North Oakglen Avenue, under US 101, to Sandydale Drive, to be installed within existing paved roadway and ROW areas;
    3. Extension of a 12-inch polyvinyl chloride (PVC) pipe from the North Frontage Road/Sandydale Drive intersection to the southeastern corner of the Specific Plan Area, to be installed within existing public ROW area;
    4. Extension of a 12-inch PVC pipe from the proposed Willow Road/Collector A intersection approximately 450 feet to the end of the existing water line in Willow Road;
    5. Replacement/upsizing of an existing 10-inch DIP to a 16-inch DIP from the intersection of West Tefft Street/North Oakglen Avenue to the NCSD's existing Foothill water tank site at the North Dana Foothill Road/East Tefft Street intersection;
    6. Installation of 2 million gallons of additional water tank storage at the NCSD's existing Foothill water tank site at the North Dana Foothill Road/East Tefft Street intersection;[1] and
    7. Installation of a second water storage tank at the NCSD's existing Joshua Road pump station, which will be located within the footprint of the existing pump station facility.[2]
- Wastewater System Improvements
    1. Extension of a 12-inch-diameter sewer main pipe within North Frontage Road between the Specific Plan Area and Juniper Street, to be installed within existing paved roadway and existing public ROW areas;
    2. Installation of a sewer lift station to accommodate DRSP flows located near the southeast corner of the Specific Plan Area;
    3. Upsizing of a planned sanitary sewer pipe from the North Frontage Road/Juniper Street intersection and the South Frontage Road/Division Street intersection, to be installed within existing paved roadway;[3] and
    4. Improvements/upgrades at the existing NCSD Southland Wastewater Treatment Facility (WWTF).

These off-site NCSD improvements are shown in Figures 2-5, 2-6, and 2-7, and are described in further detail in Section 2.5.3.4.4, *Off-Site NCSD Improvements*. A more detailed mapbook showing the approximate location of these off-site improvements is included as Appendix C.

[1] This necessary improvement is cumulative in nature and is undergoing separate environmental review by the NCSD as CEQA Lead Agency.

[2] This necessary improvement is cumulative in nature and was previously evaluated in the EIR certified by the NCSD on May 3, 2009, for the NCSD Supplemental Water Project.

[3] A 12- to 15-inch pipe at this location was previously planned as part of a separate NCSD project (the Blacklake Sewer System Consolidation Project). The pipe will need to be upsized to a 15- to 18-inch-diameter pipe along this stretch of pipeline to accommodate the DRSP project. This increase in pipe size/diameter is being evaluated in the separate CEQA document currently being prepared for the NCSD's Blacklake Sewer System Consolidation Project and is also being evaluated in this EIR.

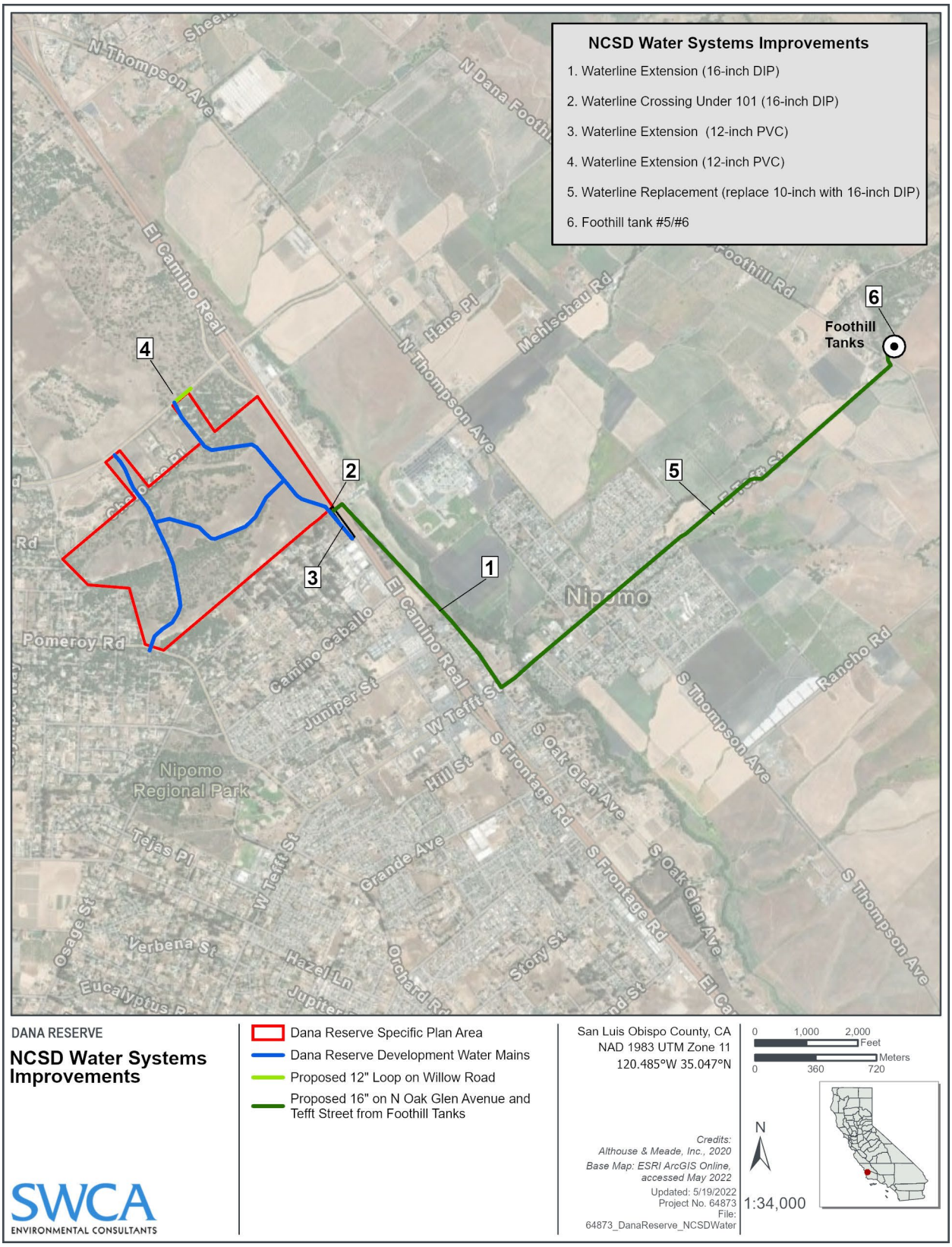


**Figure 2-5. Off-site water system improvements.**

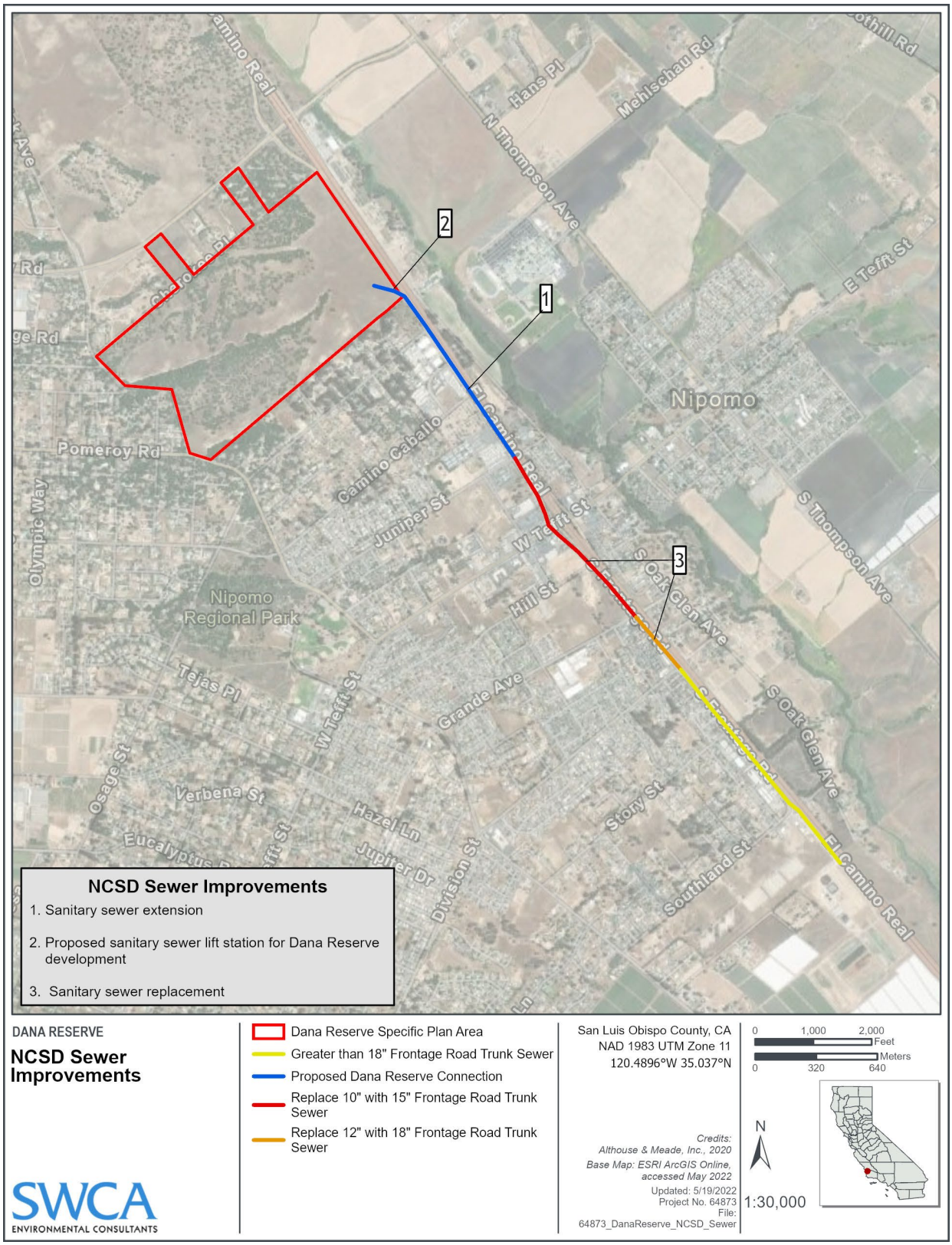


**Figure 2-6. Off-site wastewater system improvements.**

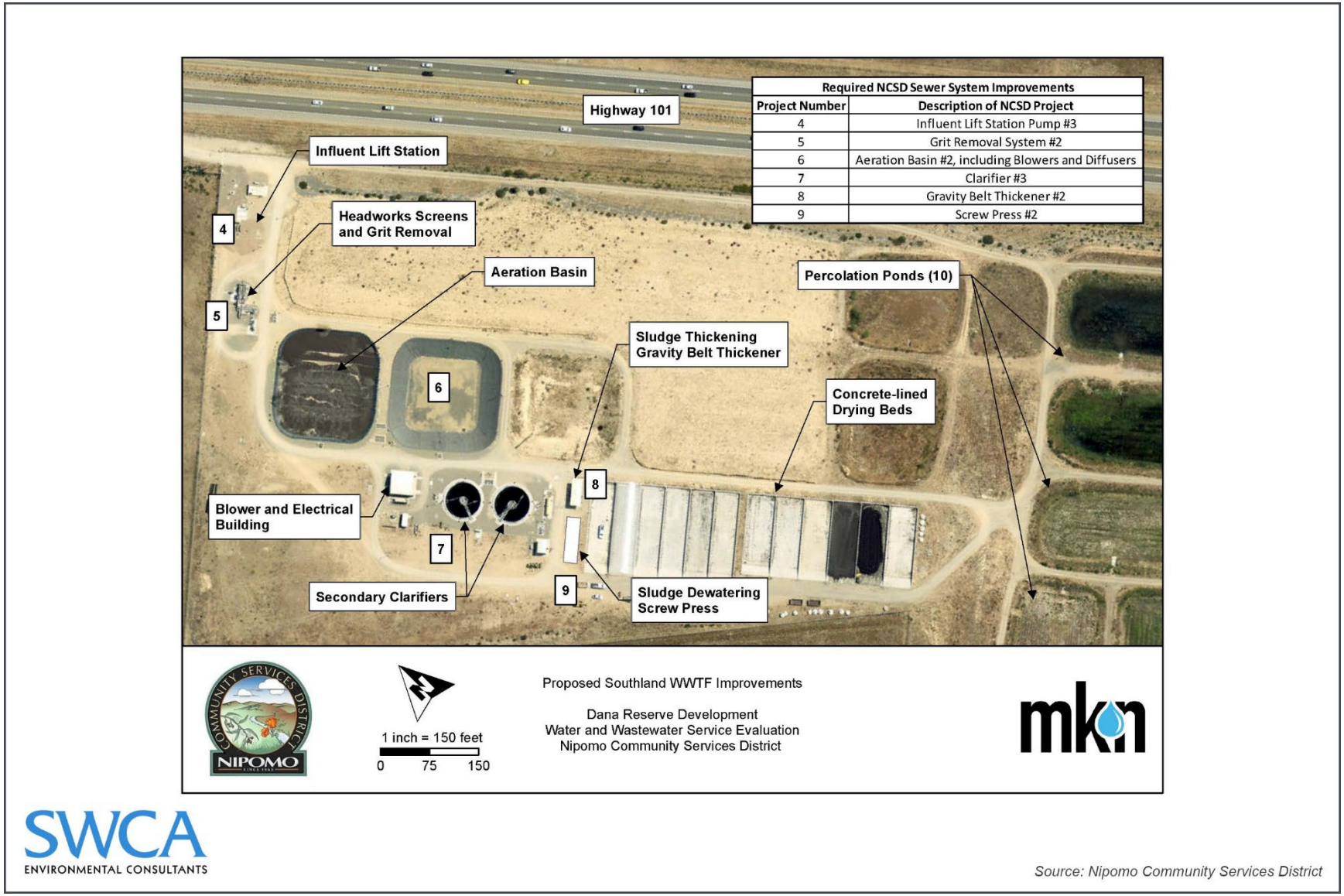


**Figure 2-7. Off-site wastewater system improvements: Southland Wastewater Treatment Facility.**

#### 2.2.1.2.3 OFF-SITE OAK MITIGATION SITE

The project also proposes the off-site dedication of an open space and conservation easement on a property known as Dana Ridge (APNs 090-031-003 and 090-031-004) located approximately 2.1 miles east of the project site (see Figures 2-1 and 2-2). No development or disturbance is proposed at Dana Ridge; therefore, no physical change to the environment would occur. The off-site dedication of a permanent open space/conservation easement at the Dana Ridge property is proposed to minimize the impacts to oak trees and oak woodland as a result of development of the Specific Plan Area.

The applicant proposes to permanently conserve approximately 388 acres, consisting of approximately 238 acres of coast live oak woodland that is intermixed with 120 acres of chamise chaparral, 7.5 acres of manzanita scrub, and 20 acres of grassland on the Dana Ridge site (excluding existing unpaved roads).

Dana Ridge currently consists of a single parcel comprised of approximately 854 acres (despite being assigned two separate APNs). The project applicant (and owner of Dana Ridge) previously submitted an application to the County for a lot split at Dana Ridge to create two separate legal parcels, each with its own independent APN. APN 090-031-003, consisting of approximately 466 acres located on the western-facing slope of Dana Ridge and containing limited oak and biological resources, is proposed to be sold and transferred to a third party. APN 090-031-004, consisting of approximately 388 acres, including 238 acres of coast live oak woodland, 120 acres of chamise chaparral, 20 acres of grassland, and 7.5 acres of manzanita scrub, would be conserved under a permanent conservation easement in perpetuity (see Figures 2-1 and 2-2). The proposed lot split and sale of APN 090-031-003 is independent of and a separate project unrelated to the proposed DRSP; therefore, it is not evaluated in this EIR.

## 2.3 PROJECT BACKGROUND

The *County of San Luis Obispo General Plan* identifies the project site as the Cañada Ranch Specific Plan Area, which is subject to preparation and adoption of a specific plan prior to annexation of the site into the Nipomo URL to accommodate development proposals and address pertinent issues. The property is designated as an expansion area under the South County Area Plan (Sections 4.5 and 4.8) as well as the San Luis Obispo County Code – Title 22, Inland Land Use Ordinance (LUO) (Section 22.98.072). Per the County Inland LUO, a specific plan shall be prepared for the Cañada Ranch property and shall comply with the following provisions:

a. **Types of Uses.** The concept of a Specific Plan is for uses in the following priority for acreage, scale and intensity:
   (1) Open space uses within the oak woodlands;
   (2) Industrial park(s) that will generate "basic" employment for the Nipomo and south county area;
   (3) Commercial service parks that do not conflict with downtown and community shopping commercial uses within Nipomo;
   (4) Retail uses to serve the daily shopping needs of employees and residents of the site in compliance with purpose and character statements for neighborhood shopping areas in Framework for Planning - Inland Area;
   (5) Commercial retail uses that are in compliance with purpose and character statements in Framework for Planning - Inland Area for highway-oriented retail; and
   (6) Residential areas to contain a mix of housing unit types, a portion of which should be affordable to average employee incomes on the site, timing to be concurrent with or following establishment and operation of

nonresidential uses, the timing to be determined by a market feasibility study.

b. **Oak habitat preservation.** Designation of the existing oak forest habitat for open space preservation, where limited recreational and open space uses may be allowed.

c. **Pedestrian-oriented site planning.** Location of workplaces, shopping, services, civic buildings and residences in close proximity to each other to facilitate walking and alternative transportation to the private vehicle.

d. **Architecture and landscaping.** Guidelines for architecture and landscaping that respond to the rural character of the area.

e. **Resource, facility and services needs.** Extent of necessary public, or private where applicable, needs including, but not limited to, safety, health, waste management and water supply.

On June 24, 2020, the project applicant submitted a draft Specific Plan and VTTM to develop new residential, commercial, light industrial, and open space uses and related improvements on the 288-acre Dana Reserve property. The County also initiated a proposed General Plan amendment to designate the Specific Plan Area as a single land use category (e.g., Specific Plan), which would refer to and incorporate the proposed DRSP. The County-initiated General Plan amendment would also ensure consistency throughout the County's General Plan. The proposed DRSP represents a shift in the priority of development within the Specific Plan Area, from the existing description of uses for Cañada Ranch in the South County Area Plan, which focus primarily on job growth and addressing the jobs/housing balance in Nipomo, to the residentially focused DRSP.

# 2.4 PROJECT OBJECTIVES

Section 15124(b) of the California Environmental Quality Act (CEQA) Guidelines requires a statement of a project's objectives that includes the underlying purpose of the project. Primary objectives of the DRSP project include:

1. To provide a mix of land uses that offers a range of amenities accessible to residents and community members.
2. To respect Old Town Nipomo, by providing a small, neighborhood-oriented village commercial area designed to complement, rather than compete with, Old Town Nipomo.
3. To provide a public neighborhood park and pocket parks and open space areas within each residential neighborhood, linking the neighborhoods together through a network of trails and open spaces.
4. To incorporate the rural history of the community through architectural design.
5. To provide a diversity of housing types and opportunities for home ownership and rental, including affordable homes consistent with the goals and policies of the Housing Element of the General Plan, the County's Inclusionary Housing Ordinance, and regional housing needs.
6. To create new employment and job training opportunities for the community and the broader south San Luis Obispo County area.
7. To enhance circulation within the Specific Plan Area and existing community by continuing the existing public roadway network through the DRSP property to connect to Willow Road, providing a new Park and Ride lot to encourage carpooling, and creating new public

transportation points of connection to facilitate public transit use and reduce single-occupant automobile use.

8. To integrate a network of walking, bicycling, and equestrian facilities to connect on-site residential neighborhoods and the broader community.
9. To maintain the large, centrally located oak woodland area as a site feature and to minimize impacts to special-status plants and animals on-site.
10. To meet the County Building Code requirements for energy efficiencies and water savings.
11. To reduce uncertainty in planning for and secure the orderly development of the Specific Plan Area.
12. To provide effective and efficient development of public facilities, infrastructure, and services appropriate for the Specific Plan Area.
13. To meet the requirements of the NCSD District Code to ensure that the necessary DRSP water and wastewater infrastructure is constructed to serve the project without adverse impacts on the NCSD's ability to serve existing and future users.

In addition to the above applicant-stated primary objectives of the DRSP, the County Board of Supervisors entered into a Memorandum of Understanding (MOU) with the applicant on January 26, 2021, that states the project would have the following benefits to the County:

1. Implementing the County's stated land use goals.
2. Dedication of an open space easement, neighborhood park, and trail system.
3. Providing the County with anticipated increased sales tax, property tax, and transient occupancy tax revenues.
4. Providing for affordable housing in furtherance of the County's Housing Element and inclusionary housing goals and to assist in meeting the County's Regional Housing Needs Allocation.
5. Providing a portion of the site to be developed as a business park, commercial area, or such related uses, in support of the County's further economic development.
6. Permanent conservation of 388 acres of oak woodlands or similar habitat located off-site.

# 2.5 PROJECT COMPONENTS

## 2.5.1 Vesting Tentative Tract Map

The proposed VTTM proposes a large lot subdivision of the 288-acre Dana Reserve into 20 private lots and 22 common area lots that would be managed by a Homeowners Association (HOA) or similar entity(ies) (Figure 2-8). The private lots would include:

- Seven lots (Lots 3 through 9) ranging between 12.45 and 39.63 acres designated for Single-Family Residential uses;
- Three lots (Lots 1, 2, and 12) ranging between 4.26 and 11.61 acres designated for Multi-Family Residential uses;
- Two existing Residential Rural lots (Lots 10 and 11) on which no additional residential development is proposed, but which are included in the DRSP to provide access and utility

connections from the Specific Plan Area to Willow Road, including providing areas for public roadways, a transit center, open space, and landscaped areas;

- Four lots (Lots 13 through 16) ranging between 2.74 and 8.85 acres in size designated for Flex Commercial uses;
- Three lots (Lots 17, 18, and 19) ranging between 1.13 and 2.8 acres in size designated for Village Commercial use; and
- One 0.88-acre lot (Lot 20) designated for Recreation use.

Residential lots are generally organized into 10 separately identified neighborhoods, as further described below. Future proposed development of these larger lots/neighborhoods would require the submittal of additional future tract maps to further subdivide the neighborhoods into individual lots for private ownership and single-family or multi-family uses. These future subdivisions would also be subject to the adopted Development Agreement to implement the Specific Plan improvements.

The common area lots would be privately owned and maintained by an HOA or similar entity(ies) but would be accessible and available to the general public, except for the approximately 10-acre neighborhood park, which the applicant proposes to be dedicated in fee to and maintained by the County. These common areas include pocket parks and open space areas, trails, recreation areas, landscaping, and drainage basins. Maintenance responsibilities for these areas would be funded and provided by an HOA or similar entity(ies) associated with the future development of the private lots.

Common area lots would include:

- One 10-acre lot (Lot M/33) to accommodate a public neighborhood park;
- One 1.01-acre lot (Lot W/43) to accommodate an equestrian staging area; and
- Twenty lots to accommodate a mixture of open space, trails, landscaping, and drainage basin uses.

## 2.5.2 Environmental Review of Subsequent Development Proposals

The DRSP EIR is intended to expedite the processing of future projects that are consistent with the DRSP and consistent with the analysis and findings of this EIR. Therefore, though the specific details of future developments within the DRSP are not currently known, this EIR evaluates a reasonable maximum development scenario that would be allowed by the Specific Plan, as illustrated in the Conceptual Master Development Plan (Figure 2-9). Similarly, identified off-site improvements have not been designed and their precise location is not yet known.

If, when considering subsequent development proposals, the County determines that a proposed development would be consistent with the uses described herein and would not result in new or more severe significant environmental effects or require additional mitigation, the County can approve the project without additional environmental review (California Government Code Section 65457 and State CEQA Guidelines Section 15182). However, if there are significant changes proposed that are not consistent with the approved DRSP or the type and level of development analyzed in this EIR that the County concludes may result in new significant environmental impacts, additional environmental review would be required consistent with the requirements of State CEQA Guidelines Section 15162.

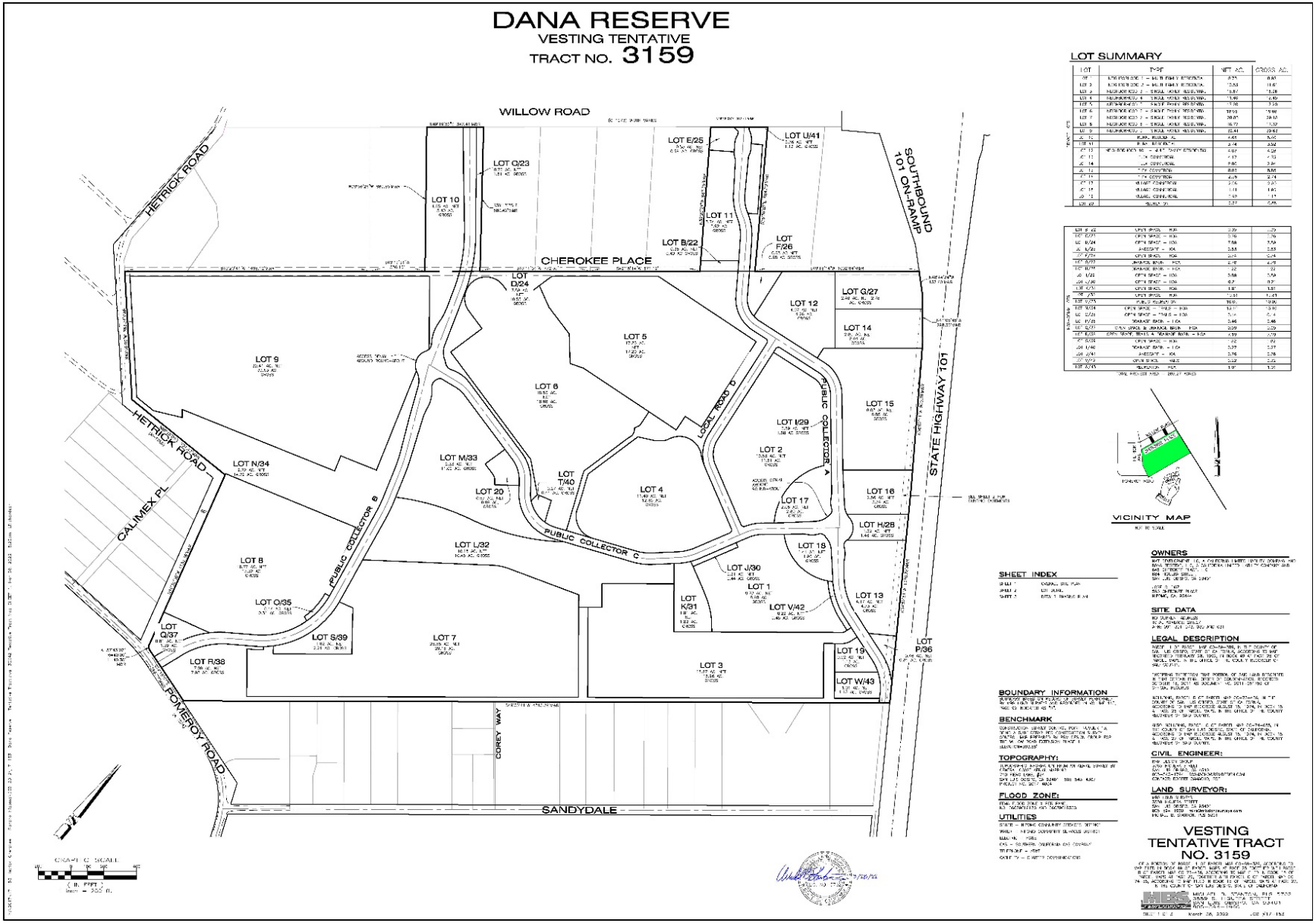


**Figure 2-8. Vesting Tentative Tract Map No. 3159 overall site plan.**

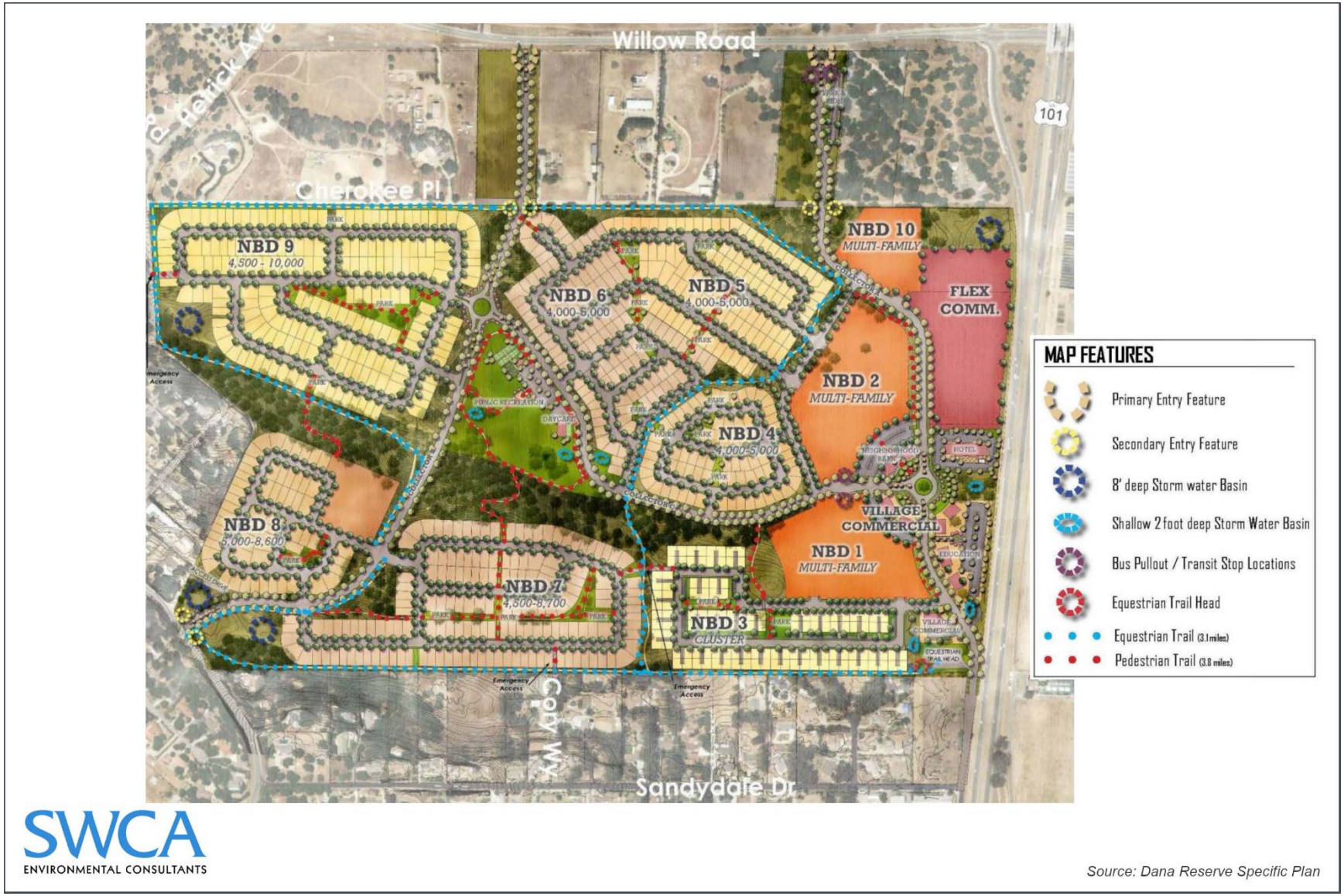


**Figure 2-9. DRSP Proposed Conceptual Master Development Plan.**

## 2.5.3 Dana Reserve Specific Plan

The proposed DRSP includes land use and development standards for residential, commercial, recreation, and open space uses; policies for circulation improvements and provision of utilities and services; and a phasing/implementation plan that describes the public facility financing mechanisms available for the ongoing maintenance of public and private improvements required for the DRSP. Each of the main components of the DRSP are described in further detail below.

### *2.5.3.1 Land Use and Development Standards*

The DRSP includes land use designations with a development plan and guidelines for any development within the DRSP. The proposed land use designations are separated into three primary categories: Residential, Commercial, and Recreation and Open Space. The DRSP includes land use designations and guidelines for single- and multi-family residential land uses within 10 identified neighborhoods and commercial land uses planned near the project's frontage along US 101. The DRSP also identifies areas reserved for public recreation, neighborhood parks, trails, and open space.

The land use category for the DRSP project area would be redesignated from "Residential Rural" to "Dana Reserve Specific Plan." The Dana Reserve Specific Plan would establish the following land use districts within the Specific Plan Area:

- Residential Land Uses
    1. Residential Single-Family 1 (DR-SF1)
    2. Residential Single-Family 2 (DR-SF2)
    3. Residential Multi-Family (DR-MF)
- Commercial Land Uses
    1. Village Commercial (DR-VC)
    2. Flex Commercial (DR-FC)
- Recreation and Open Space Land Uses
    1. Recreation (DR-REC)
    2. Open Space (DR-OS)

As part of the DRSP, no changes to the existing Residential Rural land use designations are proposed for APNs 091-301-031 and 091-301-030 at the north end of the Specific Plan Area, and they are included within the DRSP only for the purposes of providing access and infrastructure connections, as described below.

An overview of the proposed land use districts within the DRSP is identified in Figure 2-10 and summarized in Table 2-2.

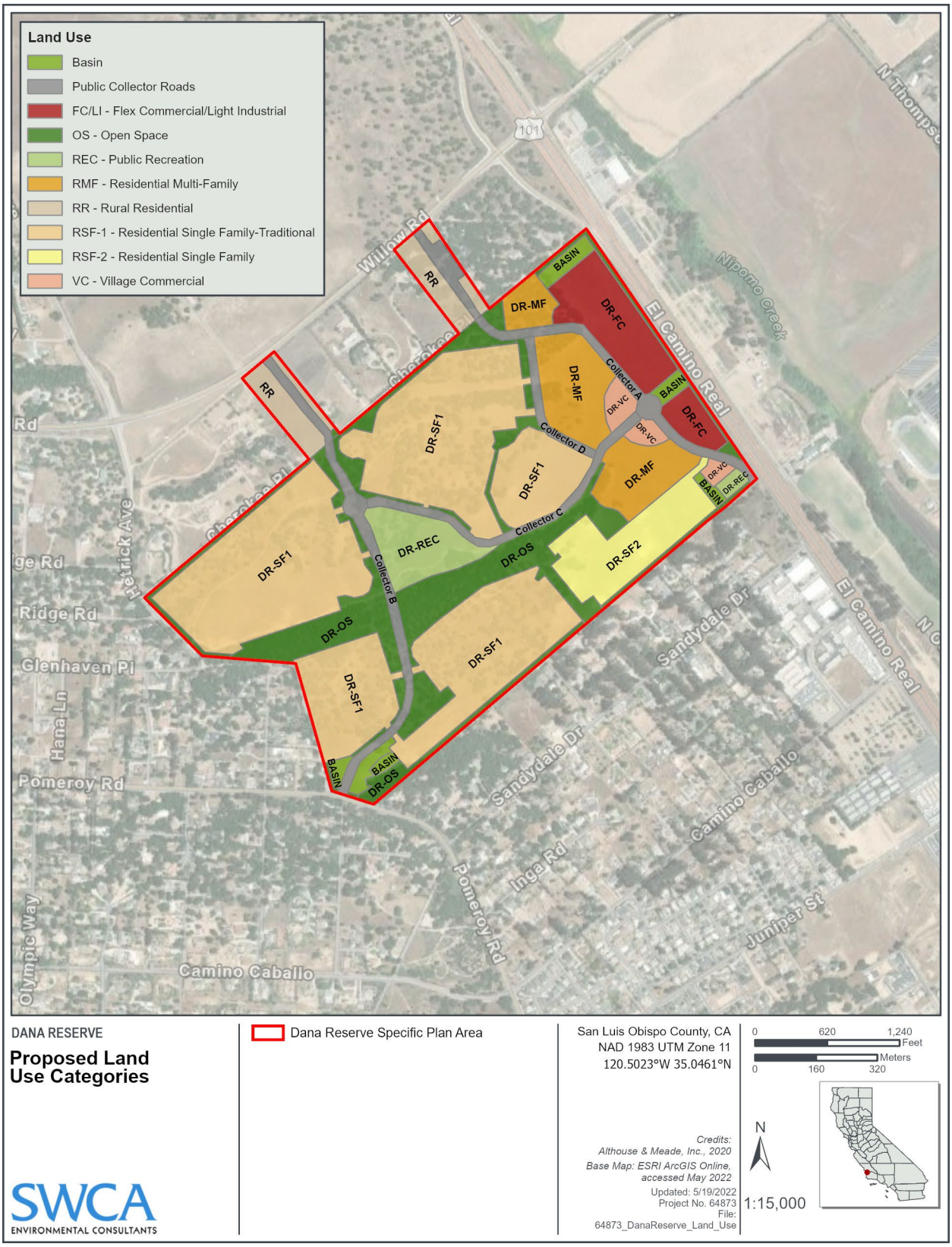


**Figure 2-10. Proposed land use categories.**

**Table 2-2. Land Use Summary**

| Land Use | Acres[1] | Density Range (dwelling units/ acre) | Potential Units | Potential Square Feet |
|---|---|---|---|---|
| ***Residential*** | | | | |
| Residential Single-Family-1 (DR-SF1) | 132.6 | 4–7 | 707 | - |
| Residential Single-Family-2 (DR-SF2) | 16.9 | 7.5–8.5 | 124 | - |
| Residential Multi-Family (DR-MF) | 23.5 | 18–24 | 458 | - |
| Public Park (DR-REC)<br>• Public Park (10 acres)<br>• Equestrian Staging (1 acre) | 11[2] | - | - | - |
| Pocket Parks[3] | - | - | - | - |
| Primary Roads | 21.9 | - | - | - |
| Residential Rural (RR) – Existing | 10 | - | - | - |
| *Residential Subtotal* | *215.9* | - | *1,289* | - |
| ***Commercial and Nonresidential*** | | | | |
| Village Commercial (DR-VC) and Flex Commercial (DR-FC)<br>• Visitor Serving / Hotel<br>• Education | 22.3 | - | - | 113,000<br>60,000<br>30,000 |
| Internal Neighborhood Roads[3] | - | - | - | - |
| Park and Ride[4] | - | - | - | - |
| *Commercial Subtotal* | *22.3* | - | - | *203,000* |
| ***Open Space*** | | | | |
| Open Space (DR-OS)<br>• Open Space<br>• Trails<br>• Basins | 49.8[2] | - | - | - |
| *Open Space Subtotal* | *49.8* | - | - | - |
| **Total** | **288.0** | **-** | **1,289** | **110,000–203,000** |

[1] All acreage and potential units can be adjusted up to 10% to address site-specific constraints and more suitable site design, subject to County review.

[2] Minimum requirement.

[3] Internal Neighborhood Roads and Pocket Parks acreage located within Residential Single-Family land use acreage calculation.

[4] Park and Ride acreage located within Primary Roads.

As shown in Figure 2-10 and Table 2-2, , approximately 215.9 acres, or 75%, of the 288-acre Specific Plan Area is proposed for residential uses within the 10 residential neighborhoods. This includes proposed single- and multi-family units, residential roadways, pocket parks, the approximately 10-acre neighborhood park and 1-acre equestrian staging area, and the existing Residential Rural parcels (APNs 091-301-030 and 091-301-031) at the north end of the Specific Plan Area between Cherokee Place and Willow Road. Approximately 22.3 acres, or 7.7%, of the Specific Plan Area is within the Flex Commercial or Village Commercial land use categories adjacent to US 101. The remaining 49.8 acres, or 17.3%, of the Specific Plan Area would be designated for Open Space uses, including undeveloped open space, public trails, and stormwater drainage basins. The land use acreages are summarized in Table 2-3.

**Table 2-3. Land Use Acreage Summary**

| Land Use | Acres | Percent* |
|---|---|---|
| ***Residential*** | | |
| Residential Single-Family-1 (DR-SF1) | 132.6 | 46.0% |
| Residential Single-Family-2 (DR-SF2) | 16.9 | 5.9% |
| Residential Multi-Family (DR-MF) | 23.5 | 8.2% |
| Recreation (DR-REC) | 11 | 3.8% |
| Primary Roads | 21.9 | 7.6% |
| Residential Rural (RR) – Existing | 10 | 3.5% |
| *Residential Subtotal* | *215.9* | *75%* |
| ***Commercial*** | | |
| Village Commercial (DR-VC) | 4.4 | 1.5% |
| Flex Commercial (DR-FC) | 17.9 | 6.2% |
| *Commercial Subtotal* | *22.3* | *7.7%* |
| ***Open Space*** | | |
| Open Space (DR-OS) | 49.8 | 17.3% |
| *Open Space Subtotal* | *49.8* | *17.3%* |
| **Total** | **288.0** | **100%** |

* All statistics are approximate.

The DRSP includes the proposed subdivision of the residential areas into 10 general neighborhoods (NBDs). NBDs 3 through 9, as shown in Figure 2-9, are anticipated to be further subdivided into individual privately owned single-family lots. Lot sizes would vary between neighborhoods but would generally range between 4,000 square feet (0.9 acre) and 10,000 square feet (0.2 acre). NBD 8 includes an approximately 3-acre amenity site; it is anticipated that the amenity site would include a clubhouse, recreational area, and pool facility, which would be membership facilities similar to other HOA amenities. In addition, NBDs 1, 2, and 10 are proposed to be developed with multi-family development, and NBD 10 has been identified for affordable housing.

The location of the proposed residential neighborhoods is shown in Figure 2-9 and the proposed size and dwelling unit count for each proposed residential neighborhood is shown in Table 2-4.

**Table 2-4. Housing Development Neighborhood Summary**

| NBD | Product Type | Land Use | Land Use Acres | % of Gross Site | Unit Count |
|---|---|---|---|---|---|
| 1 | Multi-Family | DR-MF | 8.7 | 3.0% | 173 |
| 2 | Multi-Family | DR-MF | 10.5 | 3.6% | 210 |
| 3 | Cluster | DR-SF2 | 16.9 | 5.9% | 124 |
| 4 | 4,000–5,000 sf lot | DR-SF1 | 11.4 | 4.0% | 72 |
| 5 | 4,000–5,000 sf lot | DR-SF1 | 17.2 | 6.0% | 104 |
| 6 | 4,000–5,000 sf lot | DR-SF1 | 18.6 | 6.5% | 114 |
| 7 | 4,500–8,700 sf lot | DR-SF1 | 28.9 | 10.0% | 157 |
| 8 | 5,000–8,600 sf lot | DR-SF1 | 16.8 | 5.8% | 62 |

| NBD | Product Type | Land Use | Land Use Acres | % of Gross Site | Unit Count |
|---|---|---|---|---|---|
| 9 | 4,500–10,000 sf lot | DR-SF1 | 39.7 | 13.8% | 198 |
| *Subtotal* | | | *168.7* | *58.6%* | *1,214* |
| 10 | Affordable units[1] | DR-MF | 4.3 | 1.4% | 75 minimum (72.96 required) |
| N/A | Internal Neighborhood Roads[2] | - | - | - | - |
| N/A | Pocket Parks (Park)[2] | - | - | - | - |
| N/A | Public Recreation | DR-REC | 11 | 3.8% | - |
| N/A | Primary Roads | - | 21.9 | 7.6% | - |
| N/A | Park and Ride[3] | - | - | - | - |
| N/A | Residential Rural[4] | RR | 10 | 3.5% | - |
| **Total** | | | **215.9** | **75%** | **1,289** |

Notes: sf = square feet. All land use, percent of gross site, and unit counts shown above are approximate.

[1] Minimum requirement for affordable units is 6% of market rate units.

[2] Internal Neighborhood Roads and Pocket Park acreage accounted for under Residential Neighborhood totals.

[3] Park and Ride acreage accounted for under Primary Roads.

[4] Residential Rural is an existing land use and only included for the purposes of access and infrastructure connections.

The DRSP provides development standards for each use and land use district identified in the Specific Plan. In addition to new residential, commercial, and recreation/open space uses, future buildout of the Specific Plan Area would include internal roads, trails, and expanded utility infrastructure to serve the community. Each of these project components is described in the sections below.

#### 2.5.3.1.1 RESIDENTIAL DEVELOPMENT STANDARDS

The DRSP would allow for a variety of residential land uses with varying density ranges and development standards. These include Residential Single-Family 1 (DR-SF1), Residential Single-Family 2 (DR-SF2), and Residential Multi-Family (DR-MF), as described below:

- **Residential Single-Family 1 (DR-SF1)** would allow for the development of single-family homes on lots ranging from 4,000 to 10,000 square feet in size, which would be detached or attached, and would be one to two stories tall. Gross density would range between four to seven dwelling units per acre.
- **Residential Single-Family 2 (DR-SF2)** would allow for the development of single-family homes on lots ranging between 3,300 to 3,999 square feet, which would be detached or attached, and would be one or two stories tall. Gross density would range between 7.5 to 8.5 dwelling units per acre.
- **Residential Multi-Family (DR-MF)** would allow for the development of multi-family development with a wide range of housing types, which would be detached or attached and one to three stories tall. These uses would be located in close proximity to commercial areas and community services and facilities proposed in the eastern portion of the Specific Plan Area. Gross density would range between 18 and 24 dwelling units per gross acre (excluding any allowable density bonuses). The DRSP provides that multi-family homes should have private outdoor features, such as balconies or patios, and access to common outdoor areas on-site.

Development standards for Residential Single-Family and Residential Multi-Family uses are detailed in Table 2-5.

## Table 2-5. Residential Development Standards

| | DR-SF1 | DR-SF2 | DR-MF |
|---|---|---|---|
| ***Minimum Setbacks*** | | | |
| Front | 16 ft | 10 ft | 10 ft |
| Side | 5 ft | 0–5 ft | 5 ft |
| Street | 10 ft | 10 ft | 10 ft |
| Rear | 12 ft | 5 ft | 10 ft |
| Garage | 20 ft from back of sidewalk | 5 ft from motor court | - |
| Garage/carport | - | - | 20 ft from back of sidewalk |
| ***Minimum Building Separation*** | | | |
| Principal Building | N/A | N/A | 10 ft |
| Between Facing Garages | N/A | N/A | 28 ft |
| ***Maximum Porch Encroachment*** | | | |
| | 6 ft | N/A | 3 ft |
| ***Allowable Density*** | | | |
| | 4–7 du/ac | 7.5–8.5 du/ac | 18-24 du/ac[1, 2] |
| ***Maximum Lot Coverage[3]*** | | | |
| NBDs 4–7 | 55% | 65% | 70% (net) |
| NBDs 8–9 | 60% | | |
| ***Maximum Height[4]*** | | | |
| | 30 ft, two stories (refer to special height restrictions for NBDs 7, 8, 9, described below) | 35 ft, two stories | 45 ft, four stories[5] |
| ***Special Height Restrictions*** | | | |
| NBDs 7–9 | Lots directly adjacent to Hetrick Avenue and Sandydale Drive are limited to 22 ft, one story | - | - |
| ***Typical Lot Size*** | | | |
| | 4,000 sf–10,000 sf | 3,300 sf–3,999 sf | - |
| ***Pocket Park Space[6]*** | | | |
| NBD 3 | - | 1.5–2.0 acres | - |
| NBD 4 | 0.7–0.9 acres | - | - |
| NBD 5 | 1.1–1.5 acres | - | - |
| NBD 6 | 0.7–1.0 acres | - | - |
| NBD 7 | 2.1–3.0 acres | - | - |
| NBD 8 | 0.6–1.1 acres | - | - |
| NBD 9 | 1.8–2.5 acres | - | - |
| Pocket Park Total | 8.5–12 acres | | - |

| | DR-SF1 | DR-SF2 | DR-MF |
|---|---|---|---|
| ***Minimum Common Open Space*** | | | |
| | - | - | 30% net site area |
| ***Minimum Private Open Space*** | | | |
| | 300 sf rear yard with 12-ft minimum depth | 300 sf side or rear yard with 10-ft minimum depth. | 80 sf per home (may include patios, decks, balconies, or porches) |
| ***Parking*** | | | |
| | 2 enclosed off-street parking spaces per home | 2 enclosed off-street parking spaces per home; plus 1 guest space per 5 homes | 1 space per studio or 1 bedroom[7]<br>1.5 spaces per 2 bedroom[7]<br>2.0 spaces per 3 bedroom[7]<br>1 guest space per 5 homes[7] |

Notes: ft = feet; sf = square feet; du/ac = dwelling unit per acre

[1] Allowable dwellings for DR-MF land use based on units per gross acre.

[2] Excludes density bonuses.

[3] Accessory Dwelling Units (ADUs) would be allowable and would not count towards lot coverage.

[4] A building may exceed the height indicated if it has a pitched roof with a slope grader than 2.5/12, and the additional height above the maximum allowed is used to achieve this pitched roof.

[5] 33 feet to the top of plate, 45 feet to the roof.

[6] Sizes shown are approximate and may vary.

[7] Standards may vary based on State Density Bonus laws.

Residential neighborhoods within the Specific Plan Area would be designed to accommodate installation of solar panels on rooftops per the County Building Code. While no specific architectural style is required for the DRSP, design guidelines have been included in the DRSP to guide the architectural design of future projects as they are submitted and are intended to reflect the rural history of the community.

The DRSP also includes residential fencing standards that permit fencing along the front, side, and rear property lines; prohibit fencing within the required street setback area; establish a 5-foot setback requirement from the primary street facing façade of a primary residence; and limit the height of fencing to 42 inches for front yard fences and 6 feet minimum/maximum for side and rear yard fences.

Table 2-6 outlines the allowable land uses within the proposed Residential Single-Family and Residential Multi-Family land use districts within the Specific Plan Area and the applicable permits and processes that would be required prior to County approval of each use.

**Table 2-6. Residential Allowable Uses**

| | DR-SF1 | DR-SF2 | DR-MF |
|---|---|---|---|
| ***Primary Uses*** | | | |
| Single-Family Dwellings | ZC | ZC | N |
| Multi-Family Dwellings | N | N | ZC |
| ***Secondary Uses*** | | | |
| Accessory Dwelling Unit (Secondary Dwelling)[1] | ZC | ZC | ZC |
| Child Daycare – Family Daycare Homes (less than 12 children) | ZC | ZC | ZC |
| Child Daycare – Family Daycare Homes (12 or more children) | MUP | MUP | MUP |

| | DR-SF1 | DR-SF2 | DR-MF |
|---|---|---|---|
| Community Center/Clubhouse/Pool | ZC | ZC | ZC |
| Community Garden | ZC | ZC | ZC |
| Detached Garage | ZC | N | N |
| Home Occupation[2] | ZC | ZC | ZC |
| Pocket Park | ZC | ZC | ZC |
| Residential Accessory Uses[3] | ZC | ZC | ZC |
| Residential Care Home, 6 or Fewer Boarders | ZC | ZC | ZC |
| Residential Care Home, 7 or More Boarders | N | N | MUP |

Notes: ZC = Zoning Clearance; SP = Site Plan; MUP = Minor Use Permit; N = Not Permitted. Uses listed are consistent with County use definitions, where applicable.

[1] Governed by applicable state law.

[2] Home Occupation uses are home business that meet the County's home occupation requirements (e.g., no more than one customer at a time, no signage, etc.)

[3] Residential Accessory Uses include sheds, workshops, studios, etc.

## Accessory Dwelling Units

In addition to the uses described above, the County's Accessory Dwelling Unit (ADU) Ordinance would also allow for ADUs and Junior ADUs (JADUs) as a permitted use in all areas of the Specific Plan Area that allow for residential uses, consistent with state ADU law. Except as otherwise mandated by state ADU law, all ADUs would be required to comply with the standards (including, but not limited to, setbacks, height, size, and parking) of County LUO Section 22.30.470 (Residential - Accessory Dwellings), which allows for a variety of ADU types, consistent with state law, including: (1) one ADU and one JADU within a proposed single-family dwelling or existing structure; (2) one new detached ADU and one JADU on a lot with a single-family dwelling; (3) multiple ADUs within an existing multi-family dwelling or development, at least one unit and not more than 25% of total existing dwellings; and (4) up to two detached ADUs on a lot with an existing multi-family dwelling.

Development of ADUs and JADUs would be permitted consistent with state ADU law, including requirements for minimum setbacks, maximum size, maximum height, and parking requirements. For attached ADUs, minimum front setbacks would comply with the requirements applicable to the attached single-family dwelling unit.

Since the approval of multiple pieces of legislation starting in 2019, construction and use of ADUs and JADUs on qualifying parcels are allowed in San Luis Obispo County through ministerial approval, meaning they are not subject to a discretionary review process and are statutorily exempt from CEQA. Although ADUs are statutorily exempt from CEQA, the DRSP project is not; therefore, the potential for ADUs and JADUs to be developed as part of the entitlements requested by the DRSP project has been evaluated in this EIR.

For purposes of this EIR analysis, it is assumed that up to 152 ADUs or JADUs could be developed within the Specific Plan Area over the life of the project. Based on the Housing Element of the County's General Plan and historic ADU development within the unincorporated area of San Luis Obispo County since recent state ADU laws came into effect, this represents a reasonable anticipated maximum development scenario for ADUs and JADUs within the Specific Plan Area. Historic ADU development within the unincorporated County since 2019 is shown in Table 2-7.

**Table 2-7. Historic ADU Development within Unincorporated San Luis Obispo County**

| Year | ADU Permit Applications | ADU Permits Issued | Constructed ADUs |
|---|---|---|---|
| 2019 | 39 | 12 | 1 |
| 2020 | 95 | 41 | 10 |
| 2021 | 136 | 65 | 30 |
| **Total** | **270** | **118** | **41** |

The County's Housing Element assumes that 185 ADUs will be constructed each year in the unincorporated county. This is based on five times the number of ADUs approved, under construction, or completed in 2019 and reflects an anticipated increase in ADU development within the County as the state continues to encourage this type of housing development. The number of constructed ADUs has increased in the county, as shown in Table 2-7; however, actual ADU development over the last 3 years has totaled 41 units, or just under 14 ADUs per year countywide. While actual ADU development may increase in future years (the number of applications, permits issued, and ADUs constructed has increased each year between 2019 and 2021), actual ADU production in the county (approximately 14 ADUs/year) is substantially less (7.5%) than the 185 ADU per year projection in the Housing Element.

Based on 2019 U.S. Census data, the total number of households in Nipomo was 5,958 in 2019, representing roughly 11.6% of the estimated 51,191 housing units in the unincorporated county in 2018. If the proportionate amount of ADU development (11.6%) were to occur in the Nipomo area, the Housing Element would assume development of approximately 22 ADUs in the Nipomo area each year. If the proportionate amount of ADU development (11.6%) were to occur in the Nipomo area based on historic ADU development trends within unincorporated San Luis Obispo County (see Table 2-7), it would be assumed that the Nipomo area would accommodate development of approximately 1.6 ADUs per year (11.6% of 14 ADUs/year). Therefore, the 152 ADUs that this EIR assumes would be developed within the Specific Plan Area over the project lifetime conservatively represents approximately 100 years of ADU development per the historic ADU development trends within the entire Nipomo community.

## Edge Development

Layout of the land use areas and neighborhoods within the Specific Plan Area would provide buffering between proposed primary uses and existing adjacent residential development as described below. ADUs and/or JADUs would be allowed per state law requirements.

- Northern DRSP Property Line
    1. NBDs 5, 6, and 9 would provide a minimum separation of 97 feet comprised of minimum 12-foot-wide rear yard setbacks on NBDs 5, 6, and 9 lots; a 30-foot-wide equestrian trail; 25-foot-wide Cherokee Place; and minimum 30-foot-wide rear yard setbacks for the existing Residential Rural lots north of Cherokee Place.
- Southern DRSP Property Line
    1. NBD 3 would provide a minimum building separation of 65 feet comprised of minimum 5-foot-wide rear yard setbacks on NBD 3 lots, a 30-foot-wide equestrian trail, and a minimum 30-foot-wide rear yard setback for the existing Residential Suburban lots fronting onto Sandydale Drive.
    2. NBD 7 would provide a minimum building separation of 72 feet comprised of a minimum 12-foot-wide rear yard setback on NBD 7 lots, a 30-foot-wide equestrian trail, and a minimum 30-foot-wide rear yard setback for the existing Residential Suburban lots fronting onto Sandydale Drive. Primary residences in NBD 7 immediately adjacent to the southern DRSP property line are required to be one story.

- Western DRSP Property Line
    1. NBD 8 would provide a minimum building separation of 102 feet comprised of a minimum 12-foot-wide rear yard setback on NBD 8 lots, the 60-foot-wide Hetrick Avenue ROW, and a minimum 30-foot-wide side/rear yard setback for the existing Residential Suburban lots fronting onto Pomeroy Road or Calimex Place. Primary residences in NBD 8 immediately adjacent to the western DRSP property line are required to be one story.
    2. NBD 9 would provide a minimum building separation of 132 feet comprised of a minimum 12-foot-wide rear yard setback on NBD 9 lots, a 30-foot-wide equestrian trail, the 60-foot-wide Hetrick Avenue ROW, and a minimum 30-foot-wide side yard setback for the existing Residential Suburban lots siding onto Hetrick Avenue. Primary residences in NBD 9 immediately adjacent to the western DRSP property line are required to be one story.

### Affordable Housing

In concurrence with the goals and policies of the County's Housing Element and intent of the Inclusionary Housing Ordinance (County LUO Section 22.12.080), the DRSP includes the proposed donation of NBD 10 to a local non-profit(s) to allow for the construction of a minimum of 75 affordable residential units on-site.

Additionally, an overarching goal and vision of the project is to provide affordable-by-design housing geared towards first-time homebuyers and starter homes. Based on market research done by the project applicant, NBDs 1 and 2 would provide the most affordable market-rate housing within the Specific Plan Area. In addition, NBDs 3, 4, 5, and 6 would provide 1,300- to 2,400-square-foot homes on 3,000- to 5,000-square-foot lots; market studies conducted by the project applicant indicate that the majority of development within these neighborhoods would be within an affordable range for workforce housing. Although there is no mechanism for ensuring long-term affordability of market-rate housing, the DRSP includes standards for the design, density, and type of housing in an effort to feasibly meet its goals for affordability by design.

## 2.5.3.1.2 COMMERCIAL DEVELOPMENT STANDARDS

The DRSP contains a variety of commercial land uses with varying density ranges. These include Village Commercial (DR-VC) and Flex Commercial (DR-FC), as described below. More specifically, anticipated individual commercial land uses may include a village center, flex commercial, a neighborhood barn, a hotel, a daycare center, and an educational/training campus:

- **Village Commercial (DR-VC)** would allow for development of retail commercial and service establishments to meet daily shopping needs of residents and visitors and provide opportunities for community gathering and meeting spaces. These uses would be located adjacent to residential areas along collector or arterial streets and would serve to reduce the number of shopping trips for daily needs and encourage walking and bicycling trips.
- **Flex Commercial (DR-FC)** would allow for development of commercial, office, and light manufacturing uses to support local job-generating business, provide areas for highway traveler services and uses associated with tourists and vacationers on collectors within urban areas, and provide areas for development of public facilities and/or educational/training facilities to meet public needs.

The DRSP identifies commercial development standards to apply to the Village Commercial and Flex Commercial land uses within the Specific Plan Area and are intended to ensure consistency with the

DRSP vision while guiding the implementation and review of individual development proposals by the County. The commercial development standards for Village Commercial and Flex Commercial land uses are provided in Table 2-8.

**Table 2-8. Commercial Development Standards**

| | DR-VC | DR-FC |
|---|---|---|
| ***Minimum Building Setbacks*** | | |
| Front | 0 ft | 10 ft |
| Interior Side | 0 ft | 0 ft |
| Street | 0 ft | 10 ft |
| Rear | Per County Building Code Requirements, except 15 ft if adjacent to residential use | 20 ft |
| ***Minimum Lot Size*** | | |
| | No minimum | 0.5 acre |
| ***Maximum Lot Coverage*** | | |
| | 100% | 70% |
| ***Maximum Floor Area Ratio*** | | |
| | 1.5; 2.5 for lodging or school uses | 1.5; 2.5 for lodging or school uses |
| ***Maximum Height*** | | |
| | 35 ft, 2 stories; 50 ft, 4 stories for lodging or school uses | 35 ft, 2 stories; 50 ft, 4 stories for lodging or school uses |
| ***Minimum Private/Common Area Landscaping*** | | |
| | 5% of parking area | 10% |
| ***Landscape Buffer*** | | |
| | - | Minimum of 10 ft along US 101 |
| ***Minimum Parking Requirements[1,2]*** | | |
| Restaurants and Bars | 1 space per 200 sf | 1 space per 200 sf |
| Commercial/Retail | 1 space per 250 sf | 1 space per 250 sf |
| Commercial Service | - | 1 space per 250 sf |
| Lodging | 1 space per room + 5% of total | 1 space per room + 5% of total |
| Schools (Colleges/University) | 1 space per 3.4 students | 1 space per 3.4 students |
| Schools (Preschools to Secondary) | - | 1 space per 1 staff member + 1 space per 5 children |
| Daycare | 1 space per 1 staff member + 1 space per 5 children | - |
| Office | 1 space per 300 sf | 1 space per 300 sf |
| Medical office | - | 1 space per 200 sf |
| Small-Scale Manufacturing | - | 1 space per 500 sf |

Notes: ft = feet; sf = square feet

[1] Where two or more nonresidential uses are located on a single property, the number of parking spaces may be reduced at a rate of 5% for each nonresidential use, up to a maximum of 20%.

[2] Minimum parking requirements shall be calculated based on the net floor area in both Village Commercial and Flex Commercial areas of useable space within a building. However, parking requirement calculations shall not include storage areas or mechanical space.

Allowable land uses for the Village Commercial and Flex Commercial categories are detailed in Table 2-9. Other uses not listed below may be approved by the County Director of Planning and Building if found consistent with the intent of the DRSP and processed through a minor use permit, unless subsequent environmental review is required, as described in Section 2.5.2, *Environmental Review of Subsequent Development Proposals*.

**Table 2-9. Commercial Allowable Uses**

| Land Uses | DR-VC | DR-FC |
|---|---|---|
| Animal Hospitals and Veterinary Medical Facilities | N | ZC |
| Automobile, Mobile Home, and Vehicular Dealers | N | N |
| Automobile Service Stations/Gas Stations | N | N |
| Building Materials and Hardware | N | ZC |
| Child Daycare Centers | ZC | ZC |
| Drive-In and Drive-Thru Services | N | SP |
| Food and Beverage Products | N | ZC |
| Furniture and Fixture Products, Cabinet Shops | N | ZC |
| General Retail | ZC | ZC |
| Health Care Services | N | ZC |
| Health/Fitness Club | SP | SP |
| Heavy Manufacturing | N | N |
| Lodging – Hotels and Motels, 40 or more units | SP | SP |
| Neighborhood Market (<10,000 sf) | ZC | ZC |
| Neighborhood Market (<50,000 sf) | N | SP |
| Personal Services | ZC | ZC |
| Public Assembly and Entertainment Facilities | SP | SP |
| Offices | ZC | ZC |
| Residential[1] | MUP | MUP |
| Restaurant and Bars (including breweries, wine tasting, and distilleries) | SP | MUP |
| Schools – College and University | SP | SP |
| Schools – Preschool to Secondary | SP | SP |
| Small Scale Manufacturing | N | SP |
| Warehousing | N | N |

Notes: ZC = Zoning Clearance; SP = Site Plan; MUP = Minor Use Permit; N = Not Permitted. Per County use definitions, where applicable.

[1] Governed by applicable state law

Similar to the Residential Development Standards, no specific architectural style is required for commercial uses within the DRSP; however, design guidelines have been included in the DRSP to guide the architectural design of future projects as they are submitted and are intended to reflect the rural history of the community.

The DRSP also includes commercial fencing standards that permit fencing along the side and rear yard property lines; prohibit fencing within minimum setback areas; make fencing adjacent to US 101 non-mandatory, except as required by Caltrans; and establish a 6-foot height minimum/maximum.

### 2.5.3.1.3 RECREATION AND OPEN SPACE DEVELOPMENT STANDARDS

The DRSP includes a variety of recreation and open space uses within the Recreation (DR-REC) and Open Space (DR-OS) land use district, as described below:

- **Recreation (DR-REC)** identifies areas having recreation potential where private or public development of recreational uses can be encouraged, such as public parks.
- **Open Space (DR-OS)** identifies areas having value as natural areas capable of supporting passive recreational activities, such as picnic areas and hiking trails.

Table 2-10 outlines the allowable land uses for the Recreation and Open Space land uses within the DRSP area.

**Table 2-10. Allowable Uses within Recreation and Open Space Land Use Areas**

| Land Uses | DR-REC | DR-OS |
|---|---|---|
| ***Primary Uses*** | | |
| Equestrian Facilities (Trails and Trailhead) | ZC | ZC |
| Public Neighborhood Park | ZC | N |
| Outdoor Athletic Facilities | ZC | N |
| Pedestrian Trails | ZC | ZC[1] |
| Public Parks and Playgrounds | ZC | N |
| Child Daycare Centers | ZC[2] | N |
| ***Secondary Uses*** | | |
| Mobile Homes | N | N |
| Public Utility Facilities (Basins, Pumphouses) | SP | SP |
| Outdoor Sports and Recreational Facilities – Private | SP | N |
| Outdoor Sports and Recreational Facilities – Public | SP | N |
| Storage – Accessory | MUP | MUP |
| Temporary Events[3]<br>• Farmer's Market<br>• Non-Profit Events<br>• Private Parties<br>• Movie Nights | SP | SP |

Notes: ZC = Zoning Clearance; SP = Site Plan; MUP = Minor Use Permit; N = Not Permitted. Per County use definitions, where applicable.

[1] Pedestrian trails in the Open Space land use category shall be unpaved.

[2] Child Daycare Centers within the DR-REC land use designation would be subject to minimum parking standards of one space per staff member plus one space for each five children.

[3] Temporary events are subject to the Site Design Standard requirements outlined in Title 22, Section 22.30.610 of the County LUO.

The DRSP includes fencing standards for Recreation and Open Space land uses, including requiring 4-foot-tall, split-rail fencing along equestrian trails located adjacent to streets; establishing a 4-foot-maximum fence height adjacent to streets, parks, and open space; and providing for fencing adjacent to drainage basins per County requirements.

### *2.5.3.2 Conservation, Open Space, and Recreation*

The DRSP includes 49.8 acres of land proposed for Open Space land use designation, including undeveloped open space, trails, and stormwater basins, which would comprise approximately 17.3% of the Specific Plan Area. Open Space area includes areas that would remain undeveloped long term, as well as areas that would provide opportunities for passive uses. Examples of areas intended to remain undisturbed long term include the primary oak woodland area centrally located within the Specific Plan Area, while passive open space areas would include pedestrian and equestrian trails, as well as seating areas.

The DRSP includes a 10-acre public neighborhood park and an approximately 1.01-acre equestrian trailhead and staging area within the Recreation land use category, as well as between 8.5 and 12 acres of publicly accessible but privately maintained pocket parks within residential neighborhoods. These areas comprise between approximately 6.8% and 9% of the Specific Plan Area. The public neighborhood park would be accessible by the residents of the Specific Plan Area, as well as visitors and the community. The final park design has not been developed; however, Figure 2-11 provides a conceptual design of the park and the DRSP provides the following list of amenities that would be considered in final park design:

- Bicycle racks
- Drinking fountains
- Entry signage and landscaping
- Group and individual picnic areas
- Interpretive and educational panels
- Parking areas
- Playground or play features
- Restroom facilities
- Shade canopies
- Sports courts
- Trail connections
- Trash and recycle bins
- Wayfinding signage and/or kiosks

As shown in the conceptual design, it is anticipated that a future daycare center could be located within the proposed neighborhood park. This is not an exhaustive list and other complementary and/or similar amenities may also be included in the final design.

The proposed pocket park areas would be specific to each residential neighborhood within the DRSP area and integrated into a larger open space network. The pocket parks would be positioned along a system of connected trails to enable users to enter the trail system and safely walk to each park within the DRSP.

The DRSP pocket parks would be designed with multigenerational activities and would emphasize the physical and social inclusion of all ages and abilities. Pocket park features may include:

- Bicycle racks
- Children’s play areas
- Picnic areas
- Interpretive and educational panels
- Natural play areas
- Neighborhood mailbox facilities
- Parking areas
- Trail connections
- Trash and recycle bins
- Wayfinding signage and/or kiosks

**Figure 2-11. Neighborhood park conceptual site plan.**

The DRSP includes proposed equestrian trailhead access at the property's perimeter, as well as through open space areas to create a trail network through the Specific Plan Area. Approximately 3.1 miles of equestrian trails would be accessible to residents and the community. An equestrian trailhead is proposed at the southeast corner of the Dana Reserve (on Lot W), and trailhead facilities would include parking to allow for eight vehicles with trailers to pull through and park, hitching posts, information, and signage (Figure 2-12).

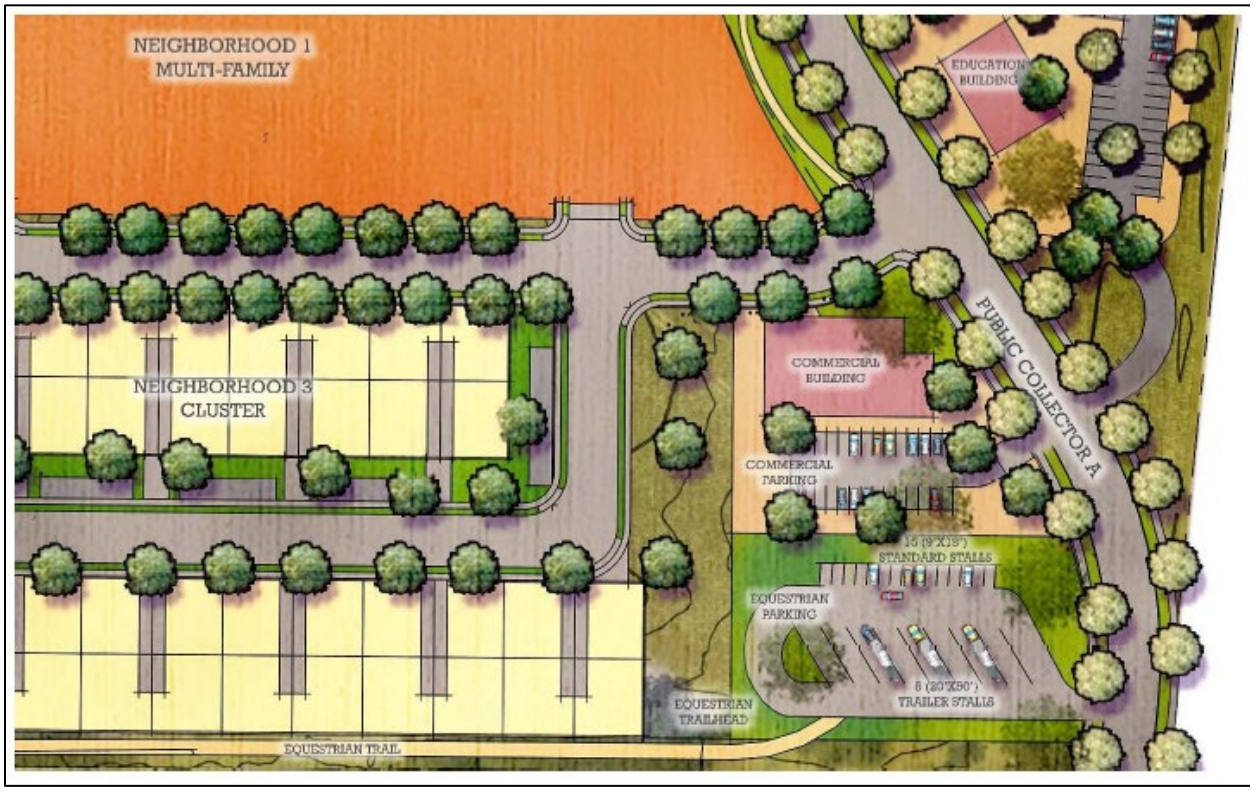


**Figure 2-12. Equestrian trailhead conceptual site plan.**

The DRSP includes a proposed pedestrian trail network to provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas of the site without the need to use an automobile. Approximately 3.8 miles of pedestrian trails would be accessible to residents and the community. Pedestrian trails provided in the Specific Plan Area would be maintained by an HOA or similar entity(ies) to ensure ongoing maintenance of the trail system. A minimum 10-foot-wide trail easement would be provided to allow the trail to meander and provide for adequate landscaping and buffering/screening from adjacent properties. Trails within open space areas are proposed to be unpaved. Almost all of the streets within the Specific Plan Area would also contain sidewalks on both sides of the street, except for the private motor courts proposed in NBD 3.

In addition, NBD 8 includes an approximately 3-acre amenity site; it is anticipated that the amenity site would include a clubhouse, recreational area, and pool facility, which would be private membership facilities similar to other HOA amenities.

### *2.5.3.3 Circulation*

The DRSP would allow for the future development of primary roadways that connect the Specific Plan Area to off-site roads within the vicinity to act as a continuation of County-maintained roadways. Primary roadways are identified as Collectors A, B, and C. Additional private roadways in the DRSP include local streets and motor courts (within NBD 3). Primary and local roadway systems are shown in Figures 2-13 and 2-14, and typical cross-sections of primary collector and local streets are shown in Figures 2-15 and 2-16.

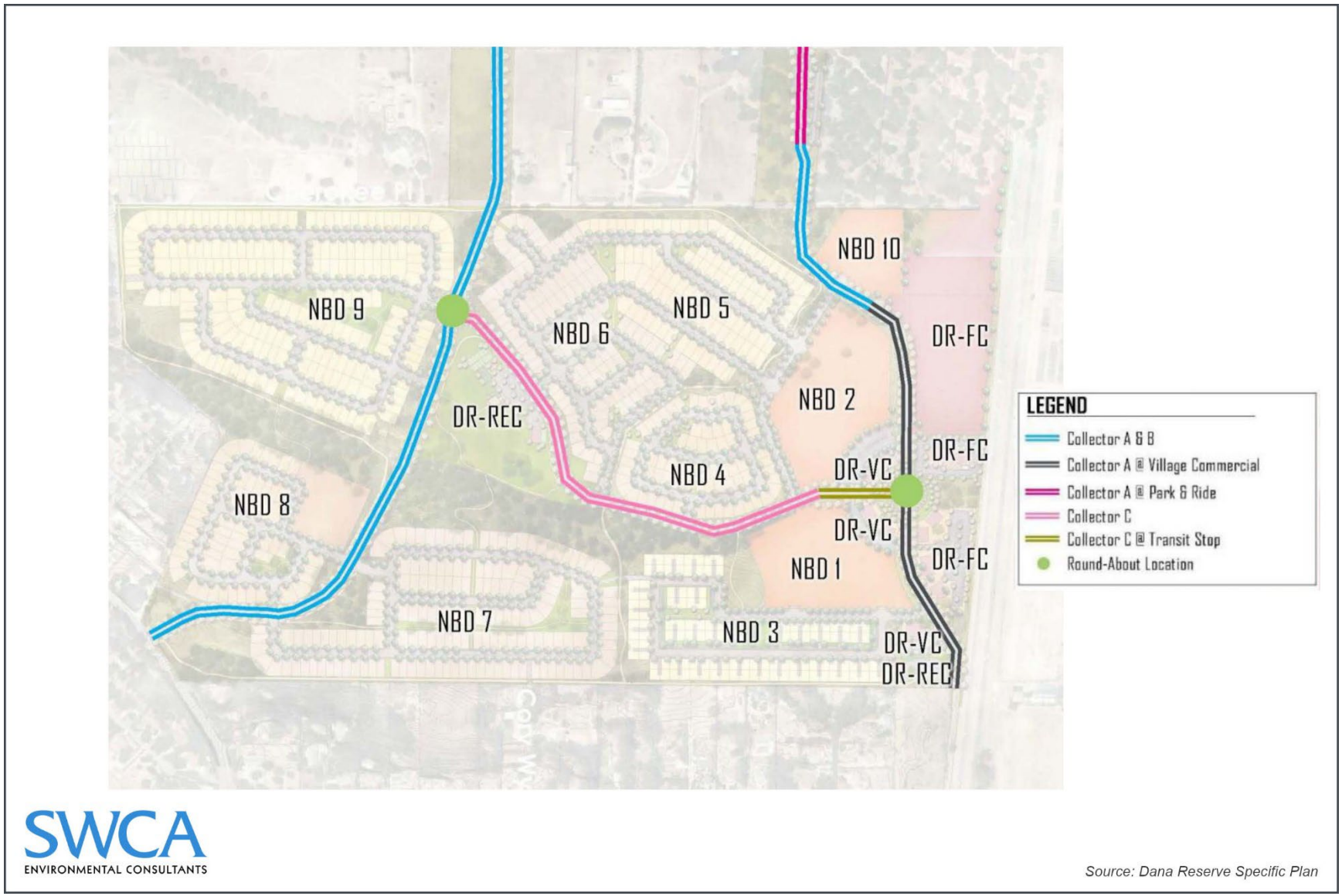


**Figure 2-13. Primary public roadway system.**

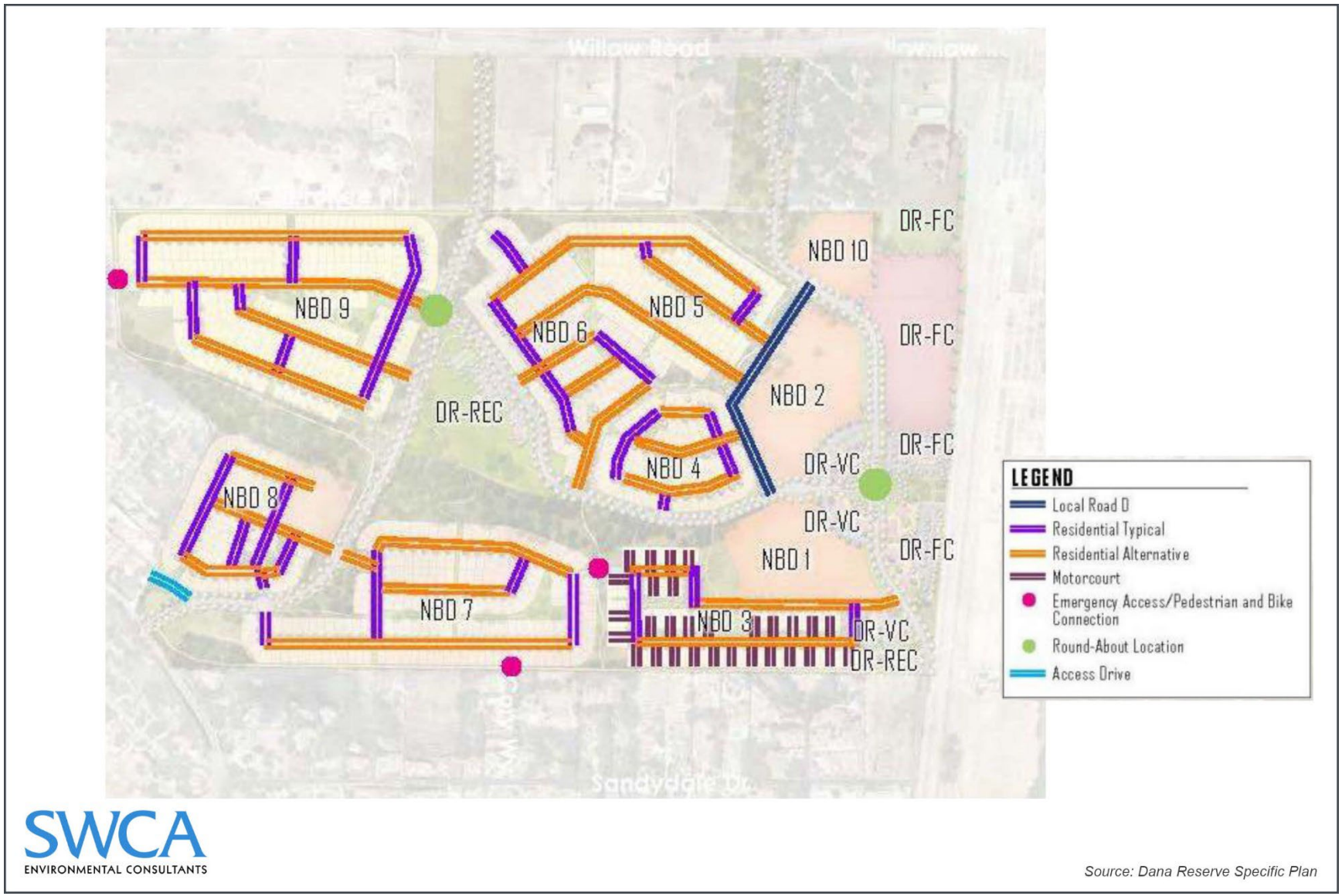


**Figure 2-14. Local roadway system.**

## 2.5.3.3.1 INTERNAL ROADWAYS

### Collector A: North Frontage Road to Willow Road

Collector A would be designed as a County-maintained public collector road and located in the eastern portion of the Specific Plan Area. Collector A is proposed as an extension of the existing North Frontage Road that currently terminates near the southeast corner of the Specific Plan Area. This road would provide a through connection from West Tefft Street in the south to Willow Road to the north. Construction of Collector A would also include improvement/paving at the Collector A/Cherokee Place intersection.

### Collector B: Pomeroy Road to Willow Road

Collector B would be designed as a County-maintained public collector road and located in the western portion of the Specific Plan Area. The roadway would provide a direct connection through the Specific Plan Area from Pomeroy Road to Willow Road. At the proposed future Pomeroy Road connection, there would be a one-way stop intersection. Collector B would act as a functional alternative to Hetrick Avenue. The privately maintained southern portion of Hetrick Avenue would be accessed from Collector B instead of Pomeroy Road. Construction of Collector B would also include improvement/paving at the Collector A/Cherokee Place intersection.

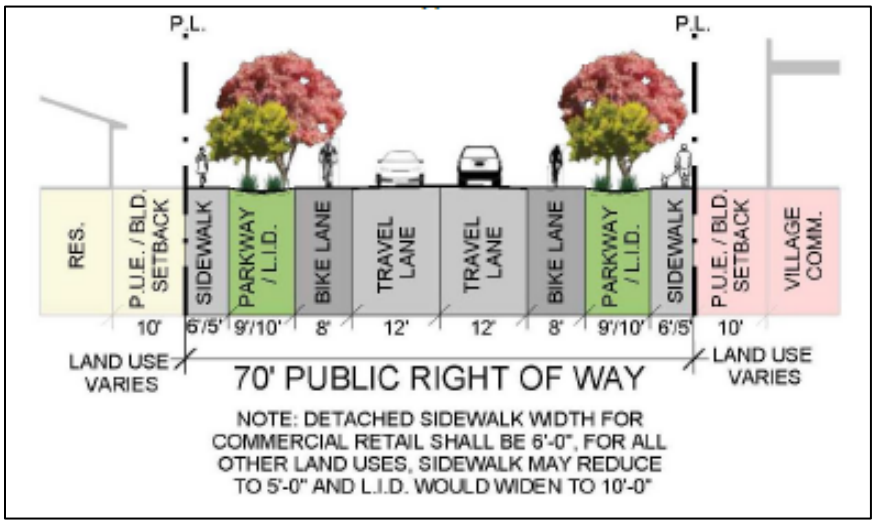


**Figure 2-15. Collectors A and B – typical.**

### Collector C

Collector C would be designed as a County-maintained public collector road and located centrally within the Specific Plan Area. It would provide a direct east-to-west connection between the planned Collectors A and B. Roundabouts are proposed at the Collector A and Collector B intersections.

### Local Streets (Residential)

Residential roadways would be located within the individual residential neighborhoods of the Specific Plan Area and would vary in orientation and design. Local streets are intended to provide connection from the residential neighborhoods to collector roads and would be privately maintained by an HOA or similar

entity(ies). Circulation systems internal to the proposed neighborhoods are conceptual in nature and may be subject to change based on County review of future tract maps.

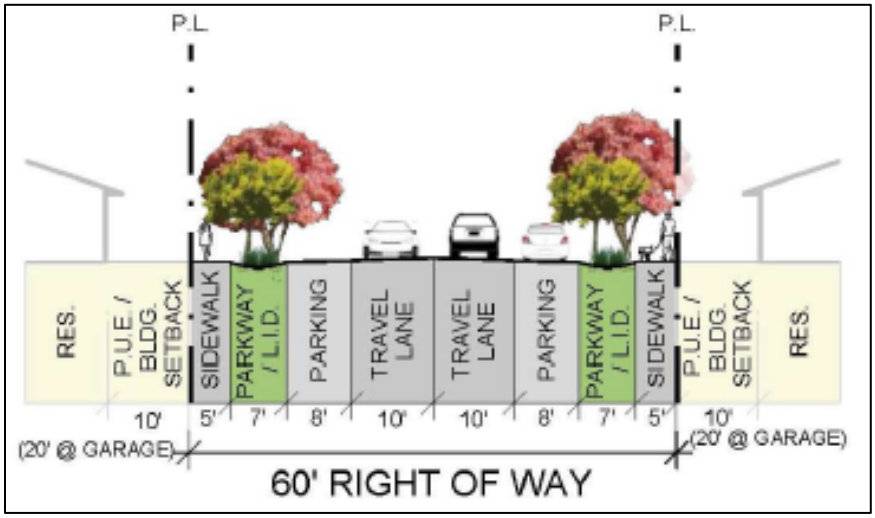


**Figure 2-16. Single-family local street – typical.**

## Private Motor Courts

Private motor courts are proposed within NBD 3 and would be privately maintained by an HOA or similar entity(ies). Private motor courts are private streets that would vary in orientation and are intended to provide access to adjacent local streets within the Specific Plan Area.

## Private Access Drive to Hetrick Avenue

A private access drive would be located on the west side of Collector B, near the intersection with Pomeroy Road. This access drive would maintain access for the adjacent property owners along Hetrick Avenue and would provide access to the adjacent stormwater basin. The southernmost extent of Hetrick Avenue would be closed, and the existing Hetrick Avenue/Pomeroy Road would be removed and replaced by the adjacent proposed Collector B/Pomeroy Road intersection.

### 2.5.3.3.2 INTERSECTIONS AND ROUNDABOUTS

The Specific Plan Area would include five connection points to the surrounding community:

- Proposed Collector A at Willow Road: a new signalized three-way intersection (located approximately 1,000 feet west of the US 101 on-ramps);
- Proposed Collector B at Willow Road: a one-way stop-controlled intersection allowing unimpeded traffic flow along Willow Road;
- Proposed Collector A at North Frontage Road;
- Proposed Collector B at Pomeroy Road: a one-way stop intersection allowing unimpeded traffic flow along Pomeroy Road; and
- Proposed Collectors A and B at Cherokee Place: new two-way stop intersections along Cherokee Place allowing unimpeded traffic flow along proposed Collectors A and B.

In addition to connection points, there are two proposed roundabouts within the Specific Plan Area. One of these roundabouts would be located along Collector A at the Village Commercial area where Collector A intersects with Collector C. The other roundabout would be located along Collector B adjacent to proposed NBDs 6 and 9 where Collector B intersects with Collector C.

#### 2.5.3.3.3 EMERGENCY ACCESS

Two additional emergency access points are proposed in the DRSP—through proposed NBD 9 adjacent to Hetrick Avenue and through NBD 7 as a continuation of Cory Way. Emergency access points would be constructed in compliance with California Department of Forestry and Fire Protection (CAL FIRE) standards. These emergency access points would be accessible to emergency vehicles only (not passenger vehicles), as well as pedestrian, bicycle, and equestrian users.

#### 2.5.3.3.4 PARK AND RIDE LOT

The Collector A street section has been designed to accommodate future northbound and southbound vehicular movement adjacent to a Park and Ride lot on APN 091-301-030 between Cherokee Place and Willow Road at the northern boundary of the Dana Reserve. Collector A is comprised of a minimum 156-foot public ROW with two separate areas—one area for the Collector A roadway and one for the Park and Ride lot. The Park and Ride lot would be comprised of a 24-foot travel lane and 18-foot parking stalls on both sides of the street centerline and will contain approximately 80 parking spaces.

#### 2.5.3.3.5 PUBLIC TRANSIT

Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. Collectors A and C have been designed to accommodate a future transit stop within the Village Commercial area just west of the roundabout and at the Park and Ride location along Collector A just south of Willow Road. San Luis Obispo County Regional Transit Authority (RTA) is expected to provide service to and stops within these designated transit hub locations.

#### 2.5.3.3.6 OFF-SITE TRANSPORTATION IMPROVEMENTS

##### North Frontage Road Improvements

North Frontage Road is an existing off-site public collector road that runs parallel to US 101 just south of the Specific Plan Area. It currently dead-ends at the adjacent property (APN 091-325-022) near the southeast corner of the Specific Plan Area. The South County Circulation Study identifies the extension of North Frontage Road north to Willow Road as a future improvement.

The North Frontage Road connection parcel (APN 091-325-022) is an undeveloped parcel approximately 4.45 acres in size at the southeast corner of Dana Reserve. This parcel is not owned by the project applicant (and owner of the Dana Reserve), and it is not a part of the proposed Specific Plan Area. Although the parcel itself is not part of the Specific Plan Area, there is an existing 40-foot-wide County ROW extending north–south fronting through the parcel within which the roadway extension would be constructed. The North Frontage Road connection parcel is adjacent to four single-family residential lots to the west, Sandydale Drive and the North Frontage Road northern terminus to the south, US 101 to the east, and undeveloped Dana Reserve to the north.

Prior to development of the DRSP, North Frontage Road would be required to be extended through the connection parcel (APN 091-325-022) and the Specific Plan Area to provide connection from West Tefft Street to Willow Road. The existing ROW area and proposed improvements are shown in Figure 2-17.

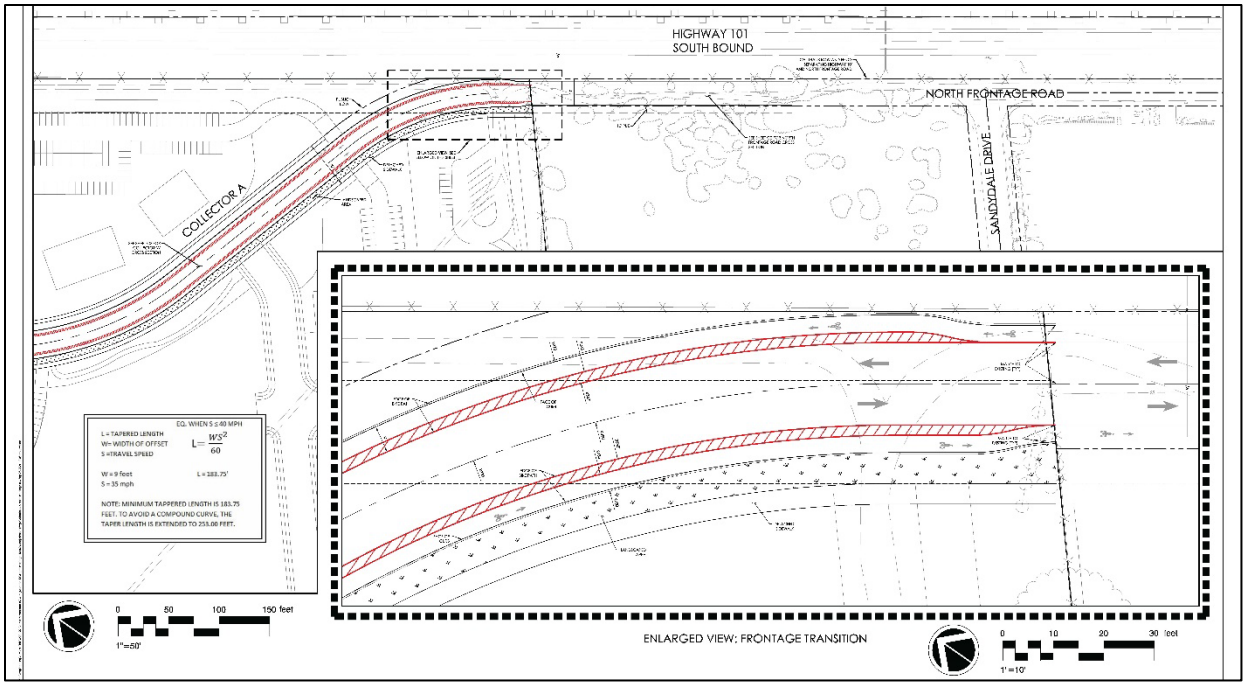


**Figure 2-17. North Frontage Road/Collector A extension.**

## Willow Road and Collector A Improvements

At the Willow Road/Collector A intersection, Willow Road would be expanded to provide turn pockets and intersection signalization. The public ROW along Willow Road is approximately 107 to 109 feet wide; all improvements would be located within existing ROW areas. Proposed off-site improvements at the Willow Road/Collector A intersection are shown in Figure 2-18.

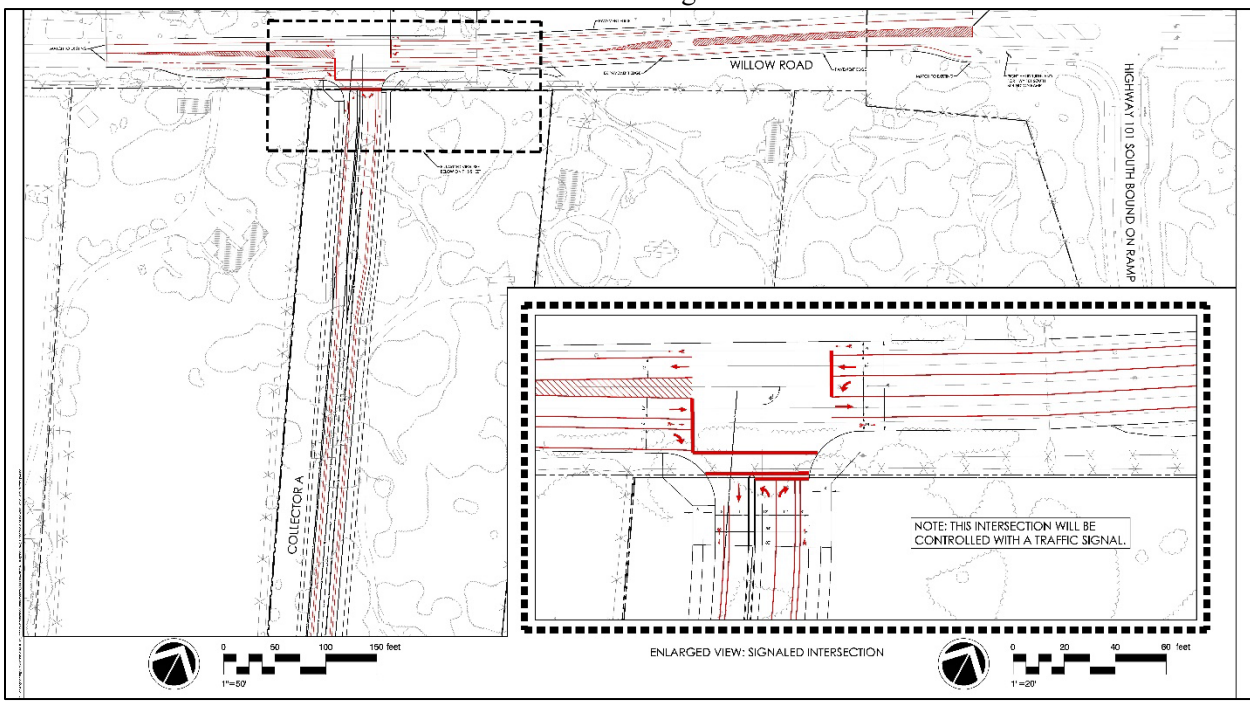


**Figure 2-18. Willow Road/Collector A intersection.**

## Willow Road and Collector B Improvements

Transportation improvements at the Willow Road/Collector B intersection would be limited to the new connection and one-way stop control via Collector B. Minimal restriping along Willow Road would be necessary to accommodate the new connection to Collector B.

## Cherokee Place Intersections

Cherokee Place runs along the northern property line of the main parcel of the Specific Plan Area (APN 091-301-073), beginning at Hetrick Avenue in the west and terminating near the northeast corner of the Specific Plan Area. The project proposes two new intersections along Cherokee Place, at Collectors A and B. Cherokee Place is currently an unpaved roadway approximately 20 feet in width. The project would require improvements along Cherokee Place adjacent to the two northernmost Specific Plan parcels (APNs 091-301-031 and 091-301-030) and ROW dedication, to be reviewed and approved by the County Public Works Department. Along the frontage of these two parcels, the project is anticipated to improve the roadway to a 20-foot-wide paved section aligned with the existing unpaved road that lies within the northern 25-foot-wide offer of dedication on Cherokee Place. No improvements on other portions of Cherokee Place adjacent to the Specific Plan Area are proposed.

## Hetrick Avenue Improvements

The portion of Hetrick Avenue off Pomeroy Road is a private road that runs along a portion of the southwestern boundary of the Specific Plan Area. The Nipomo Community Plan and South County Circulation Study identify Hetrick Avenue as a north–south connection between Pomeroy and Willow Roads; however, it has never been fully developed and has insufficient ROW width to complete a through-connection. With the addition of Collector B through the Specific Plan Area, the project proposes to close the existing direct connection of Hetrick Road at Pomeroy Road. To reduce turning movement conflicts on Pomeroy Road, access to parcels currently utilizing the direct connection of Hetrick Road at Pomeroy Road (the three existing residential properties to the west of Hetrick Avenue closest to Pomeroy Road) would be served by a new proposed access from Collector B (Figure 2-19).

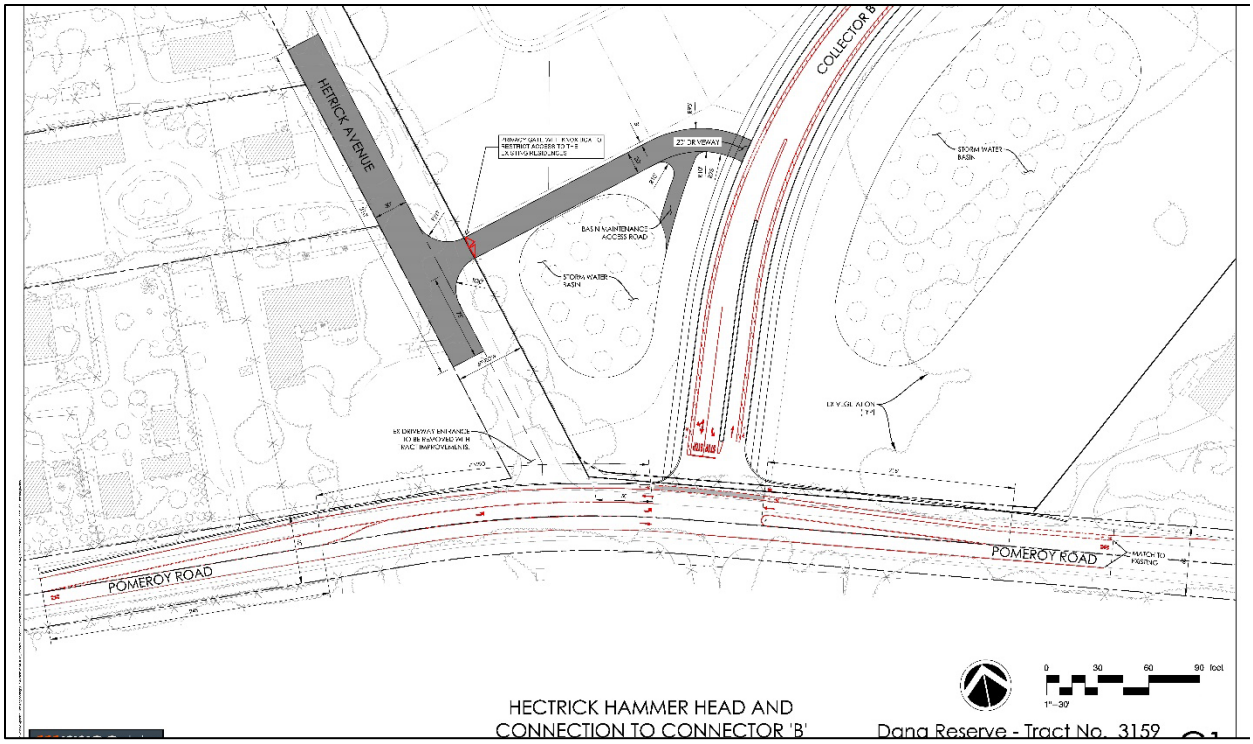


**Figure 2-19. Hetrick Avenue access drive from Collector B.**

## Pomeroy Road and Collector B Improvements

Pomeroy Road is an existing off-site public arterial road that is located in the southwest corner of the Specific Plan Area. It is currently designed with 12-foot-wide vehicular travel lanes and a Class II bicycle lane of varying width (5–7 feet wide) on both sides of the street. Collector B is proposed to provide a through-connection from Pomeroy Road to Willow Road through the Specific Plan Area (see Figure 2-13). A one-way stop-controlled intersection is proposed at the Pomeroy Road/Collector B intersection. This improvement would reroute a small portion of Pomeroy Road into the Specific Plan Area.

## Emergency Access

Two emergency accessways are proposed to ensure adequate fire and safety access to the Specific Plan Area. Emergency accessways would be provided from Hetrick Avenue into NBD 9 and from Cory Way into NBD 7. Minor improvements would be required to connect/tie existing roadways into proposed emergency access extensions into the Specific Plan Area. Hetrick Avenue is a private road that runs along a portion of the southwestern boundary of the Specific Plan. Cory Way is an existing off-site public local road that terminates at the southern property line of the Specific Plan Area. Hetrick Avenue would provide an emergency accessway at the northwest corner of the Specific Plan Area; Cory Way would provide an emergency access point at the southern boundary of the Specific Plan Area (see Figure 2-14). The emergency accessways would be constructed per CAL FIRE and County Public Improvement Standards. Emergency access would also be designed to accommodate pedestrian, bicycle, and equestrian access into the Specific Plan Area. No public or private vehicular access would be provided at these emergency accessways.

## *2.5.3.4 Utilities and Services*

The project would require provision of infrastructure to support proposed development within the Specific Plan Area, including potable water, wastewater, stormwater, and other utilities, such as natural gas, electrical, telephone, and cable/data service. Domestic water and wastewater services for the Specific Plan Area would be provided by the NCSD through an annexation into the NCSD service area. Potable water and wastewater would be provided through existing NCSD infrastructure within North Frontage, Willow, and Pomeroy Roads and an extension of water and wastewater infrastructure routed within public roads throughout the Specific Plan Area. Provision of water and wastewater services within the Specific Plan Area would also require a number of off-site improvements as described in Section 2.5.3.4.4, *Off-Site NCSD Improvements*.

### 2.5.3.4.1 POTABLE WATER

The potable water system for the Specific Plan Area is proposed to be comprised of a 12-inch main line extension from North Frontage Road, at the southeast corner of the Specific Plan Area, to Willow Road and would include an internally looped system of 8-inch public water main line, which would provide fire suppression to the development areas. These water lines would be routed within proposed public roads. The main trunk lines would be owned and operated by the NCSD. The private main line system for the commercial areas would be protected at each connection point to the public system with a double detector check assembly.

Domestic water services for each development within the Specific Plan Area would utilize County and NCSD standard water services and meters. Individual service connections would connect to the above-referenced 8-inch domestic main lines. Waterlines are proposed to be routed within streets or easements and would include fire hydrants located adjacent to roadways and spaced as required by state law and the County Fire Marshal. The proposed potable water backbone infrastructure is shown in Figure 2-20.

### 2.5.3.4.2 RECYCLED WATER

The DRSP project would install recycled water lines to make the project "recycled water" ready. If, in the future, the NCSD is able to provide recycled water to the Specific Plan Area, recycled water would be utilized for landscaping within the village and commercial areas, public recreation, neighborhood parks, and streetscape and parkway areas. Irrigation for these identified areas would be converted from potable water to recycled water at the time recycled water becomes available. The project proposes to install purple recycled waterlines within the backbone infrastructure of the Specific Plan Area as shown in Figure 2-21. Although recycled water is not currently available in Nipomo, this pipeline system would be available if and when the NCSD provides regional recycled water service.

### 2.5.3.4.3 WASTEWATER

The wastewater collected from within the Specific Plan Area would be conveyed to the NCSD's existing infrastructure within North Frontage Road and then to the Southland WWTF located south of the project site along US 101 on Old Windmill Place. The project would require an extension of the existing 12-inch gravity line within North Frontage Road to provide sewer to the proposed development areas. The main trunk lines would be owned and operated by the NCSD.

In addition to the extension of existing infrastructure, two proposed sewer lift stations would be located on two separate dedicated lots on the west side of the Specific Plan Area near Hetrick Avenue and Pomeroy Road that would be owned/operated by the NCSD. The proposed wastewater backbone infrastructure is shown in Figure 2-22. Additional off-site improvements to NCSD infrastructure would be required to serve the Specific Plan Area. These improvements are described in further detail in Section 2.5.3.4.4, *Off-Site NCSD Improvements*.

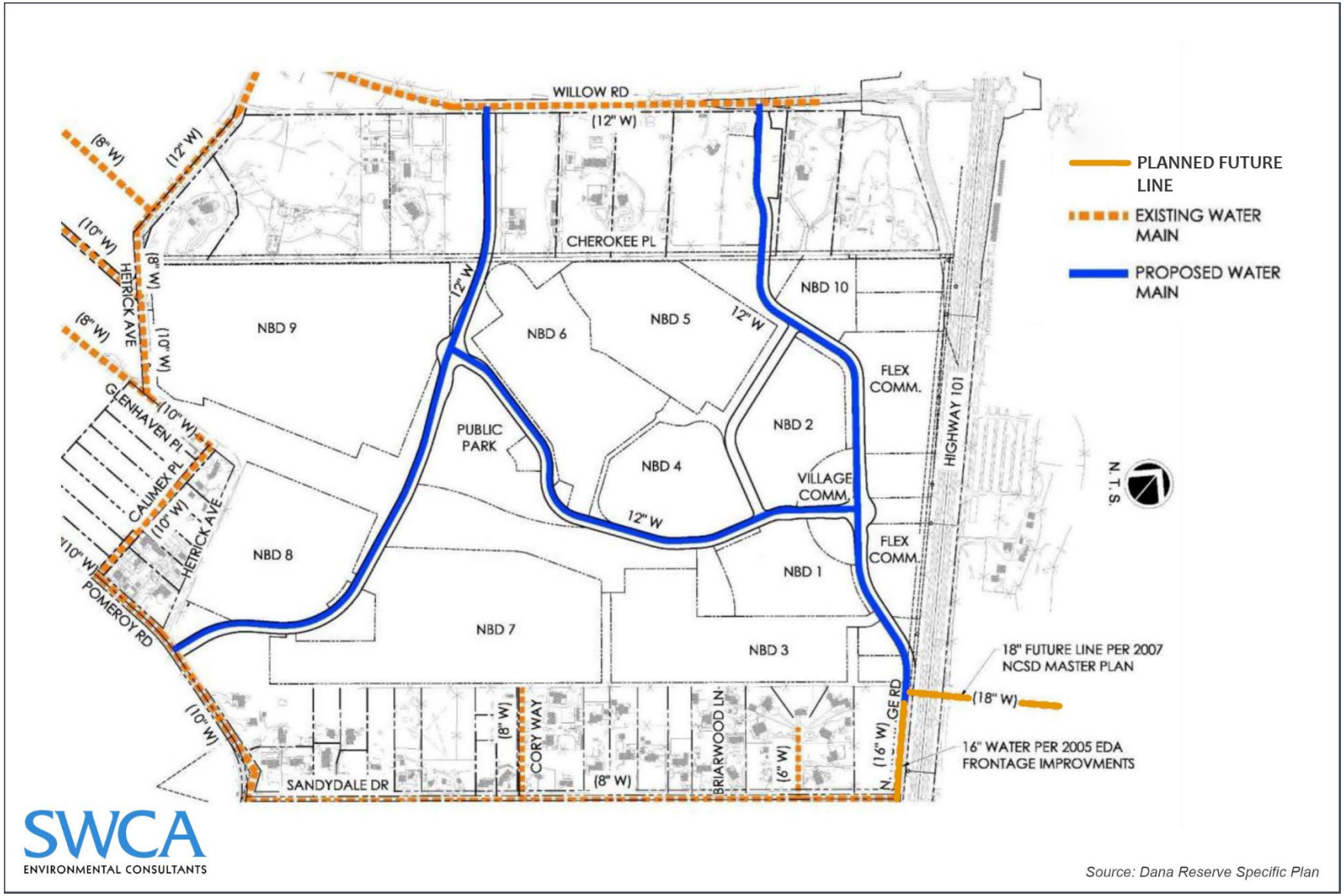


**Figure 2-20. Proposed potable water backbone infrastructure.**

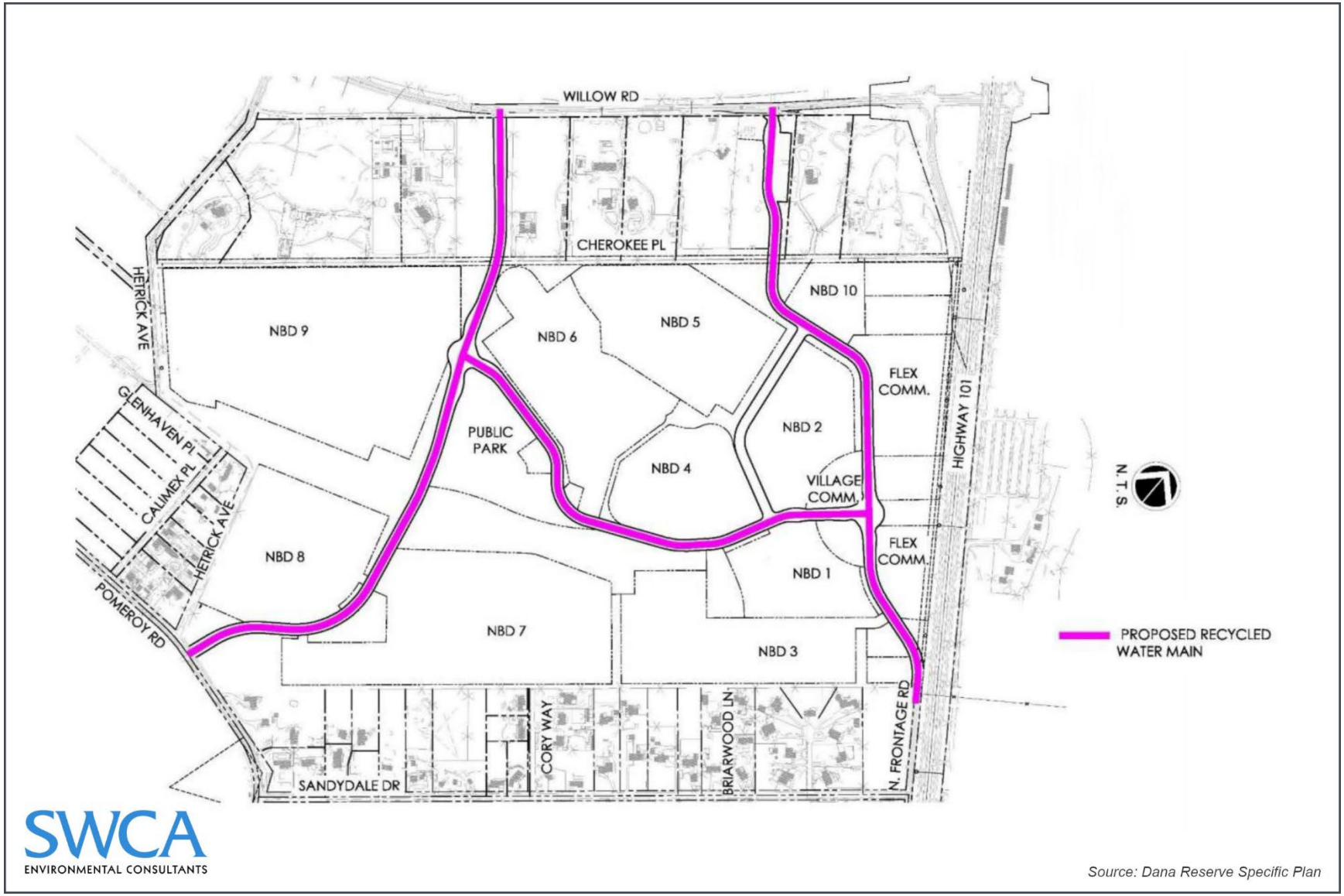


**Figure 2-21. Proposed recycled water backbone infrastructure.**

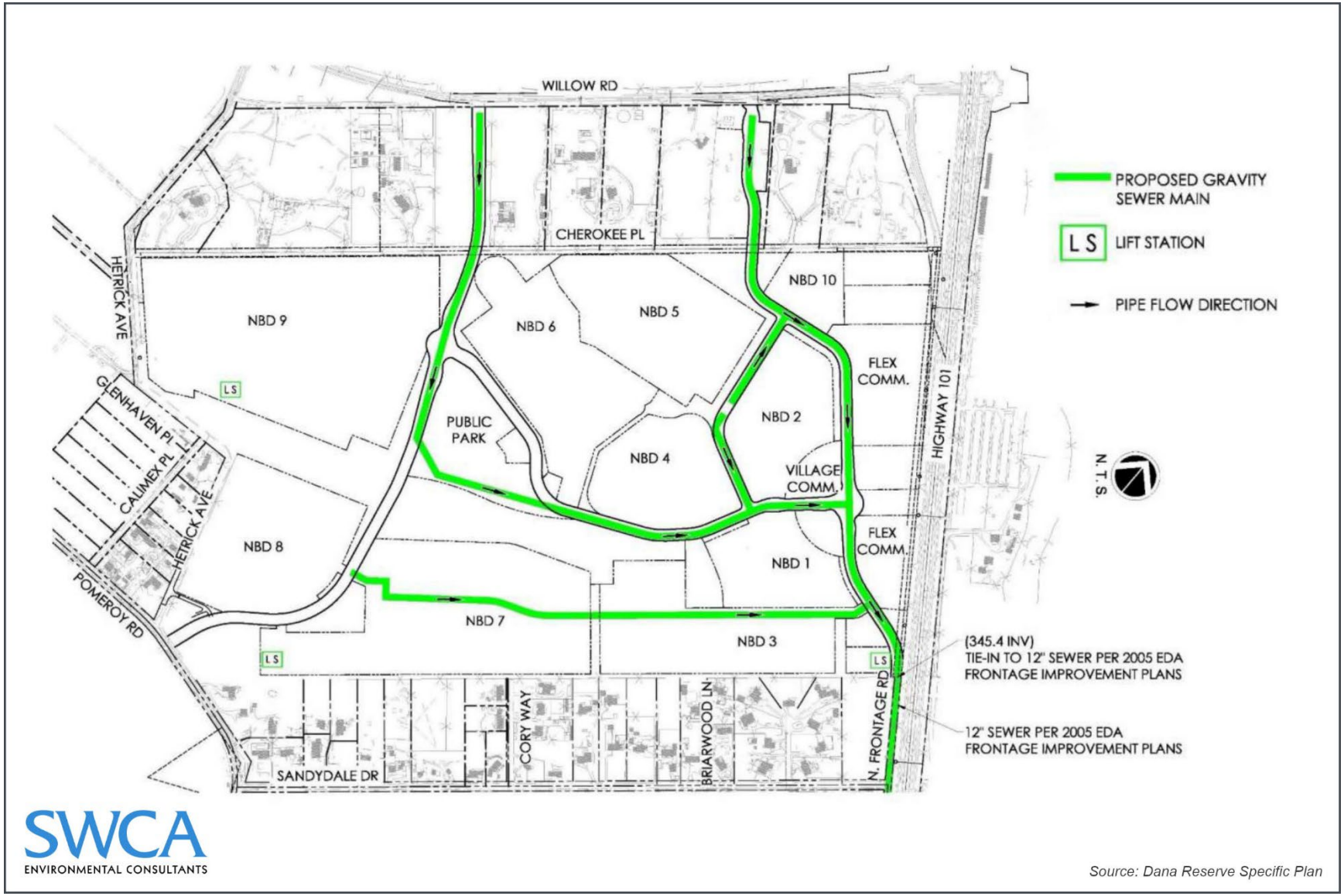


**Figure 2-22. Proposed wastewater backbone infrastructure.**

## 2.5.3.4.4 OFF-SITE NCSD IMPROVEMENTS

### Off-Site Water System Improvements

Buildout of the Specific Plan Area would require a number of off-site water system improvements to the existing NCSD service system, including the following:

1. Extension of a 16-inch DIP from the intersection of West Tefft Street/North Oakglen Avenue to the north end of North Oakglen Avenue to be installed within the existing paved roadway;
2. Extension of a 16-inch DIP from the north end of North Oakglen Avenue, under US 101, to Sandydale Drive, to be installed within existing paved roadway and ROW areas;
3. Extension of a 12-inch PVC pipe from the North Frontage Road/Sandydale Drive intersection to the southeastern corner of the Specific Plan Area, to be installed within the existing public ROW area;
4. Extension of a 12-inch PVC pipe from the proposed Willow Road/Collector A intersection approximately 450 feet to the end of the existing water line in Willow Road;
5. Replacement/upsizing of an existing 10-inch DIP to a 16-inch DIP from the intersection of West Tefft Street/North Oakglen Avenue to the NCSD's existing Foothill water tank site at the North Dana Foothill Road/East Tefft Street intersection;
6. Installation of 2 million gallons of additional water tank storage at the NCSD's existing Foothill water tank site at the North Dana Foothill Road/East Tefft Street intersection;[4] and
7. Installation of a second water storage tank at the NCSD's existing Joshua Road pump station, which will be located within the footprint of the existing pump station facility.[5]

These improvements have not been designed and their precise location is not currently known. However, all water system improvements are expected to occur within existing paved roadways, existing public ROW areas, and/or existing NCSD facilities. Each of these improvements is evaluated at a programmatic level in this EIR. Subsequent environmental review of these improvements, if necessary, would be required as described in Section 2.5.2, *Environmental Review of Subsequent Development Proposals*.

### Off-Site Wastewater System Improvements

Buildout of the Specific Plan Area would require a number of off-site wastewater system improvements to the existing NCSD service system, including the following:

1. Extension of a 12-inch diameter sewer main pipe within North Frontage Road between the Dana Reserve Specific Plan Area and Juniper Street, to be installed within existing paved roadway and existing public ROW areas;
2. Installation of a sewer lift station to accommodate DRSP flows located near the southeast corner of the Specific Plan Area;

[4] This necessary improvement is cumulative in nature and is undergoing separate environmental review by the NCSD as CEQA Lead Agency.

[5] This necessary improvement is cumulative in nature and was previously evaluated in the EIR certified by the NCSD on May 3, 2009, for the NCSD Supplemental Water Project.

3. Upsizing of a planned sanitary sewer pipe from the North Frontage Road/Juniper Street intersection and the South Frontage Road/Division Street intersection, to be installed within existing paved roadway[6]; and
4. Improvements/upgrades at the existing NCSD Southland WWTF, including the following (see Figure 2-7). Each of these improvements would be located within the existing NCSD Southland WWTF:
    a. Installation of influent lift station #3;
    b. Installation of grit removal system #2;
    c. Installation of aeration basin #2, including blowers and diffusers;
    d. Installation of clarifier #3;
    e. Installation of gravity belt thickener #2; and
    f. Installation of screw press #2.

These improvements have not been designed and their precise location is not currently known. However, all wastewater system improvements are expected to occur within existing paved roadways, existing public ROW areas, and/or existing NCSD facilities. Each of these improvements is evaluated at a programmatic level in this EIR. Subsequent environmental review of these improvements, if necessary, would be required as described in Section 2.5.2, *Environmental Review of Subsequent Development Proposals*.

#### 2.5.3.4.5 DRAINAGE IMPROVEMENTS

The Specific Plan Area does not have any mapped or defined watercourses or wetlands; however, the existing topography of the site creates three distinct drainage subbasin areas. The east portion of the Specific Plan Area drains towards US 101, where there are three existing culverts that drain under the highway. The northwest portion of the Specific Plan Area drains to the west towards the Hetrick Avenue and Glenhaven Place intersection. Lastly, the southwest portion of the Specific Plan Area drains southwest towards the Hetrick Avenue and Pomeroy Road intersection.

Each development area would be required to collect and manage its own stormwater within the individual DRSP neighborhoods and commercial use areas. Sample stormwater management measures are described in Appendix A, Design Guidelines, of the DRSP(see Appendix A of this EIR). Neighborhood and internal road sections would be designed to also include roadside low-impact development (LID) areas to treat and mitigate runoff. Inlets and/or catch basins would also be integrated within these areas for larger storm event overflow. Storm drain inlets/culverts would be added and spaced appropriately to collect and convey large storm event overflow runoff towards proposed downstream basins. Some existing off-site areas drain towards and onto the DRSP site as run-on. The associated flows from these areas would be collected in swales and/or storm drain culverts along the perimeter of the Specific Plan Area, conveyed around the proposed neighborhoods, and considered as bypass during the development of the project improvements.

As shown in the preliminary grading scheme for the site, there are four proposed 8-foot maximum ponded depth stormwater basins located at the northeast, southwest, and west/northwest corners of the Specific Plan Area. In addition, multiple shallow, 2-foot maximum ponded depth stormwater basins are proposed throughout the eastern half of the Specific Plan Area. All stormwater basins would be designed to meet County Public Improvement Standards. Each subsystem of basins would be sized to accommodate the

[6] A 12- to 15-inch pipe at this location was previously planned as part of a separate NCSD project (the Blacklake Sewer System Consolidation Project). The pipe will need to be upsized to a 15- to 18-inch-diameter pipe along this stretch of pipeline to accommodate the DRSP project. This increase in pipe size/diameter is being evaluated in the separate CEQA document currently being prepared for the NCSD's Blacklake Sewer System Consolidation Project and is also being evaluated in this EIR.

remaining runoff produced by the additional impervious areas within each respective drainage management area and neighborhood development. Storm drain inlets/culverts would also be added to connect subsystems of basins where appropriate. Overflow structures, culverts, weirs, or other devices would be added and sized to meet discharge flows for both the County requirements and Central Coast Regional Water Quality Control Board (RWQCB) post-construction stormwater requirements. Each development area within the Specific Plan Area would be responsible for designing and incorporating its own stormwater treatment infrastructure within the individual DRSP neighborhoods and/or commercial area. Stormwater treatment options to be utilized within the Specific Plan Area are found in Appendix A, Design Guidelines, of the DRSP (see Appendix A of this EIR). Figure 2-23 shows the proposed stormwater management facilities.

### 2.5.3.4.6 OTHER UTILITIES

In addition to expanded water and wastewater services, the DRSP area would require the expansion of telecommunication, cable, electric, and natural gas utility infrastructure. This project would be served by the following public utility providers:

- NCSD for water and wastewater;
- Pacific Gas and Electric Company (PG&E) for electricity;
- American Telephone & Telegraph Company (AT&T)/Pac-West Telecomm Inc./Satin Satellite for telephone and data;
- Charter Communications for cable television; and
- Southern California Gas Company (SoCalGas) for natural gas.

PG&E would provide electricity distribution to the Specific Plan Area. Existing overhead service lines run along Cherokee Place, Pomeroy Road, and the eastern edge of the Specific Plan Area. New service lines would be placed in or adjacent to the ROW of the proposed commercial and residential roadways. All new electric lines would be placed underground. SoCalGas would provide natural gas distribution to the Specific Plan Area. There is an existing high-pressure gas main within an existing SoCalGas easement along the eastern perimeter of the Specific Plan Area; however, no other existing gas mains are located within the Specific Plan Area. Therefore, to support the proposed commercial and residential development, new gas mains would be constructed as part of the primary backbone roadways to serve new development areas.

Solid waste, recycling, and green waste generated by the buildout of the Specific Plan Area would be serviced by the South County Sanitary Services. Solid waste, recycling, and green waste would be disposed of at the Cold Canyon Landfill. South County Sanitary Services has reviewed the conceptual plans and would provide solid waste, recycling, and green waste pick-up service to the Specific Plan Area.

Once facilities to serve the Specific Plan Area are constructed, an HOA or similar entity(ies) would be established to operate and maintain facilities, such as parkways, trails and open space, and stormwater facilities. Facilities located within individual residential neighborhoods, such as pocket parks, parkways, stormwater facilities, and local roads, would also be privately maintained by an HOA or similar entity(ies). Collectors A, B, and C and the public neighborhood park are proposed to be maintained by the County.

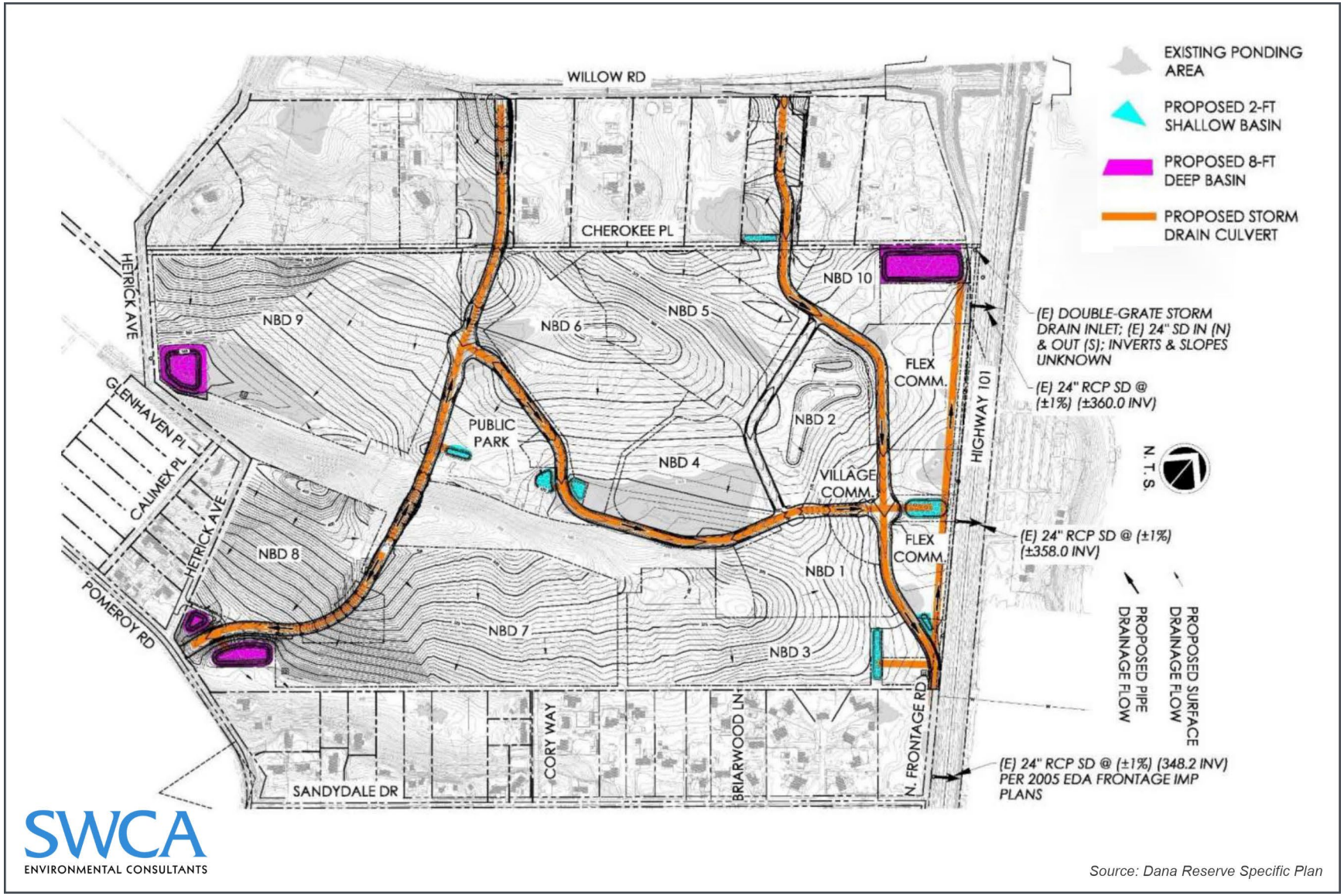


**Figure 2-23. Proposed Stormwater Management Facilities.**

## *2.5.3.5 Project Construction*

### 2.5.3.5.1 GRADING AND SITE IMPROVEMENTS

Preliminary grading of each development/phase of the Specific Plan Area would occur over several phases, the timing and process of which would be in compliance with Section 2.1.3 of the County 2019 Public Improvement Standards. The property would first be graded to support the installation of backbone road and utility infrastructure. The backbone roads' subgrade would be designed to allow circulation and construction access to the development area. The adjacent commercial and multi-family designated land use areas and the residential neighborhood areas would be graded in tandem with the backbone roads as needed to balance earthwork operations on-site to the greatest extent practicable.

Proposed stormwater basins in their respective areas of the property would be rough graded to create the basin shape, bottom, and top bench. Relatively flat sloped areas would be created for each adjacent commercial and multi-family areas as well as in the residential neighborhoods in order to direct stormwater runoff to these proposed basins. As part of any future subdivision, a comprehensive drainage plan would be prepared to demonstrate stormwater runoff is conveyed in a non-erosive manner in accordance with the RWQCB stormwater requirements and County Public Improvement Standards.

### 2.5.3.5.2 SITE PREPARATION PHASING

The DRSP includes a preliminary phasing plan that identifies three phases for initial site preparation and infrastructure establishment, as shown on Figure 2-24 and described below. The identified phasing represents a reasonable approach to extending services and infrastructure throughout the Specific Plan Area. In some cases, property owners may wish to develop in phases concurrently or in a different order than anticipated in Figure 2-24. This would be permitted, provided that all public improvements needed to support proposed development are completed, circulation is provided for secondary access, and the change in phased development would not require additional environmental review:

1. Phase 1 includes the improvements to North Frontage Road; installation of public utility connections; grading for on-site public roads; extension of North Frontage Road from Sandydale Drive to Willow Road (Collector A), including intersections and returns for future neighborhood connections; modifications to Cherokee Place; grading for equestrian paths; and grading for public drainage facilities. The excess earthwork material from Phases 1 and 2 will be used as fill material for Phase 3.
2. Phase 2 includes grading for on-site public roads; extension of Pomeroy Road to Willow Road (Collector B), including intersections and returns for future neighborhood connections; modifications to Cherokee Place; grading for equestrian/pedestrian paths; public utility connections, including lift stations; and public drainage facilities. The excess earthwork material from Phases 1 and 2 will be used as fill material for Phase 3.
3. Phase 3 includes grading for on-site public roads; establishment of public utility connections, including the public neighborhood park; and grading for public drainage facilities.

The Phase 1 initial site preparation and infrastructure establishment would generally facilitate the commercial and residential development within the Phase 1 area (see Figure 2-24). The Phase 2 initial site preparation and infrastructure establishment would generally facilitate the residential development within the Phase 2 area. The Phase 3 initial site preparation and infrastructure establishment would generally facilitate the neighborhood park and residential development within the Phase 3 area.

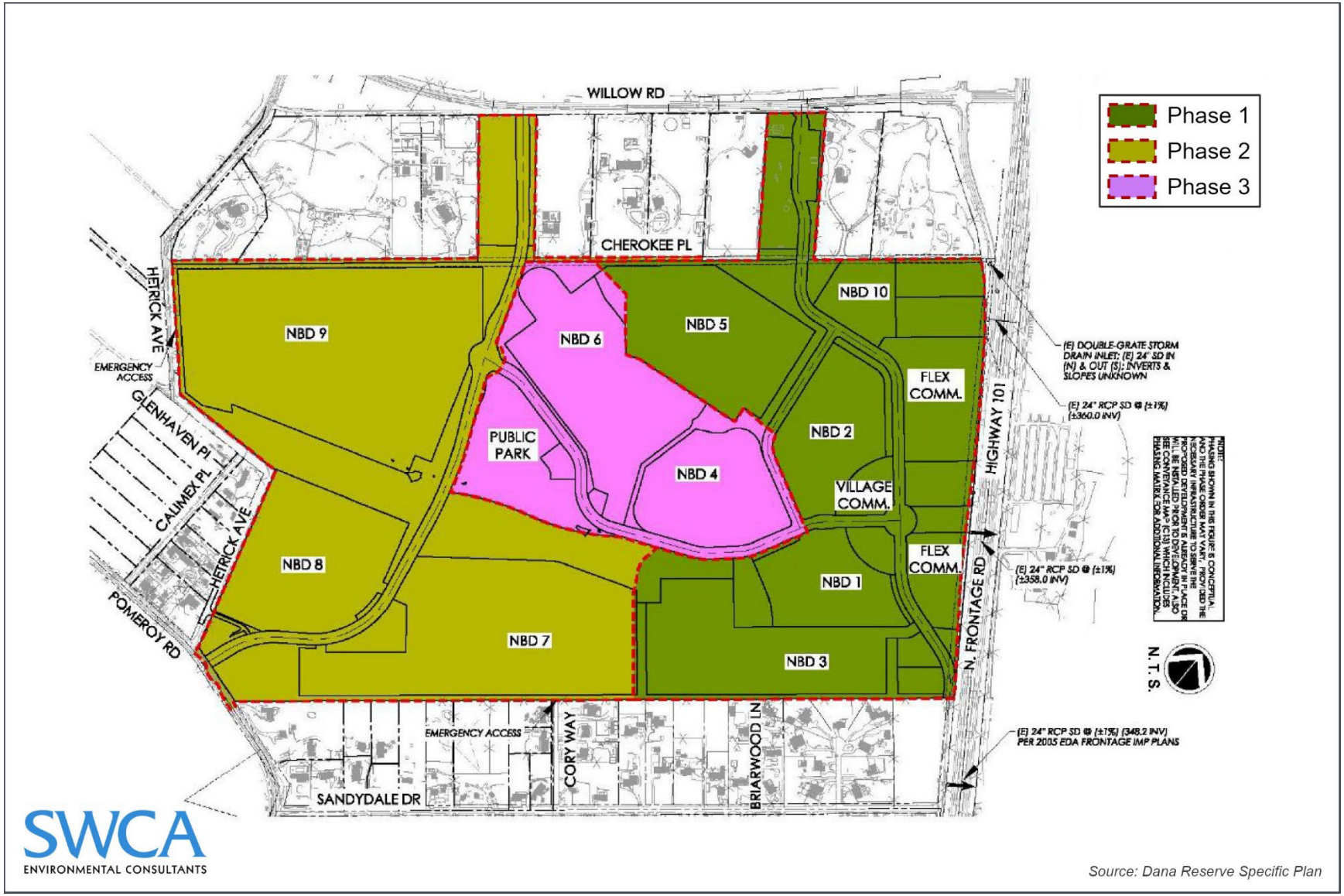


**Figure 2-24. Proposed Conceptual Phasing.**

### 2.5.3.5.3 SPECIFIC PLAN BUILDOUT

If approved, certain construction activities are proposed to begin immediately after project approval and annexation. Grading, drainage facilities, and public improvements for the backbone roads and infrastructure would be constructed, including the water, wastewater, recycled water, and drainage infrastructure shown in Figures 2-20 through 2-23.

Future build-out of the Specific Plan Area would require a series of additional future individual applications for development of each of the proposed residential neighborhoods and other development areas. These applications would be reviewed by County Planning and Building Department and Public Works Department staff at the time they are received to ensure they are consistent with the DRSP and adequately evaluated under CEQA. These applications are anticipated to include proposed further subdivision through additional vesting tentative tract maps and development plans.

The precise timing of development of proposed residential and commercial uses within the Specific Plan Area is unknown and would depend on market factors and the goals of individual developers. However, based on a market analysis prepared by the project applicant and project goals, and for purposes of this EIR analysis, it is conservatively anticipated that the project would be built out over approximately 7 years. Buildout of the Specific Plan Area would be generally assumed to occur according to the construction schedule detailed in Table 2-11. This buildout schedule reflects a reasonable buildout of the Specific Plan Area based on current market and development-related issues; however, development phases may be constructed in a different or overlapping order.

**Table 2-11. Dana Reserve Specific Plan Anticipated Buildout Schedule.**

| Land Use[1] | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | Total Units/ Square Foot |
|---|---|---|---|---|---|---|---|---|---|---|
| ***Residential*** | | | | | | | | | | |
| **Residential Single Family DR-SF1** | | | | | | | | | | |
| NBD 7 | | | 31 | 31 | 31 | 31 | 33 | | | 157 |
| NBD 8 | | | 12 | 12 | 12 | 12 | 14 | | | 62 |
| NBD 9 | | | 30 | 40 | 40 | 40 | 40 | 10 | | 200 |
| NBD 4 | | | 24 | 24 | 24 | | | | | 72 |
| NBD 5 | | | | 10 | 20 | 25 | 24 | 25 | | 104 |
| NBD 6 | | | | | 24 | 24 | 30 | 36 | | 114 |
| **Total DR-SF1 Units per Year** | | | **97** | **117** | **151** | **132** | **141** | **71** | | **709** |
| **Residential Single Family (Cluster) DR-SF2** | | | | | | | | | | |
| NBD 3 | | | | 22 | 42 | 42 | 18 | | | 124 |
| **Residential Multi-Family DR-SF2** | | | | | | | | | | |
| NBD 1 | | | | 80 | | 93 | | | | 173 |
| NBD 2 | | | | 52 | 53 | 53 | 52 | | | 210 |
| NBD 10 | | | 38 | 37 | | | | | | 75 |
| **Total DR-SF2 Units per Year** | | | **35** | **74** | **96** | **96** | **95** | **52** | | **458** |

| Land Use[1] | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | Total Units/ Square Foot |
|---|---|---|---|---|---|---|---|---|---|---|
| ***Commercial*** | | | | | | | | | | |
| **Flex Commercial DR-FC** | | | | | | | | | | |
| Hotel | | | | | 60,000 | | | | | 60,000 |
| Education | | | | | | | 15,000 | 15,000 | | 30,000 |
| Retail (Village and Flex) | | | 15,000 | 15,000 | 40,000 | 43,000 | | | | 113,000 |
| **Total Commercial Square Feet per Year** | | | **15,000** | **15,000** | **100,000** | **43,000** | **15,000** | **15,000** | | **203,000** |
| ***Park*** | | | | | | | | | | |
| Public Neighborhood Park | | | | | | 435,600 | | | | 435,600 |
| Daycare | | | | | | 4,500 | | | | 4,500 |
| **Total Park Square Feet per Year** | | | | | | **440,100** | | | | **440,100** |

[1] Table does not include ADUs.

## 2.5.4 General Plan Amendment

The proposed project includes a County-initiated General Plan amendment to ensure the General Plan is internally consistent with the DRSP. This EIR evaluates both the proposed DRSP project, including all related requested entitlements (CUP, VTTM, Development Agreement, and annexation into the NCSD) and the related General Plan amendment being initiated by the County. The proposed General Plan amendment would revise the County General Plan to ensure consistency and incorporation of the proposed DRSP. Related amendments to the LUO (Title 22 of the County Code) and the County's Growth Management Ordinance (Title 26 of the County Code) would also be necessary. Anticipated amendments are expected to include, but are not limited to, the following:

### *2.5.4.1 General Plan Elements*

#### 2.5.4.1.1 LAND USE AND CIRCULATION ELEMENTS

#### Part I – Framework for Planning (Inland)

- Page 6-1: Add new land use category, Dana Reserve Specific Plan (DRSP), to list of land use categories
- Table N: Add DRSP to table with reference to Article 10 for development standards
- Page 6-22: Add purpose and character statement for DRSP to reflect Specific Plan goals, policies, and objectives and County benefits

#### Part II – Area Plans (Inland), Section V – South County Area Plan

- Page V.4-14, 15: Delete South County Sub-area Residential Rural discussion for Cañada Ranch Specific Plan Area (this will be replaced with new language for the DRSP in the Nipomo Community Plan)
- Page V.4-24: Delete Rural Area Program 10(a) – Cañada Ranch Specific Plan Area

### Part III – Nipomo Community Plan

- Update Table 4-1: Land Use Category Acreage Table to reflect new DRSP land use category
- Update Section 4.5 to include DRSP land use category
- Update Chapter 4 (Land Use) to describe DRSP goals, policies, objectives, and County benefits

### Part IV – Official Maps

- Page 4-2: Add DRSP to Categories and include acreage to Table 4-1
- Page 4-5: Add land use category for the DRSP
- Page 4-5: Add land use category for the DRSP, update the URL, and update the NCSD Urban Services Line

#### 2.5.4.1.2 AGRICULTURE ELEMENT

- Page 1-11, Figure 1-3: Add "DRSP" as a Land Use Category and "Specific Plan" in the Agricultural Element Designation of the table, and modify footnote #4 to identify the DRSP

#### 2.5.4.1.3 CONSERVATION AND OPEN SPACE ELEMENT

- Page 7-4, Table OS-1 Relationship Between COSE Designations and Land Use Categories: Add "DRSP" as a Land Use Category and "Specific Plan" in the Agricultural and Open Space Element Designation, and add a description for the DRSP

#### 2.5.4.1.4 CIRCULATION ELEMENT

- Page V.5-14: Remove language about Hetrick Road and include Collector B as the access from Pomeroy to Willow Road, through the DRSP project

### *2.5.4.2 County of San Luis Obispo Inland Land Use Ordinance (Title 22 of the County Code)*

- Article 10, Section 22.108.040 – Nipomo Community Standards: Add language: "the Dana Reserve Specific Plan is hereby incorporated by reference. Development within the Dana Reserve Specific Plan Area shall be consistent with the Adopted Specific Plan and Development Agreement and/or approved amendments thereto."

### *2.5.4.3 County of San Luis Obispo Growth Management Ordinance (Title 26 of the County Code)*

- Section 26.01.070 – General Provisions: Allow for building allocations in accordance with the DRSP Phasing Plan and/or approved amendments thereto.

## 2.5.5 Development Agreement

A development agreement is a tool that allows public agencies greater latitude to advance local planning policies in new and sometimes creative ways. A development agreement is commonly used in conjunction with specific plan projects. A Development Agreement is anticipated for the DRSP.

Neither the applicant nor the public agency is required to enter into a development agreement as part of project proposal. When a development agreement is entered into, the allowable land uses, required

infrastructure and its financing, and other terms and conditions of approval are negotiated between the parties involved, subject to the public agencies' ultimate approval.

The Development Agreement would include provisions for a local preference program for housing that gives priority to individuals who live or work in the southern portion of San Luis Obispo County. This would also be required per the County's conditions of approval.

### 2.5.6 Annexation

The project would require annexation into the NCSD service area to facilitate the NCSD's provision of water and wastewater services within the Specific Plan Area. The DRSP is within the NCSD Sphere of Influence (Figure 2-25) and would be required to comply with the NCSD's annexation policies and guidelines. Annexation of the Specific Plan Area into the NCSD service area would be subject to the review and approval by the SLOLAFCO.

## 2.6 REQUIRED AGENCY ACTIONS AND REQUIRED PERMITS

Various permitting requirements would need to be met prior to implementation of the proposed project. Table 2-12 summarizes federal, state, and local approvals and/or permits that may be required for the project and the agencies that are expected to use the EIR in their decision-making and permitting processes.

**Table 2-12. Agency Permit Requirements**

| Agency | Approval/Permit Required |
|---|---|
| County of San Luis Obispo | Specific Plan<br>General Plan Amendment<br>Conditional Use Permit(s)<br>Vesting Tentative Tract Map<br>Development Agreement<br>Resolution to recommend annexation of the DRSP property into the NCSD service area<br>Encroachment Permit(s)<br>Future development plans, TTMs, grading permit(s), subdivision agreement(s), building permit(s), etc. |
| Nipomo Community Services District (NCSD) | Annexation and infrastructure connections |
| San Luis Obispo Local Agency Formation Commission (SLOLAFCO) | Annexation review process |
| California Fish and Wildlife Department (CDFW) | Incidental Take Permit |
| San Luis Obispo County Air Pollution Control District (SLOAPCD) | Construction Permits |

Pursuant to California Government Code Section 65453, a specific plan may be adopted by resolution or ordinance. Past County practice has been to adopt a specific plan and certify the Final EIR concurrently through resolution. The project also includes a Development Agreement and VTTM to be reviewed and subject to approval by the County in concurrence with the DRSP.

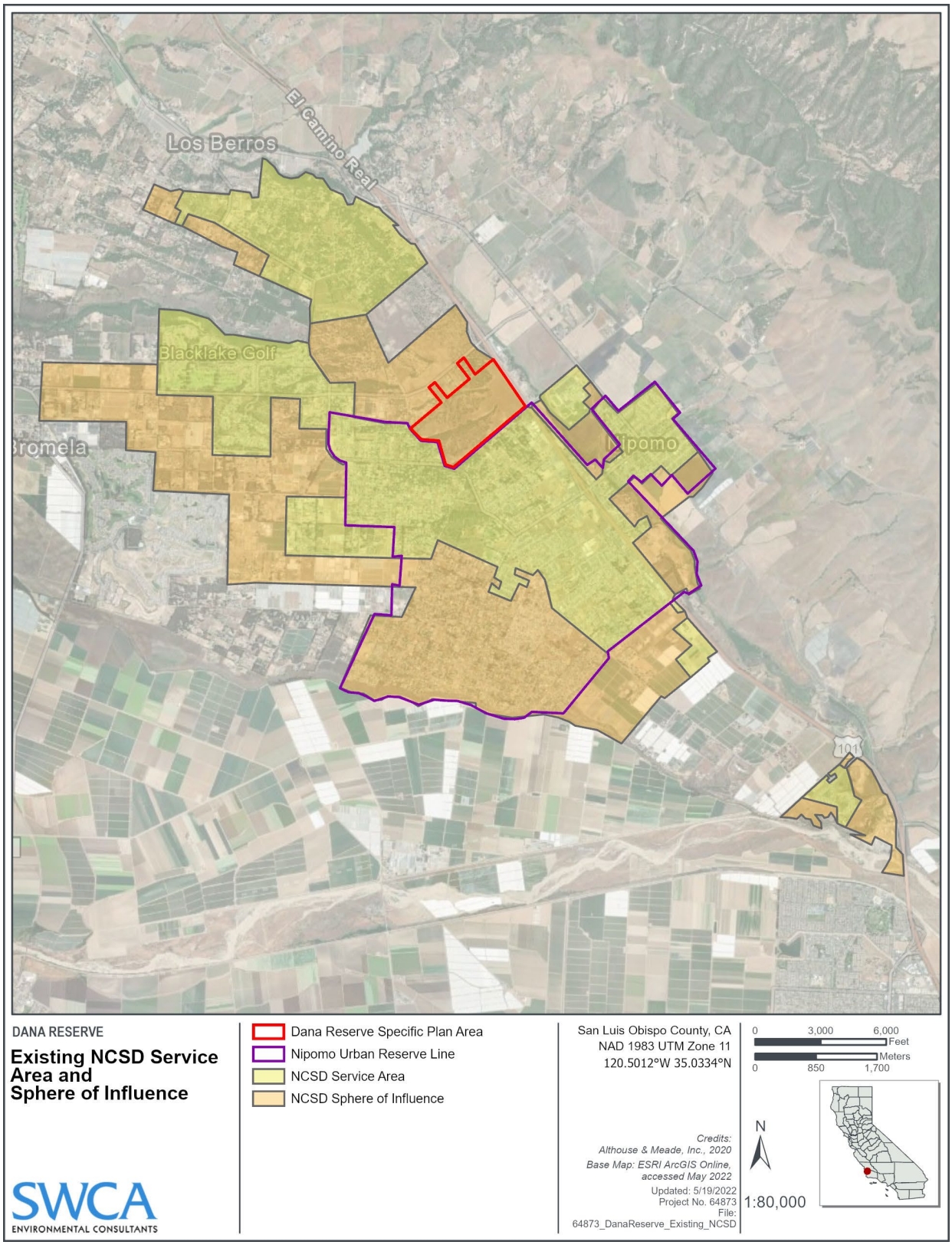


**Figure 2-25. Existing NCSD Service Area and Sphere of Influence.**

The Specific Plan Area is currently under County jurisdiction but is located immediately adjacent to the Nipomo URL, and the Specific Plan Area is identified within the NCSD's Future District Service Boundary area. The General Plan requires that a specific plan be prepared for the property to determine the logical extent and location of development. Along with processing of the Final EIR and other County entitlements, the County Board of Supervisors would adopt a resolution recommending NCSD's application for annexation of the DRSP property into the NCSD's service area. Following County Board of Supervisors action on requested project entitlements, including adoption of the DRSP and certification of the Final EIR (if approved), an application for annexation of the Specific Plan Area would be submitted by the NCSD to SLOLAFCO for the formal annexation review process. SLOLAFCO would then coordinate with the County to ensure that a proper plan of services is in place to guide orderly development of the annexed property.

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# CHAPTER 3. ENVIRONMENTAL SETTING

This chapter of the Environmental Impact Report (EIR) describes the Dana Reserve Specific Plan (DRSP; project) environmental setting, including the physical conditions of the project vicinity, an overview of relevant local planning documents and policies applicable to the proposed project, and a discussion of the cumulative development scenario and cumulative study area for the project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Chapter 4, *Environmental Impacts Analysis*, of this EIR.

## 3.1 PHYSICAL SETTING

### 3.1.1 Regional Setting

San Luis Obispo County encompasses approximately 3,300 square miles of land along the central coast of California and has an estimated population of 271,172, as of January 2021 (California Department of Finance [DOF] 2021). San Luis Obispo County is bordered by Monterey County to the north, Kern County to the east, Santa Barbara County to the south, and 100 miles of Pacific coastline to the west. U.S. Route (US) 101 runs in a north–south direction through the county, providing a connection to Monterey County to the north and Santa Barbara County to the south. Other roadway systems within the county include State Route (SR) 1, SR 41, SR 58, SR 46, SR 166, and SR 227.

The county is characterized by relatively flat coastal areas to steeply sloping mountains and hills. Due to its vast size, there are numerous microclimates that occur within the county. As described in further detail below, the project area is located in the southwestern portion of the county, approximately 7 miles east of the Pacific Ocean. The typical climate of the project region includes long arid summers and cold and wet winters (Weather Spark 2021).

### 3.1.2 Local Setting

The project site is located in the unincorporated community of Nipomo, which encompasses approximately 14.9 square miles in the southwestern portion of San Luis Obispo County between the cities of Arroyo Grande and Santa Maria. The proposed 288-acre Dana Reserve (Specific Plan Area) is located adjacent to the northern boundary of the Nipomo Urban Reserve Line (URL). The Nipomo URL is included in the approximately 19,092-acre Nipomo Mesa area, which also includes the Blacklake, Woodlands, Callender-Garrett, Palo Mesa, and Los Berros village areas. According to the *Nipomo Community Plan*, the Nipomo urban area is projected to build out to an estimated population of 23,250 after the year 2010 (County of San Luis Obispo 2014b). As of 2021, the population of Nipomo is approximately 17,601 (World Population Review 2021).

The project site is in the Nipomo-Suey Creek Watershed, which is located in southern San Luis Obispo County and northern Santa Barbara County. In the watershed, average summer temperatures range from 54 degrees Fahrenheit (ºF) to 73ºF, and average winter temperatures range from 39ºF to 63ºF. Mean annual rainfall ranges from 15 to 20 inches. The watershed includes two tributaries (Nipomo and Suey Creeks), which flow to the Santa Maria River. Dominant land uses include ranches, row crops, greenhouses, orchards, and residential uses (Coastal San Luis Resource Conservation District 2014).

## *3.1.2.1 Existing Site Characteristics*

### 3.1.2.1.1 SPECIFIC PLAN AREA

The Specific Plan Area is undeveloped and has been periodically utilized for seasonal grazing over the past 100 years. The Dana Reserve was once part of a large cattle ranch known as Dana Rancho Nipomo, which was owned by the Cañada family beginning in 1912. The Specific Plan Area consists of three adjacent parcels totaling approximately 288 acres, including Assessor's Parcel Numbers (APNs) 091-301-030, 091-301-031, and 091-301-073 (see Figure 2-2 in Chapter 2, *Project Description*). The largest parcel (APN 091-301-073; referred to as the main parcel) is 274.4 acres in size and the remaining parcels (APNs 091-301-030 and 091-301-031) are approximately 7.7 and 7.2 acres in size, respectively, and connect the main parcel to Willow Road.

The Specific Plan Area is largely undeveloped, with the exception of unpaved ranch roads traversing portions of the site. Topography of the property ranges from nearly level to gently rolling hills. Vegetative communities on-site include coast live oak woodland, chaparral, and grasslands. No mapped water features occur on-site. The Specific Plan Area is currently accessed from an unpaved, gated driveway off Hetrick Avenue, located along the western boundary of the main parcel.

### 3.1.2.1.2 OFF-SITE AREAS

The project area being analyzed in this EIR includes the easternmost 60-foot-wide County of San Luis Obispo (County) right-of-way (ROW) through APN 091-325-022, which is approximately 4.4 acres in size. The project requires an extension of North Frontage Road through this parcel to connect to the southeastern portion of the Specific Plan Area. The Dana Ridge oak woodland mitigation property (APNs 090-031-003 and 090-031-004) currently supports 187 acres of coast live oak woodland, 67.5 acres of coast live oak forest, 95.9 acres of chamise chaparral, 19.2 acres of La Panza manzanita chaparral, and 26.4 acres of annual grassland. The remaining off-site areas included in the project area consist of paved roadways, intersections, and road shoulder areas within existing County ROW throughout the community of Nipomo (see Figures 2-2 through 2-7 in Chapter 2, *Project Description*).

## *3.1.2.2 Surrounding Land Uses*

Land uses to the north of the Specific Plan Area generally consist of rural single-family residences and undeveloped open space with scattered oak woodlands under the Residential Rural land use designation. Land uses to the east of the Specific Plan Area include US 101, which runs along the eastern boundary of the main parcel, agricultural cultivation activities on the east side of US 101, and Nipomo High School, located approximately 0.25 mile east of Dana Reserve. Land uses to the south of the Specific Plan Area consist of a single-family residential neighborhood and commercial uses, including, but not limited to, a veterinary clinic, gym facility, recreational vehicle (RV) dealership, and self-storage facility. Land uses to the west of the Specific Plan Area include single-family residential neighborhoods.

Proximate roadways within the project vicinity include, but are not limited to, Willow Road, US 101, SR 1, Pomeroy Road, and Hetrick Avenue. Willow Road is an undivided, two-lane arterial running east–west with a speed limit of 50 to 55 miles per hour (mph) connecting SR 1 to US 101 with a full access interchange. SR 1 is a north–south state highway facility connecting the South County area to the Five Cities area to the north. SR 1 branches off US 101 in Pismo Beach, running parallel to US 101 throughout South County as a conventional two-lane highway. US 101 is a major north–south interstate facility connecting Los Angeles to San Francisco. Within the immediate vicinity of the project site, US 101 has four lanes with full access interchanges at Willow Road and Tefft Street, north and south of the Specific Plan Area, respectively.

# 3.2 REGULATORY SETTING

California Environmental Quality Act (CEQA) Guidelines Section 15125(d) states:

> The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans.

While CEQA requires a discussion of consistency with public plans, inconsistency does not necessarily lead to a significant impact. Inconsistency with public plans creates significant impacts under CEQA only when an adverse physical effect on the environment would result from the inconsistency. This section generally describes the plans and policies applicable to the proposed project. A detailed consistency analysis is provided in Chapter 4, *Environmental Impacts Analysis.* Although a preliminary determination regarding project consistency is made, it is the responsibility of the County Board of Supervisors, the CEQA Lead Agency decision makers, to make the final determination regarding consistency issues.

## 3.2.1 Applicable Plans and Policies

Plans and policies that are applicable to the proposed project and/or project site and are briefly described in the following sections:

- *County of San Luis Obispo General Plan*
- *County of San Luis Obispo Framework for Planning (Inland)*
- *South County Inland Area Plan*
- *Nipomo Community Plan*
- *San Luis Obispo Multi-Jurisdictional Hazard Mitigation Plan*
- *SLOCOG 2019 Regional Transportation Plan*
- *2015/16 San Luis Obispo County Bikeways Plan*
- *County of San Luis Obispo Inland Land Use Ordinance (Title 22)*
- *San Luis Obispo Local Agency Formation Commission Policies and Procedures*
- *Nipomo Community Services District 2018 Strategic Plan*

Additional consistency analysis with local plans and policies is provided in Chapter 4, *Environmental Impacts Analysis*, of this EIR.

### *3.2.1.1 County of San Luis Obispo General Plan*

California Government Code Section 65300 requires the legislative body of each county and city to adopt a comprehensive, long-term plan for the physical development of the county or city. The *County of San Luis Obispo General Plan* is the foundation for all land use decisions within the county. The General Plan is made up of seven required elements, including the Land Use and Circulation Elements (LUCE), Conservation and Open Space Element (COSE), Circulation Element, Safety Element, Noise Element, and Housing Element. The County has also adopted five optional elements, including the Agriculture Element, Offshore Energy Element, Economic Element, Master Water and Sewer Plan Element, and Parks and Recreation Element.

#### *3.2.1.2 County of San Luis Obispo Framework for Planning (Inland)*

The *County of San Luis Obispo Framework for Planning (Inland)*, Part I of the County's LUCE, provides a comprehensive overview of the County's land use policies and defines land use categories for all unincorporated areas within the county (County of San Luis Obispo 2015). The Framework for Planning (Inland) also explains the criteria used in applying land use categories and combining designations to the land and the operation of the Resource Management System (RMS). Combining designations are used to identify areas of sensitive, unique resources, or potential hazards that require project design that considers the land features, structures, and activities of a project. (For example, areas that may experience flooding are included in the Flood Hazard combining designation to show where special construction techniques are needed.)

The RMS, Chapter 3 of the Framework for Planning (Inland), is designed to assist County decision makers by anticipating increasing needs for resources created by growth. The RMS assesses the capacities of existing critical resources and the timing for providing or upgrading resource delivery facilities. Such improvements are then accomplished by either the public or private sectors. The RMS is intended to support timely addition to a resource, or growth rate adjustment where a resource shortage would require a longer time to correct than remaining capacity allows.

#### *3.2.1.3 South County Inland Area Plan*

The County's Area Plans are included as Part II of the County's LUCE. The *South County Inland Area Plan* refines the general land use policies of the Framework for Planning and serves as a guide for future development within the South County Inland Planning Area (County of San Luis Obispo 2014a). The South County Area Plan identifies where land use categories are applied within the planning area and establishes policies and programs for land use, circulation, public facilities, services, and resources that apply areawide, in rural areas, and/or in unincorporated urban areas adjacent to cities.

#### *3.2.1.4 Nipomo Community Plan*

The *Nipomo Community Plan*, which was adopted in 2014 but the content was last updated in 1994, is intended to provide a long-term guide for land use and transportation within the community of Nipomo (County of San Luis Obispo 2014b). The *Nipomo Community Plan* is related to the County's General Plan and is included as Part III of the LUCE. While the Framework for Planning (Inland) is the central policy document, the *Nipomo Community Plan* provides programs that are more specifically applicable to the community of Nipomo. The *Nipomo Community Plan* is consistent with other General Plan elements.

#### *3.2.1.5 San Luis Obispo Multi-Jurisdictional Hazard Mitigation Plan*

The *San Luis Obispo Multi-Jurisdictional Hazard Mitigation Plan* (MJHMP) has a goal of providing practical, meaningful, attainable, and cost-effective mitigation solutions to reduce vulnerability to the identified hazards and ultimately reduce both human and financial losses from hazard events (County of San Luis Obispo 2019).

### *3.2.1.6 SLOCOG 2019 Regional Transportation Plan*

The San Luis Obispo Council of Governments (SLOCOG) prepared the *2019 Regional Transportation Plan* (2019 RTP), which is the region's blueprint for a transportation system that enhances quality of life and meets the short- and long-term mobility needs of the region's residents and visitors (SLOCOG 2019). The 2019 RTP identifies a mix of mobility options for people and goods throughout the County and also makes a strong commitment to creating a more sustainable transportation system that maximizes choice and addresses transportation issues. The 2019 RTP also coordinates land use, housing, and transportation planning to reduce vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions.

### *3.2.1.7 2015/16 San Luis Obispo County Bikeways Plan*

The County prepared the *2015/16 San Luis Obispo County Bikeways Plan* to identify and prioritize bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding (County of San Luis Obispo 2016). Updated every 5 years, the Bikeways Plan identifies and prioritizes bikeway facilities throughout the county and includes goals, policies, and procedures to identify the framework for cycling in San Luis Obispo County.

### *3.2.1.8 County of San Luis Obispo Inland Land Use Ordinance (Title 22)*

The *County of San Luis Obispo Inland Land Use Ordinance* (Title 22) (LUO) identifies the methods for implementation of the County's General Plan and guides and manages the future growth of the county, regulates land use in a manner that will encourage and support the orderly development and beneficial use of land within the county (County of San Luis Obispo 2021). The LUO minimizes adverse effects on the public resulting from the inappropriate creation, location, use or design of buildings, land uses, parking areas, or other forms of land development by providing appropriate standards for development. The LUO sets regulations that protect and enhance significant natural, historic, archaeological, and scenic resources within the county and assists the public in identifying and understanding regulations affecting the development and use of land.

The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the General Plan. For example, the inland LUO contains development standards and permit procedures for development, including site design features (i.e., minimum parcel size, required setbacks, building heights, number and design of off-street parking spaces, and standards for grading), drainage standards, and tree removal standards.

### *3.2.1.9 San Luis Obispo Local Agency Formation Commission Policies and Procedures*

Local Agency Formation Commissions (LAFCOs) were created to help organize, manage, and regulate the provision of public services to development. California Government Code 56000 et seq. gives LAFCOs the power to review and approve or disapprove proposals for boundary changes or governmental reorganizations of cities and special districts, including (1) the formation of special districts and incorporation of cities, (2) the annexation and detachment of territory to cities and special districts, and (3) determining the Spheres of Influence (SOI) for jurisdictions.

The San Luis Obispo LAFCO (SLOLAFCO) provides policies and procedures to encourage and provide for urban development patterns that are balanced with the goals of preserving open space and agricultural land while also discouraging urban sprawl.

#### *3.2.1.10 Nipomo Community Services District 2018 Strategic Plan*

The *Nipomo Community Services District 2018 Strategic Plan* is the Nipomo Community Services District's (NCSD's) highest-level planning document for the future (NCSD 2018). The purpose of the Strategic Plan is to provide clear direction of the goals and objectives of the NCSD for future planning purposes. It is a working tool to guide decision-making within the district's service area.

# 3.3 CUMULATIVE STUDY AREA

## 3.3.1 CEQA Requirements

State CEQA Guidelines Section 15355 defines a "cumulative impact" as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. Cumulative impacts are changes in the environment that result from the incremental impact of development of the proposed project and all other nearby "related" projects. For example, the traffic impacts of two projects in close proximity may be insignificant when analyzed separately but could have a significant impact when the projects are analyzed together.

State CEQA Guidelines Section 15130 indicates that cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable, or if the project's incremental effect is not cumulatively considerable, the lead agency shall identify facts and analyses supporting that conclusion. The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as much detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness. State CEQA Guidelines Section 15130 states the following:

> The following elements are necessary to an adequate discussion of significant cumulative impacts:
>
> (1) Either:
>
> (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
>
> (B) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.

The discussion shall also include a summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available and a reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable options for mitigating or avoiding any significant cumulative effects of a proposed project.

## 3.3.2 Cumulative Development Scenario

Each resource-specific section in Chapter 4, *Environmental Impacts Analysis*, of this EIR includes a discussion of potential cumulative effects and the project's contribution towards those cumulative effects. As defined in State CEQA Guidelines Section 15355, a cumulative impact consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. Cumulatively considerable impacts occur when the incremental effects of a particular project or program are significant when viewed in connection with the effects of other past, current, or probable future projects or programs. According to State CEQA Guidelines Section 15130, the discussion of cumulative impacts must reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness and focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects that do not contribute to the cumulative impact. Impacts that do not result in part from the project evaluated in the EIR need not be discussed.

The resource-specific sections of this EIR discuss the potential cumulative environmental impacts resulting from the proposed project in association with other planned, pending, and reasonably foreseeable projects in the vicinity of the project area (Table 3-1).

**Table 3-1. Cumulative Development Scenario Project List**

| | Project | Project Description | Project Permit Status |
|---|---|---|---|
| ***General Plan Amendment Projects*** | | | |
| 1. | Jeffrey E. Corey | Establishment of indoor cannabis cultivation within an existing 21,600-square-foot (sf) greenhouse in Nipomo | Approved |
| 2. | Kassandra Cisneros | Development of 22,000 sf of indoor cannabis cultivation, ancillary cannabis nursery, and ancillary processing and transport in Nipomo | Temporary hold |
| 3. | Robert E. Williams | Development of 3 acres of outdoor cannabis cultivation, 22,000 sf of indoor cannabis cultivation, and 30,000 sf cannabis nursery in Nipomo | Accepted for processing |
| 4. | Federico & Sofia Lariz | Phased development of 8,802 sf of indoor commercial cannabis nursery within three new greenhouses totaling 11,015 sf in Nipomo | Scheduled for hearing |
| 5. | Grant & Alyson Rodges | Development of a 1,500-sf dog training facility in Nipomo | Approved |
| 6. | Dune Lakes Ltd. | Renting and lodging for vacation rentals in Nipomo | Approved |
| 7. | 530 Dayspring, LLC | Development of 128,000 sf of outdoor cannabis cultivation and ancillary nursery activities in Nipomo | Accepted for processing |
| 8. | James Mercs | Development of 1,749-sf detached garage, workshop, and storage space in Nipomo | Accepted for processing |
| 9. | Flint; 561 West Tefft Street | Conditional Use Permit (CUP) with Tract Map for development of 12 single-family residential units in Nipomo | Scheduled for hearing |
| 10. | Flint; 561 West Tefft Street | CUP for development of apartments associated with (#83) in Nipomo | Approved |
| 11. | Blackjack Farms Equipment Inc. | Development of 5,000-sf agricultural building with an office, bathrooms, and a new septic system in Nipomo | Issued |
| 12. | Housing Authority of the City of San Luis Obispo (HASLO) | Development of 17,180-sf senior housing building with 24 single-bedroom units and amenities in Nipomo | Issued |

| | Project | Project Description | Project Permit Status |
|---|---|---|---|
| 13. | Motel Inn Bar and Grill, LLC | Reconsideration of the subdivision of a 10.98-acre parcel into 59 residential parcels ranging in size from 0.03 to 0.12 acre and 10 commercial parcels ranging in size from 0.21 to 0.8 acre in Nipomo | Approved |
| 14. | Daniel J. Kies | Expansion of an existing building envelope to develop a single-family dwelling, accessory dwelling unit (ADU), and a metal building in Nipomo | Approved |
| 15. | Ahmad Mashayekan | Subdivision of a 2.9-acre parcel into six new lots, with an airspace condominium subdivision for 20 residential units over a common area in Nipomo | Information hold |
| 16. | Marcus C. Brandt | Subdivision of a 20.7-acre parcel into four lots in Nipomo | Information hold |
| 17. | Chestnut Ventures, LLC | Request for merger with DRC2020-00038 for development of residential and commercial buildings on a vacant lot in Nipomo | Submitted |
| 18. | WG & ONA Dana Properties, LLC | Subdivision of a single parcel into 21 new lots in Nipomo | Submitted |
| 19. | Thomas and Brenda Robbins | Subdivision of a single parcel into two new lots in Nipomo | Information hold |
| 20. | Peoples Self-Help Housing Corporation | Subdivision of a single parcel into 10 new lots for workforce housing in Nipomo | Accepted for processing |
| 21. | TRI-M Rental Group, LLC | Subdivision of a 139.1-acre parcel into three new parcels in Nipomo | Information hold |
| 22. | Lucas Herrera Jr. | Subdivision of a 1-acre parcel into two new lots in Nipomo | Information hold |
| 23. | Monte J. Cool | Small lot subdivision development on a Multifamily zoned property in Nipomo | Accepted for processing |
| ***Commercial Development Projects*** | | | |
| 24. | Norgrove Gardens, LLC | Change of occupancy of an as-built 7,500-sf AG space storage to fabrication shop in Nipomo | Issued |
| 25. | 1560 Mesa, LLC | Development of a 7,454-sf shell building, a single driveway entrance, and fire alarm system in Nipomo | Finaled |
| 26. | San Luis Obispo County | Development of water tanks and pumps for irrigation with electrical service in Nipomo | Issued |
| 27. | LFOA, LLC | Development of a 47,619-sf warehouse, septic system, and utilities and pump house in Nipomo | Issued |
| 28. | Warren Family Investment PTP | Development of a 18,187-sf shell building, 853-sf covered entry, and 416-sf equipment mezzanine in Nipomo | Issued |
| 29. | Ball Tagawa Growers PTP | Development of a 65,317.34-sf greenhouse in Nipomo | In Review |
| 30. | NF Davis Drier & Elevator Inc | Development of a 5,726-sf metal self-storage building and 269-sf retaining wall in Nipomo | Intake |
| ***Residential Development Projects*** | | | |
| 31. | Woodlands Tract 2341 & 3126 | Development of 85 single-family dwelling units and associated structures in the southwestern portion of Nipomo | Finaled, Issued, In Review |
| 32. | Justin & Victoria Mora | Development of a 2,499-sf single-family dwelling, 874-sf garage, 329-sf porch, and a septic system in the northeastern portion of Nipomo | Issued |
| 33. | William J. Roberson | Development of a 3,627-sf single-family dwelling, 1,198-sf garage, 329-sf porch, and septic system in the northern portion of Santa Maria | In review |

| | Project | Project Description | Project Permit Status |
|---|---|---|---|
| 34. | Jose & Micaela Sanchez | Establishment of a 1,680-sf manufactured home, new septic system, and fire sprinkler system in Nipomo | Issued |
| 35. | Nicolas Valdovinos | Establishment of a 2,130-sf manufactured home, new septic system, and fire sprinkler system in Nipomo | Issued |
| 36. | Jonathan & Lauren Uhi | Development of a 1,200-sf ADU, 600-sf garage, 319-sf deck/porch, and septic system in Nipomo | Issued |
| 37. | Juan J. Valdez | Development of a replacement 4,864-sf single-family dwelling unit, 1,288-sf garage, 1,232-sf covered patio, 192-sf porch, septic system, and retaining wall in rural Arroyo Grande | In review |
| 38. | Michael Streator | Development of a 3,976-sf single-family dwelling unit, 889-sf covered porch, 983-sf garage, 1,469-sf RV garage, 126-sf storage space, 288-sf pool and equipment storage space, and septic system in Nipomo | Issued |
| 39. | Auburn Oak Builders Inc. | Development of a 3,305-sf single-family dwelling unit, 1,041-sf garage, 904-sf deck, and new septic system in northern Santa Maria | In review |
| 40. | Dustin & Lyndi Haning | Establishment of a manufactured 1,200-sf ADU with a septic system in rural Arroyo Grande | Issued |
| 41. | Auburn Oak Builders Inc. | Development of a 3,718-sf single-family dwelling unit, 1,207-sf garage, 422-sf deck/porch, and new septic system in northern Santa Maria | In review |
| 42. | Luis F. Lemus Jr. | Development of a 1,197-sf ADU, 998-sf attached garage, 234-sf covered patio, and septic system in Nipomo | Issued |
| 43. | Rafael C. Palacios | Development of a 1,200-sf ADU, 975-sf garage, and septic system in Nipomo | In review |
| 44. | Steven J. Mass | Development of a 2,490-sf single-family dwelling unit, 1,381-sf garage/workshop, 206-sf deck, and new septic system in Nipomo | Issued |
| 45. | Francisco Caro | Development of a 3,921-sf single-family dwelling unit, 1,165-sf attached garage, and new septic system in Nipomo | In review |
| 46. | Daniel Ciecek | Development of a 1,198-sf ADU, 850-sf attached garage, 956-sf garage for existing single-family dwelling, and septic system in Nipomo | Issued |
| 47. | Spiro & Candice Zafiris | Development of a 6,634-sf single-family dwelling unit, 1,356-sf garage, 142-sf porch, and new septic system in Nipomo | In review |
| 48. | Darby Neil | Development of a 1,042-sf single-family dwelling unit, 2,696-sf barn, 644-sf deck/porch, and new septic system in rural Arroyo Grande | In review |
| 49. | Joan M. Gularte | Development of a 749-sf ADU, 696-sf garage, 367-sf covered porch, and septic system in Nipomo | In review |
| 50. | Mary F. Mase Heirs | Development of a 1,200-sf ADU, 903-sf attached garage, 345-sf covered patio, and septic system in rural Arroyo Grande | In review |
| 51. | Douglas A. Johnson | Development of a 500-sf ADU, 500-sf attached garage, and connection to an existing septic system in rural Arroyo Grande | Intake |
| 52. | Jorge H. Chavez | Development/establishment of a 1,119-sf ADU/ manufactured home and septic system in Nipomo | Intake |
| 53. | Richard E. Hampton | Establishment of a 1,199-sf manufactured home and new septic system in rural Arroyo Grande | Intake |

| | Project | Project Description | Project Permit Status |
|---|---|---|---|
| 54. | Armando M. Gonzales | Development of a 3,105-sf single-family dwelling unit, 1,171-sf attached garage, 1,192-sf covered porch/patio, and new septic system in Nipomo | Issued |
| 55. | Beverly R. Cole | Subdivision of a single parcel into four new lots near Halcyon in order to transfer Parcel 4 to Golden State Water Company and create buildable Parcels 2 and 3 | Submitted |
| 56. | Benjamin R. Doty | Development/establishment of a 1,089-sf ADU/ manufactured home and septic system in rural Arroyo Grande | Issued |
| 57. | George R. Potter | Establishment of a 396-sf as-built ADU and new septic system in rural Arroyo Grande | In review |
| 58. | Rick S. Centner | Demolition of an existing single-family dwelling in Nipomo | Issued |
| 59. | Tatiana & Jeff McNeil | Development of a 1,930-sf single-family dwelling unit and 464-sf garage in Nipomo | Finaled |
| 60. | Briar Rose Estates, LLC | Development of a 1,828-sf single-family dwelling unit, 792-sf garage, 124-sf porch, and new septic system in Nipomo (APN 092-573-023) | Finaled |
| 61. | Briar Rose Estates, LLC | Development of a 1,828-sf single-family dwelling unit, 792-sf garage, 124-sf porch, and new septic system in Nipomo (APN 092-573-024) | Finaled |
| 62. | Jeff & Jennifer Espinola | Development of a 2,442-sf single-family dwelling unit, 778-sf garage, 343-sf porch, 72-sf breezeway, and new septic system in rural Arroyo Grande | Issued |
| 63. | Gayle J. Papas | Development of a 598-sf secondary dwelling with attached 598-sf second level workshop, 115-sf deck, and connection to an existing septic system in Nipomo | Finaled |
| 64. | Neal Squirrely, LLC | Development of a 1,860-sf single-family dwelling unit, 584-sf attached garage, and 205-sf covered patio in Nipomo | Finaled |
| 65. | Kim E. Aslanidis | Demolition of existing buildings/structures and development of a 3,604-sf single-family dwelling unit, 1,596-sf attached garage, 566-sf patio, and new septic system in Nipomo | Issued |
| 66. | James & Donnell Apetz | Development of a 2,800-sf single-family dwelling unit, 1,000-sf carport/porch, and new septic system in Nipomo | Issued |
| 67. | Tract 2441 | Development of 12 single-family dwelling units and associated structures in Nipomo | Finaled |
| 68. | Ynocente Machuca | Development of a 749-sf ADU in Nipomo | In review |
| 69. | Avaro, LLC | Development of a 1,252-sf single-family dwelling unit, 508-sf garage, and 48-sf covered porch in rural Arroyo Grande | In review |
| 70. | Mesa Dunes Investments Inc. | Establishment of a 1,026-sf manufactured single-family dwelling unit and two covered entry decks/porched totaling 105 sf in Nipomo | In review |
| 71. | Ronald G. Holcombe | Development of a 289-sf ADU in Nipomo | Issued |
| 72. | Neal Squirrely, LLC | Development of a 2,210-sf single-family dwelling unit, 705-sf attached garage, and 166-sf patio in Nipomo | Issued |
| 73. | Ronald G. Holcombe | Development of a 728-sf ADU/modular home in Nipomo | Issued |
| 74. | Luis & Sonja Garcia | Conversion of a 504-sf garage and development of 660-sf of additional floor area to develop a 1,104-sf ADU with a 115-sf covered patio and new septic system in Nipomo | Issued |

| | Project | Project Description | Project Permit Status |
|---|---|---|---|
| 75. | Mark Polhemus | Development of a 976-sf single-family dwelling unit and 312-sf deck/porch in rural Arroyo Grande | Issued |
| 76. | Armando & Jackie Solis | Development of a 1,199-sf ADU and 565-sf deck/porch in Nipomo | In review |
| 77. | Margarita Valley Ranch Inc. | Development of a 2,615-sf single-family dwelling unit, 823-sf garage, 300-sf porch/patio, and new septic system in rural Arroyo Grande | In review |
| 78. | Julio C. Almejo-Orelas | Development of a 749-sf ADU, 440-sf attached garage, and 52-sf covered porch in Nipomo | In review |
| 79. | Travis & Adriana Reynolds | Development of a 1,174-sf ADU with a 267-sf covered deck and new septic system in Nipomo | In review |
| 80. | Craig A. Rude | Development of a 1,200-sf ADU and 500-sf covered patio in Nipomo | In review |
| 81. | Robert K. Jr. Weatherby | Development of a 3,007-sf single-family dwelling unit, 972-sf attached garage, 106-sf covered entry, 538-sf covered patio, and new septic system in Nipomo | In review |
| 82. | Thomas & Brenda Robbins | Development of a 1,182-sf ADU, 236-sf attached garage, 200-sf patio, and 34-sf porch in rural Arroyo Grande | In review |
| 83. | Laurie R. Woodward | Development of an 834-sf ADU and 30-sf covered porch in Nipomo | Intake |
| 84. | Freida & Ruben Salvador | Development of an 897.5-sf ADU and 64-sf covered porch in Nipomo | Intake |
| 85. | Robert K. Jr. Weatherby | Development of a 3,069-sf single-family dwelling unit, 1,153-sf garage, 655-sf deck porch, and new septic system in Nipomo | Intake |
| 86. | Robert K. Jr. Weatherby | Development of a 3,045-sf single-family dwelling unit, 1,047-sf garage, 925-sf deck porch, and new septic system in Nipomo | Intake |
| 87. | Grant & Minnieann Gridiron | Development of a 1,184-sf ADU, 400-sf attached garage, 16-sf covered porch, and new 1,000-gallon septic system in rural Arroyo Grande | In review |
| 88. | Shawn & Heather Sousa | Development of a 2,150-sf single-family dwelling unit, 484-sf garage, 183-sf porch, and new septic system in rural Arroyo Grande | In review |
| 89. | Culamam Properties, LLC | Proposed main service panel upgrade on APN 091-193-003 in rural Arroyo Grande | On hold |
| 90. | Troy V. Ellison | Development of a 710-sf detached ADU, 348-sf covered porch, 350-sf garage, and new septic system in rural Arroyo Grande | Finaled |
| 91. | David & Marlene Guerrero | Establishment of a 1,200-sf ADU/manufactured home and new septic system in rural Arroyo Grande | In review |
| 92. | James & Andrea Kang | Development of a 1,112-sf ADU and new septic system in rural Arroyo Grande | In review |
| 93. | Jeffrey A. Salser | Development of a 924-sf detached RV garage and 24-sf covered porch with electrical and 30-inch retaining wall in Arroyo Grande | Finaled |
| ***Other Reasonably Foreseeable Projects*** | | | |
| 94 | Phillips 66 Refinery | Decommissioning of the existing Phillips 66 refinery plant located in the northwestern portion of Santa Maria | Awaiting application |

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# CHAPTER 4. ENVIRONMENTAL IMPACTS ANALYSIS

This chapter of the Environmental Impact Report (EIR) evaluates the potential environmental effects that would result from construction, operation, and maintenance of the Dana Reserve Specific Plan (DRSP; project) and identifies mitigation measures for impacts found to be potentially significant.

**Table 4-1. Summary of Environmental Impacts Analysis**

| Environmental Resource | Significant, Unavoidable Adverse Impacts | Significant, but Mitigable Impacts | Less than Significant Impacts |
|---|---|---|---|
| Aesthetics | | X | |
| Agriculture and Forestry Resources | | X | |
| Air Quality | X | | |
| Biological Resources | X | | |
| Cultural Resources | | X | |
| Energy | | X | |
| Geology and Soils | | X | |
| Greenhouse Gas Emissions | X | | |
| Hazards and Hazardous Materials | | X | |
| Hydrology and Water Quality | | X | |
| Land Use and Planning | X | | |
| Mineral Resources | | | X |
| Noise | | X | |
| Population and Housing | X | | |
| Public Services | | X | |
| Recreation | | X | |
| Transportation | X | | |
| Tribal Cultural Resources | | X | |
| Utilities and Service Systems | | X | |
| Wildfire | | X | |

Each environmental issue area discussed in Chapter 4 of this EIR has been divided into subsections, as follows:

**Existing Conditions:** The description of the physical environmental conditions in the vicinity of the project, as they exist at the time of the established baseline physical conditions.

**Regulatory Setting:** The regulations in effect at the time the Initial Study/Notice of Preparation (IS/NOP) was published. These are the applicable regulations governing each environmental topic, such as the Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA) and their requirements for protecting rare and endangered species. This is not an exhaustive analysis of the regulations, but rather information to assist the reader in understanding the potential impacts of the project from a regulatory perspective.

**Thresholds of Significance:** The thresholds used to evaluate each environmental topic based on California Environmental Quality Act (CEQA) Guidelines Appendix G, Environmental Checklist Form.

**Impact Assessment Methodology:** Methodology used to determine the impacts associated with the project, such as measurements or field investigative processes.

**Project-Specific Impacts and Mitigation Measures:** The statement of the level of significance of potential environmental effects of the project. The impacts are identified and then are followed by the mitigation measures that can minimize significant impacts; mitigation measures must be enforceable and feasible. In addition, there must be an essential nexus between the mitigation measure and a legitimate governmental interest, and the mitigation measure also must be "roughly proportional" to the impacts of the project.

**Residual Impacts:** The statement of the level of impact, significant or insignificant, that would remain after the implementation of identified mitigation.

**Cumulative Impacts:** The cumulative effects of the project when the project's incremental effect is considered in combination with other closely related past, present, and reasonably foreseeable probable future projects.

**Secondary Impacts:** If implementation of an identified mitigation measure would cause one or more significant effects in addition to those that would be caused by the project, the effects of the mitigation measure are discussed but in less detail than the significant effects of the project.

All residual impacts in the EIR have been classified according to the following criteria (note: CEQA does not recognize a beneficial effect as an impact):

A *significant and unavoidable impact* would cause a substantial adverse effect on the environment that meets or exceeds the applicable significance criteria thresholds for a particular resource, and no feasible mitigation measures would be available to reduce the impact to a less-than-significant level.

A *less-than-significant impact with mitigation* is an adverse impact that would cause a substantial adverse effect that meets or exceeds the applicable significance criteria thresholds for a particular resource but can be reduced to a less-than-significant level through successful implementation of identified mitigation measures.

A *less-than-significant impact* is an adverse impact that does not meet or exceed the applicable significance criteria thresholds for a particular resource. Generally, no mitigation measures are required for less-than-significant impacts; only compliance with standard regulatory conditions would be required. However, mitigation may still be recommended should the lead or responsible agencies deem it appropriate to reduce the impact to the maximum extent feasible, as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.

The term "significance" is used throughout the EIR to characterize the magnitude of the projected impact. For the purpose of this EIR, a significant impact is a substantial or potentially substantial change to resources in the project area or the area adjacent to the project. In the discussions of each issue area, thresholds are identified that are used to distinguish between significant and insignificant impacts. To the extent feasible, distinctions are also made between regional and local significance and short-term versus long-term duration.

Where possible, measures have been identified to reduce project impacts to less-than-significant levels. CEQA states that public agencies should not approve projects as proposed if there are feasible mitigation measures available that would substantially lessen the environmental effects of such projects (Public Resources Code [PRC] Section 21002). Included with each mitigation measure are the requirements related to the required timing of the action (e.g., prior to development of final construction plans, prior to commencement of construction, prior to operation, etc.) and the party responsible for verifying implementation of the mitigation measures.

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# 4.1 AESTHETICS

This section assesses the DRSP project's potential impacts relating to aesthetics and visual resources. It incorporates information regarding the regulatory setting and analysis of viewsheds and visual resources in and around the community of Nipomo. A primary purpose of this analysis is to determine if a change in the visual environment would occur, whether that change would be viewed as a positive or negative one, and the degree of any change relative to the existing setting. If the project has the potential to cause visual impacts, this section specifically defines those impacts.

This analysis focuses on the potential for the proposed project components to result in impacts on visual resources as seen from public locations and roadways. The baseline visual condition is analyzed, visual resources are identified, and a baseline scenic character is established. The analysis methodology evaluates the aggregate effect that the project may have on the overall visual character of the project site and surrounding landscape. If a change in character is identified, it is compared to viewers' expected sensitivity, and is reviewed for consistency with applicable County of San Luis Obispo (County) and State of California planning policies. Levels of impact are determined according to CEQA definitions and guidelines and County Thresholds of Significance guidance.

## 4.1.1 Existing Conditions

### 4.1.1.1 *Regional Character*

The unincorporated community of Nipomo is located along U.S. Route 101 (US 101), between the cities of Arroyo Grande and Santa Maria, approximately 6 miles inland from the Pacific Ocean. The regional landscape can be broadly defined as an ancient marine terrace between the coast and the Temettate and Newsome Ridges to the east. Sand dune complexes along the beach transition to wide mesas inland. Creeks and drainages in the region often have an east–west orientation on their way to the ocean. The Santa Maria River generally bounds the region to the south. The native landscape primarily includes coast live oak woodland and coastal sage chaparral with riparian corridors along the drainage ways. Eucalyptus trees were introduced into the area as a forest crop and have since become established over much of the Nipomo Mesa. The large stature of eucalyptus groves creates a dominant visual element throughout the area landscape and along the skyline.

The Nipomo region has a generally rural/suburban visual character, with agriculture, open space, and various density residential areas making up much of the land use. The community of Nipomo serves as a commercial center between Arroyo Grande and Santa Maria. In the past decade or so, the Nipomo area has been recognized as one of the faster-growing areas of San Luis Obispo County. Several residential subdivisions, including large golf resorts, have been constructed west of Nipomo. This increased development has had an incremental effect on the rural appearance of the region. Although the region is becoming somewhat more urbanized, the area still maintains a well-vegetated visual character, due in large part to the mature eucalyptus trees and the native oaks scattered throughout the area. Figures 4.1-1 through 4.1-8 provide an overview of the character of the community.

**Figure 4.1-1. View from near the intersection of Pomeroy Road and Juniper Street of the residential subdivision southwest of the Specific Plan Area.**

**Figure 4.1-2. View from Hill Street near Nellie Lane showing typical Nipomo rural residential visual character.**

**Figure 4.1-3. View from Willow Road near Black Lake Road of golf resort development west of Nipomo.**

The Nipomo Old Town center and historic Dana Adobe are located east of US 101. This eastern side of the community also includes a few relatively compact residential subdivisions of different ages, along with scattered agricultural production operations and Nipomo High School. Farther to the east, the topography rises into the foothills, and larger residential parcels and ranchettes are seen. Along US 101, the eastern frontage shows a mix of visual elements, primarily including freeway commercial, older residential, and greenhouses.

**Figure 4.1-4. View from Tefft Street near South Wilson Street of Old Town Nipomo east of US 101.**

The central business district of the community follows Tefft Street on each side of US 101. Newer and more dense commercial development occurs along West Tefft Street. This development includes corporate-type development and smaller businesses. North and South Frontage Roads extend from West Tefft Street along US 101. These roads are easily visible from the freeway and present a range of development, including freeway commercial, residential subdivisions, storage facilities, vehicle sales, and a swap meet facility.

**Figure 4.1-5. View from Mary Avenue near West Tefft Street of the central business district along West Tefft Street.**

The southern portion of Nipomo is a combination of varied-density residential areas closer to the community center that transition to agricultural cropland farther south. Neighborhood commercial uses are also scattered throughout this area. Larger residential parcels and ranchettes are common throughout the western portion of the community. This western side of Nipomo also includes three golf resorts, and remnants of large eucalyptus groves tend to be more visually prominent throughout this area.

**Figure 4.1-6. View from Orchard Road north of Division Street showing mixed residential development along the south side of the community.**

Topographic variety is a primary contributor to the visual character of the Nipomo community. Gradual changes in elevation and low hills can be seen throughout the area. This landform variation can either limit or increase distant views, depending on the viewpoint. The Temettate Ridge approximately 3 miles east of US 101 is visually dominant and provides a high-quality scenic backdrop for much of the community.

**Figure 4.1-7. The scenic Temettate Ridge, as seen looking east from US 101.**

Vegetation plays an important part in defining the region's visual quality and character. Mature oak forests and savannah can be seen throughout the area, both in the natural landscape and in many developed locations. Large eucalyptus and other large trees, typically associated with development, are also part of the setting, contributing to the visual quality of the region.

**Figure 4.1-8. View from Sandydale Drive near Cory Way showing a well-vegetated neighborhood south of the project area.**

### 4.1.1.2 *Specific Plan Area*

The approximately 288-acre Specific Plan Area is generally bounded by Willow Road and Cherokee Place to the north; Pomeroy Road, Sunnydale Drive, and residential development to the south; Hetrick Road and residential ranchettes to the west; and US 101 to the east. The site has been used primarily for grazing for several decades. There are no structures or other improvements on the site. No formal roads exist on the property, although unpaved ranch roads cross portions of the site.

**Figure 4.1-9. The Specific Plan Area, as seen from Cherokee Place looking southwest.**

The topography of the Specific Plan Area ranges from approximately 340 feet above sea level at the southwest corner rising to approximately 410 feet in elevation along the ridge near the center of the main parcel. The landform and landcover of the site are comprised of three visually distinct areas. The eastern portion of the project site closest to US 101 is relatively flat with ruderal grasses and few trees. The second area is defined by an oak woodland-covered ridge oriented southwest/northeast, located in the

mid-southern half of the site. Because of its elevation, the ridge contributes to the vegetated open space character of the site as seen from much of the surrounding area. The third visually distinct area is along the northern and northwestern portions of the site. This area is identified by undulating topography with large oak trees scattered among open grass areas. Although the trees in this area are less dense than those seen on the ridge, their overall size and number help establish a vegetated appearance and at the same time tend to limit views to the interior of the site as seen from community viewpoints to the west and north.

**Figure 4.1-10. The Specific Plan Area, as seen from Hetrick Road looking east.**

Portions of the site can be easily seen from much of the surrounding community. However, because of its size, topography, and mature trees, the entire site cannot be seen from any one viewpoint. The overall site is most visible from US 101 and from Willow Road. Surrounding viewpoints to the south and west are mostly limited to portions of the wooded ridge and the site's perimeter because of intervening mature trees, landform, and residential development.

**Figure 4.1-11. Scattered ranchettes north of the Specific Plan Area, as seen from Willow Road.**

### 4.1.1.3 *Primary View Corridors*

Scenic corridors are view areas, or "viewsheds," from public roads and highways that have unique or outstanding scenic qualities. Principal travel corridors are important to an analysis of aesthetic features because they define the vantage point for the largest number of viewers. The California Department of Transportation (Caltrans) has not officially designated any routes within the vicinity of the Specific Plan Area as scenic highways. However, the Caltrans Scenic Highways Map shows US 101 as "Eligible" for

designation as a scenic highway. In addition, the *County of San Luis Obispo General Plan* considers US 101 as a candidate scenic corridor. The County has adopted Highway Corridor Design Standards along US 101 that address residential and related development; a portion of the Specific Plan Area frontage along US 101 is mapped within the County's Highway Corridor Design Standards area. US 101 carries an average of approximately 65,000 vehicles per day through Nipomo and past the Specific Plan Area (Caltrans 2017).

**Figure 4.1-12. View along southbound US 101 approaching Tefft Street.**

**Figure 4.1-13. View along northbound US 101 approaching Tefft Street.**

## 4.1.2 Regulatory Setting

In addition to their regulatory application, the following policies, ordinances, and goals serve as indicators of potential sensitivity to changes in the visual environment for purposes of assessing visual impacts associated with implementation of the project.

### 4.1.2.1 *Federal*

There are no federal regulations related to visual resources applicable to the project.

### 4.1.2.2 *State*

There are no state regulations related to visual resources applicable to the project.

### 4.1.2.3 *Local*

#### 4.1.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Conservation and Open Space Element

The *County of San Luis Obispo General Plan Conservation and Open Space Element* (COSE) is a comprehensive long-range planning document that sets forth goals, policies, and actions to address the conservation and preservation of public services, air quality, vegetation and wildlife, mineral resources, and visual resources, historic and archeological resources, as well as energy (County of San Luis Obispo 2010). Chapter 9, Visual Resources, of the COSE, provides the following guidance:

##### *Major Issues*

The COSE (Figure VR-1) identifies the Temettate Ridge east of Nipomo and US 101 between Arroyo Grande and State Route (SR) 166 as "Areas Subject to Scenic Protection Standards."

##### *Scenic Corridors*

The County has adopted Highway Corridor Design Standards along US 101 that address residential and related development. Scenic corridors are view areas, or "viewsheds," from popular public roads and highways that have unique or outstanding scenic qualities. Inappropriate development or billboards can intrude upon these viewsheds. Some examples are highly visible graded roads and pads, buildings that are too close to a highway, and building designs that silhouette against the skyline, telecommunications facilities, utilities, signage, and other structures that dominate rather than blend with a natural landscape.

Specific goals and policies in the COSE are evaluated in Table 4.1-1, below.

#### Land Use and Circulation Elements

##### *Framework for Planning (Inland)*

The *County of San Luis Obispo Framework for Planning (Inland)*, Part I of the County's Land Use and Circulation Elements (LUCE), provides a comprehensive overview of the County's land use policies and defines land use categories for all unincorporated areas within the county (County of San Luis Obispo 2015). The Framework for Planning (Inland) also explains the criteria used in applying land use categories and combining designations to the land and the operation of the Resource Management System. The Framework for Planning (Inland) includes planning principles, policies, and implementing strategies to strengthen development toward strategically planned communities and to foster distinctive, attractive communities with a strong sense of place.

##### *South County Area Plan*

The County Area Plans are included as Part II of the County's LUCE. The *South County Inland Area Plan* refines the general land use policies of the Framework for Planning (Inland) and serves as a guide for future development within the South County Inland Planning Area (County of San Luis Obispo 2014). The South County Area Plan identifies where land use categories are applied within the planning area and establishes policies and programs for land use, circulation, public facilities, services, and resources that

apply areawide, in rural areas, and/or in unincorporated urban areas adjacent to cities. The South County Area Plan provides the following guidance related to visual resources:

**1.5 Vision for South County (South) Sub-Area**

The vision for the South County (South) sub-area revolves around three significant findings made during the studies leading to the evolution of this area: (1) the desire to protect the essentially rural character of the area and protect the continuation of economic agriculture; (2) the recognition that the current economic base is not capable of providing the public services desired; and (3) the desire of the Nipomo community to be self-governing. Further, the vision of this plan recognizes limited water resources that are incapable of supporting unlimited growth.

The South County (South) sub-area in 2013 has achieved a successful economic climate and yet maintained rural character. A relationship has evolved between an active economy and an older natural ambience that is evident throughout the sub-area. A peaceful rural atmosphere still prevails around and between Nipomo and the villages, as illustrated in Figure 1-3. A unique combination of seclusion and activity is apparent along the roads and streets in the sub-area.

**Achieving the Vision**

***Rural Character***

The separation of communities by open countryside gives them a basic identity, as shown in Figure 1-4. Large agricultural areas between Santa Maria, Nipomo and Arroyo Grande imbue that atmosphere. Rural character is also achieved by development in a rural residential density which is the dominant land use on the Nipomo Mesa between the urban and village areas. A combination of this overall low density and development which is sensitive to this issue retains and maintains rural charm. New development fits within a rural ambiance both through standard and clustered subdivision designs. Development within rural villages and site-sensitive treatment in scenic areas further enhances this quality of life.

**Cañada Ranch Specific Plan Area**

Canada Ranch Specific Plan Area. An expansion of the urban reserve line north of Nipomo and west of Highway 101 should be evaluated to provide additional employment and associated residential development that will improve the jobs/housing balance within Nipomo. A specific plan should be prepared showing commercial retail, service commercial and light industrial uses on the large Canada ranch property northwest of Sandy Dale Drive and west of Highway 101.

The specific plan should determine the feasible extent of the job-generating uses as a first priority. Residential uses should be considered only in support of employment development. The property has a large oak woodland that should be evaluated for preservation as a long-term habitat. Due to its size, the site is also a potential location for a high school if feasible. A specific plan should be accompanied by market feasibility and fiscal impact studies and an environmental impact report to determine the logical extent and location of development.

***Cañada Ranch Objectives***

1. Service commercial and light industrial uses designed as business or office parks that have integrated site planning, architecture, and landscaping;
2. Commercial retail uses to serve travelers at an interchange of US 101 and an extension of Willow Road, if the location is determined to occur on this property, as a gateway to the community and employees and users of the area;
3. Residential uses that are affordable to employees of the area, to be developed concurrently or in later phases upon the success of the nonresidential uses.

[For identified sites in the South County Inland Planning Area,] Standards in Article 9 of the Land Use Ordinance require the preparation of specific plans, which have state-mandated content requirements, to identify the optimum types and intensity of these uses in association with residential areas on and off-site. Primary concerns for traffic impacts and transportation alternatives are reflected within the standards. The environmental impacts of the proposed specific plans will be evaluated during their preparation.

Prior to the adoption of any specific plans, any development of these larger holdings, such as the Canada Ranch property, may cluster the allowed density into smaller parcels to create neighborhoods within larger common open space areas. Suburban scale clustered developments can maintain a rural character by fitting each project into the landscape and minimizing its visibility from public collector and arterial roads and highways.

## *Nipomo Community Plan*

The *Nipomo Community Plan*, included in Part III of the LUCE, is intended to provide a long-term guide for land use and transportation within the community of Nipomo (County of San Luis Obispo 2014). The *Nipomo Community Plan* provides programs that are more specifically applicable to the community of Nipomo. The *Nipomo Community Plan* is consistent with other General Plan elements and provides the following guidance related to visual resources.

**Chapter 4: Land Use**

***4.4 Land Use Concepts for Nipomo***

A strong public interest exists in retaining the open, suburban character of Nipomo. Lower density development in a band of the Residential Suburban land use category surrounds most of the community. However, within the Residential Single Family and Residential Multi-Family categories, greater densities will increase and reduce the suburban character in exchange for more affordable and convenient housing. Some elements of suburban character can be retained and encouraged with the inclusion of the following guidelines:

1. The County Parks and Recreation Element should include the addition of small parks in this area. Park fees that are generated from this region should be used in the higher density areas in the urban core consistent with the parkland dedication ordinance (Chapter 9 of Title 21).
2. Suburban character can be enhanced through curvilinear street layout, wide and varied building setbacks, dense landscaping, and multi-use paths along streets. The street circulation in this area should be designed to connect neighborhoods with shopping areas, parks and schools to provide a pedestrian environment.

3. Open space can be retained by developing community drainage basins that detain area-wide storm water, or by installing smaller basins within new subdivisions to reduce area flooding. Drainage basins should be designed to allow for multiple uses when feasible.
4. As projects develop, attention to open uses should be evaluated to maximize the quality of life.

***4.5 Nipomo Land Use Categories***

***Commercial Service***

**Freeway Corridor.** The area designated Commercial Service is generally adjacent to the freeway along North and South Frontage Roads. An excellent opportunity is provided to develop business parks and accommodate outdoor storage and manufacturing uses with adequate screening. It will provide an excellent location and large properties for development when access is opened between Tefft Street and the proposed Willow Road interchange. This area also provides the "gateway" to the community, so consistently well-designed structures that face the highway are of primary importance within individual projects.

Because of the area's high visibility from the freeway and residential neighborhoods, special attention must be given to building siting, high quality design, signing, fencing and landscaping. Any open yard uses should be fully screened from the freeway, and all uses should be landscaped along the frontage road. The area should also be screened and landscaped where it is adjacent to residential areas.

**North Frontage Road Area.** The area should be developed under planned development concepts, since it is still under larger ownerships. This would make it possible to create industrial park type complexes that would be an asset to the community. Appropriate uses are small manufacturing shops, storage, service buildings and sales yards.

#### 4.1.2.3.2 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

The County of San Luis Obispo Inland Land Use Ordinance (Title 22) (LUO) identifies the methods for implementation of the County General Plan, guides and manages the future growth of the county, and regulates land use in a manner that will encourage and support the orderly development and beneficial use of land within the county (County of San Luis Obispo 2021). The LUO minimizes adverse effects on the public resulting from the inappropriate creation, location, use or design of buildings, land uses, parking areas, or other forms of land development standards for development. The LUO sets regulations that protect and enhance significant natural, historic, archaeological, and scenic resources within the county and assists the public in identifying and understanding regulations affecting the development and use of land. The LUO provides the following guidance related to visual resources.

### Chapter 22.10 – General Property Development and Operating Standards

### *22.10.095 – Highway Corridor Design Standards*

The County LUO identifies standards to govern development of residential structures, residential accessory buildings, residential access roads, specified agricultural accessory buildings and signs located within the South County Highway Corridor Area. These standards are intended to expedite the permit

process for projects that maintain scenic views and the rural character along US 101, while providing opportunities to use other design solutions through a discretionary review process to achieve scenic goals.

## Chapter 22.98 – South County Planning Area

**22.98.070 - South County Sub-area Standards**

**D. Open space preservation - Cluster division incentive.** This standard applies to land where important physical, biological or historic resources are identified both on-site and on adjacent properties, to encourage cluster land divisions that will leave the resources in open space areas. Clustered land divisions may utilize an open space parcel area that is smaller than otherwise required by Chapter 22.22 where an important biological habitat, such as an oak woodland or the Nipomo Creek corridor, or land near an historic site such as the Dana Adobe, is identified through the application's review process. The size of the open space area may be determined by a visual, biological or other applicable analysis of the area in question. The analysis shall identify the area that is necessary to maintain open space to preserve the features of the applicable resource.

**22.98.072 - Land Use Category Standards for the South County Sub-area**

**H. Residential Rural (RR).** The following standards apply within the Residential Rural land use category.

**8. Canada Ranch property - Specific Plan requirement.** A Specific Plan shall be prepared for the Canada Ranch property shown in Figure 98-40 under the guidance of the County upon the application and funding by the property owner(s) prior to the approval of land division applications, although a clustered land division proposed in compliance with the Residential Rural category, Section 22.22.140, and other applicable provisions of this Title, may be approved without Specific Plan preparation. The Specific Plan shall be prepared in compliance with Government Code Section 65450 to plan for the following:

**a. Types of uses.** The concept of a Specific Plan is for uses in the following priority for acreage, scale and intensity:

(1) Open space uses within the oak woodlands;

(2) Industrial park(s) that will generate “basic” employment for the Nipomo and south county area;

(3) Commercial service parks that do not conflict with downtown and community shopping commercial uses within Nipomo;

(4) Retail uses to serve the daily shopping needs of employees and residents of the site in compliance with purpose and character statements for neighborhood shopping areas in Framework for Planning - Inland Area;

(5) Commercial retail uses that are in compliance with purpose and character statements in Framework for Planning - Inland Area for highway-oriented retail;

(6) Residential areas to contain a mix of housing unit types, a portion of which should be affordable to average employee incomes on the site, timing to be concurrent with or following establishment and operation of nonresidential uses, the timing to be determined by a market feasibility study.

**b. Oak habitat preservation.** Designation of the existing oak forest habitat for open space preservation, where limited recreational and open space uses may be allowed.

**c. Pedestrian-oriented site planning.** Location of workplaces, shopping, services, civic buildings and residences in close proximity to each other to facilitate walking and alternative transportation to the private vehicle.

**d. Architecture and landscaping.** Guidelines for architecture and landscaping that respond to the rural character of the area.

### 4.1.2.4 *Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Visual Resources*

Table 4.1-1 lists applicable state, regional, and local land use policies and regulations pertaining to visual resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.1.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.1-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.1.5, *Project-Specific Impacts and Mitigation Measures*, or Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.1-1. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Parks and Recreation Element** | | |
| **Policy 6.8.** When maintaining park, recreation and natural area facilities attempt to minimize signs and other structures that may impact the aesthetics of the facility. | The intent of this policy is to maximize the quality of county park, recreation, and natural area aesthetics. | **Potentially Consistent.** The project has the potential to provide new park and open space areas that maximize visual quality. |
| **Conservation and Open Space Element** | | |
| **Policy OS 1.1 Future open space protection.** Continue to identify and protect open space resources with the following characteristics:<br>• Recreation areas<br>• Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities, significant marine resources<br>• Archaeological, cultural, and historical resources<br>• Scenic areas<br>• Hazard areas<br>• Rural character | The intent of this policy is to protect the natural scenic character of the county. | **Potentially Consistent.** The project would preserve the existing scenic oak ridge and proposed open space areas would encompass approximately 49.8 acres of the Specific Plan Area. Proposed pedestrian, bicycle, and equestrian trails would either traverse open space areas or run along the edge of open space areas. The project's proposed open space and park amenities have been designed to maintain 17 acres of coast live oak forest habitat, which is a biologically significant resource and provides important native habitat for plants and wildlife. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy VR 1.1 Adopt scenic protection standards.** Protect scenic views and landscapes, especially visual Sensitive Resource Areas (SRAs) from incompatible development and land uses. | The intent of this policy is to preserve sensitive and scenic views and resources within the county. | **Potentially Consistent.** The project would not affect views of the Temettate Ridge to the east and would preserve the existing scenic oak ridge. The Specific Plan Area is not within a designated Sensitive Resource Area. |
| **GOAL 2.** The natural and historic character and identity of rural areas will be protected. | The intent of this policy is to preserve the rural and historic visual character of the county. | **Potentially Inconsistent**. The project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration. |
| **Policy VR 2.1 Develop in a manner compatible with Historical and Visual Resources.** Through the review of proposed development, encourage designs that are compatible with the natural landscape and with recognized historical character, and discourage designs that are clearly out of place within rural areas. | The intent of this policy is to preserve the rural, scenic, and historic visual character of the county. | **Potentially Inconsistent.** The project would be inconsistent with the existing rural visual character of the site and surrounding natural landscape through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration. |
| **Policy VR 2.2 Site development and landscaping sensitivity.** Through the review of proposed development, encourage designs that emphasize native vegetation and conform grading to existing natural forms. Encourage abundant native and/or drought-tolerant landscaping that screens buildings and parking lots and blends development with the natural landscape. Consider fire safety in the selection and placement of plant material, consistent with Biological Resources Policy BR 2.7 regarding fire suppression and sensitive plants and habitats. | The intent of this policy is to preserve existing natural landforms and native vegetation to maintain the rural, scenic, and historic visual character of the county. | **Potentially Inconsistent.** Although the project site would preserve the existing oak ridge, it would severely alter the existing native vegetation and natural landforms of the remainder of the site with the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration. |
| **Goal 6.** A cohesive visual character will be maintained in urban areas. | The intent of this policy is to encourage a positive aesthetic relationship in urban development. | **Potentially Consistent.** The project has the potential to be visually cohesive with existing development in the central business district. |
| **Policy VR 6.1 Urban design.** Ensure that new multi-family residential, mixed-use, and commercial or other non-residential development in the urban and village areas is consistent with local character, identity, and sense of place. | The intent of this policy is to promote development that respects existing community character. | **Potentially Consistent**. The project has the potential to be visually consistent with existing proximate urban development. |
| **Goal 7.** Views of the night sky and its constellations of stars will be maintained. | The intent of this policy is to minimize adverse effects to quality nighttime views and vistas. | **Potentially Consistent.** The project proposes measures that would minimize nighttime light and glare and views of the night sky. |
| **Policy VR 7.1 Nighttime light pollution.** Protect the clarity and visibility of the night sky within communities and rural areas, by ensuring that exterior lighting, including streetlight projects, is designed to minimize nighttime light pollution. | The intent of this policy is to minimize adverse effects to quality views and vistas. | **Potentially Consistent.** The project proposes measures that would minimize nighttime light and glare and views of the night sky. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Framework for Planning (Inland)** | | |
| *Planning Principles, Policies, and Implementing Strategies* | | |
| **Principle 1:** Preserve open space, scenic natural beauty, and natural resources. Conserve energy resources. Protect agricultural land and resources. | The intent of this policy is to protect existing visual quality and character. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| **Policy 1.** Maintain rural areas in agriculture, low-intensity recreation, very low-density residential uses, and open space uses that preserve and enhance a well-defined rural character. | The intent of this policy is to preserve the rural character of the county. | **Potentially Inconsistent.** Although the Specific Plan Area is planned for development in the County's existing General Plan, and the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| **Principle 2:** Strengthen and direct development toward existing and strategically planned communities. | The intent of this policy is to establish and maintain strong community identity and avoid development sprawl. | **Potentially Consistent**. The project would reduce the rural visual character of the site and surrounding natural landscape resulting somewhat in visual sprawl. However, the project has the potential to be visually compatible with existing development in the area, and the Specific Plan Area is identified for future development in the existing General Plan. Therefore, the project is part of planned growth in the South County area. |
| **Principle 3:** Foster distinctive, attractive communities with a strong sense of place. | The intent of this policy is to establish and maintain strong community identify. | **Potentially Consistent**. The project would reduce the rural visual character of the site and surrounding natural landscape, resulting somewhat in visual sprawl. However, the project has the potential to be visually compatible with existing development in the area. |
| **Policy 1.** Protect and restore the valuable history, cultures, images and identity of communities and rural areas. 2. Protect rural areas between communities to achieve well-defined communities within an attractive rural setting. | The intent of this policy is to establish and maintain strong community identity. | **Potentially Consistent.** The project would reduce the rural visual character of the site and surrounding natural landscape, resulting somewhat in visual sprawl. However, the project has the potential to be visually compatible with existing development in the area. |
| **Policy 3.** Establish and maintain a distinct edge between urban and rural areas to enhance community separation while allowing for appropriate and compact urban expansion at the urban edge. | The intent of this policy is to establish and maintain strong community identity. | **Potentially Consistent.** The project would reduce the rural visual character of the site and surrounding natural landscape, resulting somewhat in visual sprawl. However, the project has the potential to be visually compatible with existing development in the area. |
| **Policy 4.** Enhance the commercial identity and viability of downtowns. | The intent of this policy is to establish and maintain strong community identity. | **Potentially Consistent.** The project would reduce the rural visual character of the site and surrounding natural landscape, resulting somewhat in visual sprawl. However, the project has the potential to be visually |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | compatible with existing development in the area. |
| **Policy 5.** Foster a strong local identity through appropriate design of public spaces and buildings. | The intent of this policy is to foster a strong local community identity. | **Potentially Consistent.** Although the project may appear as a separate development outside of the core business district, it has the potential to provide a strong visual identity consistent with other development in the area. |
| **County of San Luis Obispo Land Use Ordinance** | | |
| *22.10.095 – Highway Corridor Design Standards* | | |
| **D. 5. Project Design and processing –** Discretionary permit applications. Minor Use Permit approval is required for projects subject to Subsection D.4 that are unable to meet the requirements for a Zoning Clearance in Standards D.4.c through D.4.h. Minor Use Permit and any Conditional Use Permit applications that may otherwise be required by this Title shall include a visual analysis that is prepared by a registered architect, landscape architect, or other qualified individual acceptable to the Environmental Coordinator. The visual analysis shall be utilized to determine compliance with the intent of D.4 and the following:<br>a. Locate development, including access roads, in the least visible portion of the site consistent with the protection of other resources, as viewed from Highway 101, unless mitigated to insignificant levels. Use existing vegetation and topographic features to screen development from view as much as possible.<br>b. Minimize grading for both structures and roads that would create cut and fill slopes visible from Highway 101.<br>**c.** Minimize building height and mass by using low-profile design where applicable. Minimize the visual impacts of buildings by using colors that blend with surrounding natural colors and/or screen the building from view.<br>d. Provide landscaping to screen and buffer both road and building development with native or drought-resistant plants, including the extensive use of trees and large-growing shrubs.<br>e. Use of minimal signage is encouraged. Locate signs that are subject to a discretionary land use permit so that they minimize interference with important public views from Highway 101, such as those listed in the preamble to this section. | The intent of this policy is to require visual impact assessments for residential development within the US 101 corridor for the purpose of preserving visual quality and character. | **Potentially Inconsistent.** The project would inherently change the visual character of the site and surroundings through the introduction of roads, commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration within highly visible locations as seen from US 101. Mitigation Measure AES/mm-3.1 would require implementation of a Visual Screening Zone along the length of the project site adjacent to the required utility easement and US 101, for the purpose of reducing visibility of the development and minimizing visual impacts to the vegetated visual character of the site and its surroundings as seen from the highway. The proposed landscaping would, by necessity, be more urban in appearance and would likely take several decades to provide meaningful restoration of the vegetative character and quality of the site. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **D.6. Residential Land Divisions.**<br>a. Clustering encouraged. Residential land divisions are encouraged to be clustered in compliance with Section 22.22.140, unless a standard subdivision design can include clustered residential building sites that will be in equal conformity with Subsection I.5. Application review shall determine whether the proposed parcels or building sites are designed so that residential buildings, accessory buildings and roads will comply with Subsection I.5, in addition to other applicable standards.<br>b. Open space parcel incentive. Cluster divisions of land that are located within the Highway 101 corridor design standards may utilize an open space parcel area that is smaller than required by Section 22.22.140. The size of the area may be determined by a visual analysis of the area subject to the Highway 101 corridor standards as part of the subdivision review process. The analysis shall identify the area that is necessary to maintain open space views of features identified in the Highway 101 corridor design standards. | The intent of this policy is to establish and maintain strong community identity. | **Potentially Consistent.** The project would preserve the existing oak ridge, which would be seen from US 101. The project would also create public common areas and trails. These areas would be mostly visible from within the project and would have limited visibility as seen from US 101. |
| **South County Inland Area Plan** | | |
| *South County (South) Sub-area* | | |
| **Guideline:** Retain land in open space in new land divisions that will preserve oak woodlands, riparian and other important biological habitats, and historic place surroundings. | The intent of this policy is to maintain the scenic, historic, and biological qualities of the county's open spaces. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| *Primary Goals* | | |
| **4.** The rural character and heritage of South County with a strong sense of identity and place. | The intent of this policy is to preserve the rural visual qualities of the South County planning area. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surrounding landscape through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration. |
| **6.** The long-term sustainability of natural resources as growth occurs with sensitivity to the natural and built environment. | The intent of this policy is to maintain a long-term balance between development and the natural environment. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surrounding landscape through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| *Supportive Goals* | | |
| **Community Planning. 1.** Retain the open, low-density character around and between population centers. | The intent of this policy is to promote compact urban form and prevent development sprawl between communities. | **Potentially Consistent**. The project would reduce the rural visual character of the site and surrounding natural landscape resulting somewhat in visual sprawl. However, the project has the potential to be visually compatible with existing development in the area and is located in close proximity to other existing urban development. The Specific Plan Area would be incorporated into the Nipomo URL and is identified for future development in the existing General Plan. Therefore, the project would result in new development within an existing population center. |
| **Environment. 1.** Promote the protection of natural resources and encourage the following in new development proposals:<br>a. Retention of sensitive vegetation.<br>d. Blending of new structures into the surrounding environment and minimal visual impacts in areas considered to be scenic.<br>e. Protection of cultural and historic resources.<br>f. Separation of new residential development from adjacent commercial agricultural and industrial operations. | The intent of this policy is to maintain high scenic quality and character. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings by the introduction of commercial, institutional and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| ***SLOCOG 2019 Regional Transportation Plan (RTP)*** | | |
| **Policy Objective 6.2.** Preserve aesthetic resources and promote environmental enhancements. | The intent of this policy is to promote maintenance of the existing visual character of the region. | **Potentially Consistent.** The project would preserve the existing oak ridge on-site and would provide new park and open space areas that maximize visual quality. In addition, future development would have the potential to be visually consistent with existing development in the area. |
| **Sustainable Communities Strategy** | | |
| *Context Sensitivity* | | |
| 18. Maintain and enhance quality aesthetic experiences along transportation corridors and surrounding landscapes through mitigation planting, urban streetscape improvements, removal of billboards, and other visual enhancements. (Ongoing) | The intent of this policy is to preserve the high-quality visual character along the county's transportation corridors. | **Potentially Consistent.** The project may be compatible with existing development in the area, and the proposed design elements may appear as urban enhancement; however, it would also substantially reduce the scenic and rural visual character of the site as seen from US 101. |
| ***San Luis Obispo County Inland Land Use Ordinance (Title 22)*** | | |
| **22.98.072(H)(f) Siting of Buildings:** Locate building envelopes that are subordinate to rural character, such as by varying their elevation along hills and ridges, and where siting below the highest elevations takes advantage of wind-protected locations. | The intent of this policy is to encourage development that does not dominate or diminish the rural character of scenic hills and ridgelines. | **Potentially Inconsistent.** The project would not affect existing public views of the Temettate Ridge to the east. The project would preserve the existing oak ridge within the site. The locations, massing, and density of future on-site development, however, would dominate views along US 101 and limit views of the oak ridge. |

## 4.1.3 Thresholds of Significance

State CEQA Guidelines Section 15382 defines a "significant effect" on the environment to mean a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or *aesthetic* significance."

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. In addition to comparing the project to relevant policies and standards, the aesthetic resources assessment identified which specific criteria contribute most to the existing quality of each view and if change would occur to those criteria as a result of the project. If a change in visual criteria was identified, this change was analyzed for its potential effect on the existing scenic character. This analysis was combined with the potential number of viewers, their sensitivities, and viewing duration in order to determine the overall level of impacts. Specifically, the project would be considered to have a significant effect on visual/aesthetic resources if the effects exceed the significance criteria described below:

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, or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.[1]

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

Each of these thresholds is discussed under Section 4.1.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.1.4 Impact Assessment and Methodology

The findings of this study are based on multiple field observations and reviews conducted between October 2021 and March 2022. Field reviews included the project site as well as the areas in and around the community of Nipomo. Resource inventories were conducted both on foot and from moving vehicles. The Specific Plan Area was viewed from potential public viewer group locations throughout the surrounding area. Existing visual resources and site conditions were photographed and recorded. Assessment of potential project elements was based on a comprehensive review of the Draft DRSP and Design Guidelines, the County General Plan, the South County Area Plan, the *Nipomo Community Plan*, the County LUO, and other supporting guidelines applicable to the Specific Plan Area and the community. Planning documents and approved studies relevant to the project and the surrounding area were referenced for gaining an understanding of the project, applicable regulatory requirements, and established aesthetic values. The results of these field reviews were analyzed in order to consider the existing community character and to determine the consistency of visual changes resulting from the proposed DRSP and related entitlements with the surrounding setting.

This section of the EIR also considers whether the alteration of visual character anticipated from the proposed DRSP, General Plan Amendment, Conditional Use Permit (CUP), Development Agreement, or

[1] The project setting is considered "non-urbanized" based on CEQA Section 15387, which defines "urbanized area" as a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile.

annexation into the Nipomo Community Services District (NCSD) service area, including all identified off-site improvements, would result in a significant adverse effect to existing views and scenic resources.

The DRSP is required by County policy to be consistent with the County General Plan. The General Plan was adopted and is considered a "self-mitigating" document, in that its objectives and policies are designed to mitigate or avoid impacts to the environment resulting from actions adhering to it. Accordingly, the proposed DRSP Design Guidelines controlling development within the Specific Plan Area are also intended to mitigate potential visual impacts associated with project implementation. If the DRSP and/or applicable General Plan objectives and policies were determined not to fully mitigate or avoid impacts, then additional mitigation measures are provided. Each impact discussion includes a determination as to whether the impacts would be mitigated to a less-than-significant level or would remain significant and unavoidable after implementation of the DRSP objectives and policies.

#### 4.1.4.1 *Visual Simulations*

Visual simulations were prepared to quantify potential project visibility and to assess related visual effects. The layout and appearance of structures and other development features shown in the visual simulations are based on conceptual designs provided by the project applicant, and as identified in the project description and associated development standards and design guidelines.

The visual simulation process began with carefully executed photographs in strategic public viewpoints of the proposed project. The goal was to compare existing conditions and vegetation to visual simulations of the potential proposed build-out of the Specific Plan Area. The entire Specific Plan Area was three-dimensionally (3D) modeled in the computer-generated software SketchUp. The model consisted of all proposed lot layouts for the various proposed land uses, including proposed changes in grading, vegetation removal, and vegetation screening. Photographs were loaded into the model to create a scaled photo-match simulation of the project. Each of the conceptual buildings massed in each land use was modeled to represent the potential maximum density and maximum application of the proposed development standards for height and setbacks, while staying true to the allowed architectural styles. These photo matches were then exported from the 3D model into Adobe Photoshop to add photo-realism.

To understand the potential visual effects of the DRSP implementation over time, simulations were prepared showing the project immediately following construction, and again at a time-period approximately 20 years later. This step in the process was conducted to ensure the accurate disclosure of removed and proposed vegetation from each viewpoint over time. The landscape maturity and vegetation type shown in the visual simulations is based on conceptual landscape plans identified in the Draft DRSP and related standards and guidelines.

Accuracy of the computer-generated modeling and visual simulations was field-verified using the known heights and scale of existing site and context features in combination with selective reference pole placement.

#### 4.1.4.2 *Project Visibility*

Because of the Specific Plan Area's proximity to established uses in the surrounding community and the US 101 corridor, the potential for visibility of proposed improvements is high. Determining the extent of the project's visibility is a critical step in analyzing its potential visual impacts. Field studies were conducted throughout the community to identify locations from where the proposed project could be reasonably seen. Emphasis was given to public areas and transportation corridors, both vehicular and pedestrian. As a result of the visual inventory analysis, six Key Viewing Areas (KVAs) were selected to represent the extent of project visibility as well as illustrate the appearance of the project as seen from the

surrounding community. Locations of these KVAs are listed below in Table 4.1-2 and shown on Figure 4.1-14. Visual simulations from these locations can be seen in Figures 4.1-15 through 4.1-20.

**Table 4.1-2. Key Viewing Areas and Photo-Simulation Locations**

| KVA | View Location | GPS Coordinates | Simulation Figure Number |
|---|---|---|---|
| KVA-1 | From US 101 looking northwest | 35°2'52" N, 120°29'39" W | 4.1-15 |
| KVA-2 | From US 101 looking southwest | 35°3'4" N, 120°29'50" W | 4.1-16 |
| KVA-3 | From North Thompson Ave. looking southwest | 35°3'13" N, 120°29'15" W | 4.1-17 |
| KVA-4 | From Willow Road looking southeast | 35°2'60" N, 120°30'30" W | 4.1-18 |
| KVA-5 | From Hetrick Avenue looking northeast | 35°2'34" N, 120°30'38" W | 4.1-19 |
| KVA-6 | From Pomeroy Road looking north | 35°2'21" N, 120°30'21" W | 4.1-20 |

KEY: Location and direction of Key Viewing Area (KVA) and visual-simulation.

**Figure 4.1-14. Key Viewing Area (KVA) location map.**

## 4.1.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?

### Specific Plan Area

#### *AES Impact 1: The project would not have a substantial adverse effect on a scenic vista. Impacts would be less than significant (Class III).*

A substantial adverse impact to a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or from other public areas. The degree of potential impact on scenic vistas varies with factors such as viewing distance, duration, viewer sensitivity, and the visual context of the surrounding area.

Scenic vistas are often panoramic views that have high-quality compositional and picturesque value. Scenic vistas from the community of Nipomo and the surrounding area primarily include the quality viewshed composition of hills east of US 101, combined with natural and agricultural land uses in the mid-ground. As seen from the more developed portions of the Nipomo area, much of the surrounding scenic vista is somewhat blocked by intervening structures and landscaping. In those areas, views of the eastern hills are sometimes still available along the axis of the public street or public open areas such as parks. From the perimeter of the community, the views of the Temettate Ridge create a quality scenic vista and provide an attractive backdrop for the community.

The County General Plan identifies the importance of both natural and agricultural viewsheds. The COSE defines scenic corridors as view areas, or "viewsheds," from popular public roads and highways that have unique or outstanding scenic qualities. In addition, the COSE identifies the Temettate Ridge east of Nipomo and US 101 between Arroyo Grande and SR 166 as an "Area Subject to Scenic Protection Standards."

Implementation of the DRSP project would have little to no effect on existing public views of the Temettate Ridge and the scenic vista to the east. Because of the extensive mature tree cover and topography throughout the northern, southern, and western portions of the site, many of the potential views to the eastern hills are already substantially blocked as seen from adjacent streets and neighborhoods. Due to view angle and elevation, views to the Temettate Ridge from Nipomo Community Park south of the Specific Plan Area would not be affected by implementation of the proposed project. As seen from important commercial corridors, such as US 101, Tefft Street, and North and South Frontage Roads, views of the scenic hills to the east would not be affected since the project site is oriented in the opposite viewing direction, generally to the west.

Within the project site itself, the existing oak-covered ridge contributes to the scenic vista as seen from much of the surrounding area. The Specific Plan proposes to save that landform and associated trees, which would preserve the ridge's benefit as part of the scenic vista.

Although portions of the Specific Plan Area would be visible from areas in and around the community, the development would not visually encroach onto the most scenic, character-defining elements of the scenic backdrop to the east. From many viewpoints, due primarily to viewing distance and the associated view angle, even the larger and more dense part of the development would not block views of the Temettate Ridge to the east. From many locations, where visible, buildout per the proposed Specific Plan would be visually subordinate to the overall scenic quality of the hillside community backdrop.

As seen from viewpoints outside of the Specific Plan Area, implementation of the project at the maximum allowable building heights and density defined in the DRSP would have minimal effect on views of the surrounding scenic vistas. From most off-site vantage points, the viewing distance and view angle would allow for quality views of the hills to remain above the new development. Previously unavailable suburban and commercial views would be created that inherently limit some views from the more densely developed internal street frontages but would also allow for views of the distant landscape along the street axes and open areas.

The County has adopted policies, ordinances and guidelines that specifically address visual quality and protection of surrounding viewsheds. Implementation of the DRSP would include implementation of DRSP Land Use and Development Standards, Design Guidelines, and other controlling documents, which are required to be consistent with and support the concepts of the General Plan.

Review of the DRSP indicates that its implementation in adherence to the requirements proposed in the following DRSP chapters and appendices, as well as the associated development maps and plans, would result in a *less-than-significant impact* on scenic vistas and would be consistent with related County plans, ordinances, guidelines, and visual policies:

Chapter 2. Land Use and Development Standards

Chapter 3. Conservation, Open Space, and Recreation

Chapter 4. Circulation

Chapter 5. Infrastructure and Phasing

Appendix A. Design Guidelines

| **AES Impact 1 (Class III)** |
|---|
| The project would not have a substantial adverse effect on a scenic vista. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *With adherence to the proposed standards and guidelines, residual impacts related to adverse effects on a scenic vista would be less than significant (Class III).* |

## Off-Site Improvements

### *AES Impact 2: Off-site improvements would not have an adverse effect on a scenic vista. Impacts would be less than significant (Class III).*

Off-site improvements visible from public viewing areas would primarily include modifications to local roadways, water lines, and water treatment facility expansion. Most of these improvements would be either underground or near ground level. Signalization and wastewater treatment elements, although aboveground, would not block or otherwise adversely affect availability of scenic vistas as seen from surrounding public viewpoints. Therefore, potential impacts would be *less than significant*.

| **AES Impact 2 (Class III)** |
|---|
| Off-site improvements would not have a substantial adverse effect on a scenic vista. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be considered less than significant (Class III).* |

## WOULD THE PROJECT SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS WITHIN A STATE SCENIC HIGHWAY?

### Specific Plan Area

This CEQA threshold does not apply because the DRSP project site is not within the view corridor of any Officially Designated State Scenic Highway. US 101 is identified as "Eligible" in the State Scenic Highway Program; however, this CEQA threshold applies only to State of California "Officially Designated" Routes.

### Off-Site Improvements

This CEQA threshold does not apply because the DRSP project off-site improvements are not within the view corridor of any Officially Designated State Scenic Highway.

## IN NON-URBANIZED AREAS, WOULD THE PROJECT SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF PUBLIC VIEWS OF THE SITE AND ITS SURROUNDINGS, OR IN AN URBANIZED AREA, WOULD THE PROJECT CONFLICT WITH APPLICABLE ZONING AND OTHER REGULATIONS GOVERNING SCENIC QUALITY?

### Specific Plan Area

### *AES Impact 3: The project would substantially degrade the visual character of the site and its surroundings. Impacts would be less than significant with mitigation (Class II).*

Project-related actions would be considered to have a significant impact on the visual character of the site and surroundings if they altered the area in a way that substantially changed, detracted from, or degraded the visual quality of the site. The degree to which that change reflects documented community values and meets viewers' aesthetic expectations is the basis for determining levels of significance. Visual contrast and compatibility may be used as a measure of the potential impact that the project may have on the visual quality of the site. If a strong contrast occurred where project features or activities attract attention and dominate the landscape setting, this may be considered a potentially significant impact on visual character or quality of the site.

Although the Specific Plan Area itself is clearly rural, the existing visual context as seen from most surrounding public viewpoints is a product of both built and natural elements. The Temettate Ridge and

foothills rising up east of US 101 are primary contributors to the natural and rural visual quality and character of the area. The visual quality and character of the project site is moderately high, due mostly to its mature oak trees, undulating topography, and lack of development. Along the US 101 corridor, the project site provides value in defining the semi-rural appearance of the community. Along the west side of US 101, the large, undeveloped project site establishes a distinct visual boundary between the Nipomo community and the generally open space and agricultural landscape seen to the north.

Existing development along the US 101 corridor has already established certain types of uses that would be visually expanded with implementation of the DRSP. Residential, commercial retail, hospitality, recreational, open space, and roadway infrastructure are currently seen in the general vicinity. Development of the Specific Plan Area is envisioned in the County General Plan, and future development in this area was determined to be consistent with the community aesthetic vision. However, to the casual observer implementation of the Specific Plan would have the visual effect of expanding the perimeter of the community into a currently undeveloped area. This inevitable community expansion would inherently alter the visual character of the site and its surroundings from that of open land to that of mixed development.

Other than from along the freeway and from neighborhoods immediately adjacent to the perimeter of the development, the project would not be easily seen from public viewpoints throughout most of the surrounding community. The exception would be the existing oak-covered ridge, which would remain visible from many surrounding areas.

As seen from US 101 the proposed commercial development along the highway would generally block views to the interior and western portion of the project. The proposed landscape buffer along the highway would help reduce the urban character of the development and would help the project visually blend with the overall rural-suburban character of the community.

The County has adopted policies, ordinances, and guidelines that specifically address visual quality and protection of surrounding viewsheds. Implementation of the DRSP would be subject to those plans and required to be consistent with and support the concepts of the General Plan. The proposed DRSP, along with County policies, would ensure the orderly development and aesthetically appropriate physical form of the site. Proposed land use policies, development standards, design guidelines, and other regulatory requirements would substantially allow implementation of the DRSP to visually fit the established character of the town. Development of the site would likely not be perceived as an unexpected extension of community development patterns. The proposed phasing of development would reduce potential public perception of sudden and inappropriate alteration of visual character.

Only conceptual-level landscaping and planting is shown in the DRSP, and no plan identifying specific tree removal is included. Preliminary grading and layout plans show extensive tree removal along the northern and southern perimeters of the project. The DRSP also shows no planting buffer in these areas, resulting in a visually abrupt transition between the project and the adjacent residential neighborhoods. In particular, DRSP Neighborhoods 3, 7, 9 and 10 would lack a gradual visual interface with the adjacent community along Cherokee Place, Hetrick Avenue, and Sandydale Drive. However, public views from these locations are limited.

Alteration of visual quality and character would primarily be the result the presence of new development combined with the overall loss of mature trees. The DRSP Design Guidelines provide architectural and design standards that would likely create the framework for an attractive and cohesive built development. However, the loss of so many large oak trees would compound the built appearance of the overall project, remove a main character-defining attribute of the site, and reduce visual continuity with the surrounding community. In spite of preservation of the existing ridge near the middle of the site, the loss of a substantial number of large native oaks elsewhere would inherently reduce the existing visual quality. The

proposed landscaping would by necessity be more urban in appearance and would likely take several decades to reestablish the vegetative character and quality of the site.

As a result of the loss of so many mature oak trees, implementation of the DRSP would substantially degrade the existing visual character and quality of the project site and its surroundings.

The project would have the greatest amount of public viewing exposure from US 101, with an average of approximately 65,000 vehicles per day (Caltrans 2017) passing adjacent to the project frontage. Existing views from US 101 are also very important in terms of visual quality and character of the highway corridor and the community of Nipomo. From this highway vantage point, thousands of mature oak trees, rolling topography, and passive grazing land and open space can be easily seen and enjoyed by the traveling public. The project proposes the removal of 4,004 of the existing 5,197 oak trees (equal to 77%) from the site. As seen from US 101, this extensive loss of mature native vegetation and fundamental alteration of this highly visible scenic landscape into a high-density commercial suburban development would result in a permanent loss of visual quality and character.

The project proposes a 10-foot-wide landscape buffer along the highway frontage with oak trees planted approximately 50 feet apart in a straight line. In addition, a 50-foot-wide utility easement would be maintained in which only shrubs would be allowed. This combined planting buffer would provide little value in terms of reducing the developed character of the project or visually blending the project with the rural and natural scenic landscape. Alteration of visual quality and character would primarily be the result of the presence of new large-scale development combined with the overall loss of mature trees and landform alteration. The loss of so many large oak trees would compound the built appearance of the overall project, remove a main character-defining attribute of the site, and reduce visual continuity with the surrounding community. In spite of preservation of the existing ridge near the middle of the site, the loss of a substantial number of large native oaks elsewhere would inherently reduce the existing visual quality. The proposed landscaping would, by necessity, be more urban in appearance and would likely take several decades to provide meaningful restoration of the vegetative character and quality of the site.

As a result of the loss of so many mature oak trees, extensive grading, and lack of visual screening, implementation of the DRSP would substantially degrade the existing visual character and quality of the project site and its surroundings, and impacts would be *less than significant with mitigation*.

| **AES Impact 3 (Class II)** | |
|---|---|
| The project would substantially degrade the visual character of the site and its surroundings. | |
| ***Mitigation Measures*** | |
| *AES/mm-3.1* | *The Dana Reserve Specific Plan shall create a U.S. Route 101 Visual Screening Zone along the length of the project adjacent to the utility easement and U.S. Route 101, for the purpose of reducing visibility of the development and minimizing visual impacts to the vegetated visual character of the site and its surroundings as seen from the highway. The U.S. Route 101 Visual Screening Zone shall be a minimum width of 30 feet. The screening zone shall be in addition to the minimum 50-foot width of the utility easement. Existing trees in this zone shall be preserved.*<br><br>*Where no trees exist in this zone, oak trees and native shrubs shall be planted. This screening zone shall be implemented as part of the first phase of project development. Plantings shall achieve a minimum of 50% visual screening of the development as seen from U.S. Route 101 within 10 years of planting. Trees planted in this zone shall be subject to the size and ratio requirement identified in Mitigation Measure AES/mm-3.2.* |

| **AES Impact 3 (Class II)** | |
|---|---|
| *AES/mm-3.2* | *Replacement trees shall be planted within the "on-site" project boundaries in areas that maximize their visibility from public roadways and common areas. Replacement trees shall be planted from the following container sizes: 20% of the replacement trees shall be a minimum of 15-gallon container size, 20% of the replacement trees shall be a minimum of 24-inch box container size, and 10% of the replacement trees shall be a minimum of 48-inch container size. All replacement trees shall be maintained in perpetuity.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures AES/mm-3.1 and AES/mm-3.2, residual impacts to visual quality and character would be less than significant (Class II).* | |

## Off-Site Improvements

### *AES Impact 4: Off-site improvements would not substantially degrade the visual character of the off-site improvement areas and their surroundings. Impacts would be less than significant (Class III).*

Off-site improvements visible from public viewing areas would primarily include modifications to local roadways, water lines, and wastewater treatment facility expansion. The proposed off-site roadway improvements would result in a minor contribution to the developed character of the DRSP. This character change, however, would appear as a logical component of growth in the area and would not result in a substantial impact to visual quality and character. The proposed underground water lines would be generally unseen, and the water treatment improvements would be visually consistent with the existing industrial facility; therefore, impacts would be *less than significant*.

| **AES Impact 4 (Class III)** |
|---|
| Off-site improvements would not substantially degrade the visual character of the off-site improvement areas and their surroundings. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

## WOULD THE PROJECT CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA?

## Specific Plan Area

### *AES Impact 5: The project would create a new source of nighttime lighting or glare. Impacts would be less than significant (Class III).*

The project would result in a significant impact if it subjected viewers from public areas or residences to a substantial amount of new point-source lighting visibility at night, or if the collective lumination of the

project resulted in a noticeable spill-over effect into the nighttime sky, increasing the ambient light over the region.

Currently, the Specific Plan Area is undeveloped and has no lighting of any kind. Substantial night lighting and glare is however found in the project vicinity. Existing commercial lighting is seen along Tefft Street, North Frontage Road, and throughout the business district. Although street and other lighting exists throughout the community, many residential neighborhoods have no street lights.

Buildout under the DRSP would inherently increase the amount of light in the Specific Plan Area due to street lighting, commercial and residential lights, lit signage, landscape and security lighting, automobile headlights, etc. The DRSP contains specific objectives and policies intended to minimize light and glare impacts. DRSP Design Guidelines include standards that address commercial, residential, and nonresidential outdoor lighting. The DRSP requires all lighting design and fixtures to be "dark-sky" compliant, consistent with the International Dark-Sky Association and/or County requirements.

Review of the DRSP indicates that its implementation in adherence to these objectives and policies and requirements proposed in the DRSP Design Guidelines would result in a *less than significant* impact on night lighting or glare, and the DRSP would be consistent with related County plans, ordinances, guidelines, and visual policies.

| **AES Impact 5 (Class III)** |
|---|
| The project would create a new source of nighttime lighting or glare. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *With adherence to the proposed standards and guidelines, implementation of the DRSP would result in a less-than-significant impact on night lighting and glare, and residual impacts would be less than significant (Class III).* |

## Off-Site Improvements

### *AES Impact 6: Off-site improvements would create a new source of nighttime lighting or glare. Impacts would be less than significant (Class III).*

Proposed off-site improvements include signalization at the new Willow Road/Collector A intersection. For safety reasons, traffic signals are shielded to minimize view of the luminaire from areas other than the intended roadway target. General intersection lighting, if required, would be County standard downward-facing "cobra-style" fixtures with cut-off enclosures. As a result, traffic-related lighting would have minimal to no light-trespass and create no substantial glare to the surrounding area. In addition, the proposed off-site wastewater improvements would not increase lighting beyond existing safety and security uses. Therefore, impacts would be *less than significant*.

| **AES Impact 6 (Class III)** |
|---|
| Off-site improvements would create a new source of nighttime lighting or glare. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |

| **AES Impact 6 (Class III)** |
|---|
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

## 4.1.6 Cumulative Impacts

### *AES Impact 7: The project would contribute to cumulative aesthetic and visual resource impacts. Impacts would be less than significant with mitigation (Class II).*

The discussion of cumulative impacts relates to the potential for the project to contribute to an aggregate change in visual quality from surrounding public viewing areas, taking into consideration existing and proposed development. The project's proximity to US 101 increases its potential to influence the aesthetic quality and character of the area. This change in visual character, if experienced along with other recent and proposed projects, would potentially contribute to an emerging perception that the community of Nipomo is undergoing a visual change toward increasing urbanization.

Other projects considered in conjunction with the proposed project in terms of potential cumulative effects on the visual environment are identified in Chapter 3, *Environmental Setting*, of this EIR. The DRSP project description, site design, and architectural and landscape design guidelines include concepts and measures intended to create an aesthetically pleasing development. Implementation of these concepts and measures, in combination with the visual quality protection policies found in the County General Plan, LUO, and other guidelines, would substantially reduce potential visual impacts. However, the DRSP provides only preliminary design guidance and does not ensure adherence by subsequent project development. The DRSP, by necessity, allows for interpretation and influence by future trends and factors, such as economics, resources, and construction realities. Although implementation of the DRSP would, to some viewers, appear as a logical extension of community development patterns, it would also be perceived as a significant alteration of scenic quality and loss of desired visual character. Therefore, the DRSP, even with the consideration of applicable County visual protection policies and implementation of Mitigation Measures AES/mm-3.1 and AES/mm-3.2 and AES/mm-7.1, would result in a *significant* incremental contribution to visual impacts.

| **AES Impact 7 (Class II)** | |
|---|---|
| The project would contribute to cumulative aesthetic and visual resource impacts. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures AES/mm-3.1 and AES/mm-3.2.* | |
| *AES/mm-7.1* | *The Dana Reserve Specific Plan shall require preparation of a Visual Impact Assessment for each subsequent implementing development. The Visual Impact Assessments shall analyze the proposed subsequent development prior to its occurrence with the goal of minimizing project noticeability from areas outside Dana Reserve boundaries.* |
| ***Residual Impacts*** | |
| *With adherence to Mitigation Measures AES/mm-3.1, AES/mm-3.2, and AES/mm-7.1, in combination with County policies and regulations, implementation of the proposed DRSP would result in a less-than-significant cumulative effect on the visual environment (Class II).* | |

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**Figure 4.1-15. Key Viewing Area 1: Existing view and visual simulations of the Specific Plan Area as seen from US 101 looking northwest.**

**Figure 4.1-16. Key Viewing Area 2: Existing view and visual simulations of the Specific Plan Area as seen from US 101 looking west.**

**Figure 4.1-17. Key Viewing Area 3: Existing view and visual simulations of the Specific Plan Area as seen from North Thompson Avenue looking southwest.**

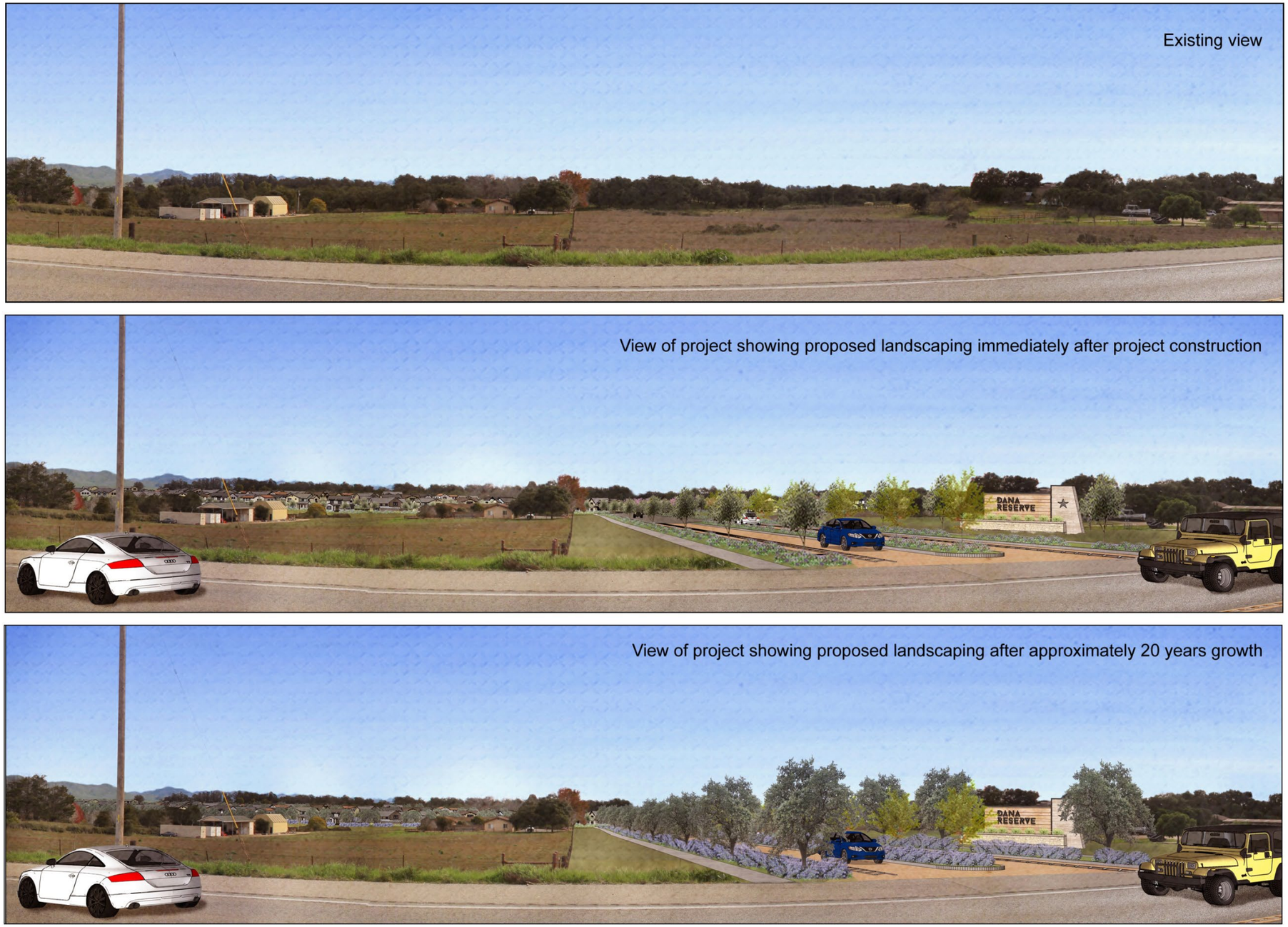


**Figure 4.1-18. Key Viewing Area 4: Existing view and visual simulations of the Specific Plan Area as seen from Willow Road looking southeast.**

**Figure 4.1-19. Key Viewing Area 5: Existing view and visual simulations of the Specific Plan Area as seen from Hetrick Avenue looking northeast.**

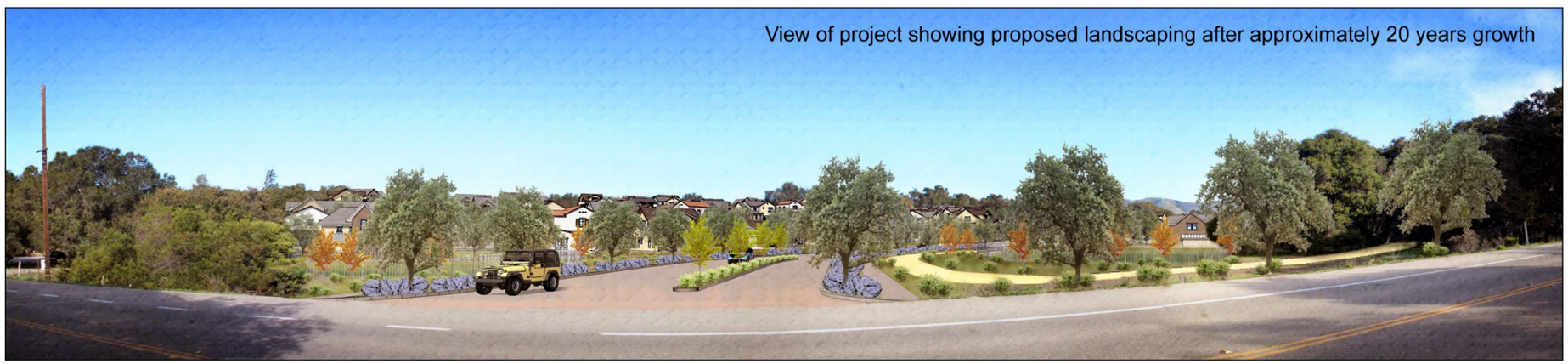


**Figure 4.1-20. Key Viewing Area 6: Existing view and visual simulations of the Specific Plan Area as seen from Pomeroy Road looking north.**

# 4.2 AGRICULTURE AND FORESTRY RESOURCES

This section evaluates the project's potential to impact agricultural resources within and adjacent to the project area. Potential impacts that are discussed include conversion of Prime Farmland to non-agricultural uses via direct conversion or other indirect impacts. The project site does not contain forestry resources; therefore, no further discussion of that issue is necessary.

## 4.2.1 Existing Conditions

### *4.2.1.1 Regional Setting*

#### 4.2.1.1.1 FARMLAND CONVERSION

Based on the California Department of Conservation (CDOC) *California Farmland Conversion Report 2014-2016*, irrigated farmland in California decreased by 11,165 net acres between 2014 and 2016. The highest-quality farmland, known as Prime Farmland, decreased by 18,312 net acres, coupled with a Farmland of Statewide Importance decrease of 26,557 net acres. Partially offsetting these losses was the addition of 33,704 net acres of irrigated crops on lesser-quality soils, mapped as Unique Farmland (CDOC 2019a).

In San Luis Obispo County, there was an upward trend of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland between 2014 and 2016; however, there was a decrease in Farmland of Local Importance and Grazing Land (CDOC 2019a). Table 4.2-1 below shows the county's change in farmland between 2014 and 2016. More recent Farmland Conversion Reports are not yet available.

**Table 4.2-1. Change by Land Use Category in San Luis Obispo County**

| | Total Acreage Inventoried | | 2014–2016 Acreage Changes | | | |
|---|---|---|---|---|---|---|
| **Land Use Category** | **2014** | **2016** | **Acres Lost (-)** | **Acres Gained (+)** | **Total Acreage Changed** | **Net Acreage Changed** |
| Prime Farmland | 40,988 | 41,188 | 951 | 1,151 | 2,102 | 200 |
| Farmland of Statewide Importance | 21,909 | 22,697 | 494 | 1,282 | 1,776 | 788 |
| Unique Farmland | 43,225 | 45,175 | 706 | 2,656 | 3,362 | 1,950 |
| Farmland of Local Importance | 289,307 | 288,127 | 4,467 | 3,287 | 7,754 | -1,180 |
| *Important Farmland Subtotal* | *395,429* | *397,187* | *6,618* | *8,376* | *14,994* | *1,758* |
| Grazing Land | 1,189,776 | 1,189,168 | 3,782 | 3,174 | 6,956 | -608 |
| *Agricultural Land Subtotal* | *1,585,205* | *1,586,355* | *10,400* | *11,550* | *21,950* | *1,150* |
| Urban and Built-up Land | 49,509 | 50,162 | 24 | 677 | 701 | 653 |
| Other Land | 244,102 | 242,299 | 1,986 | 183 | 2,169 | -1,803 |
| Water Area | 8,778 | 8,778 | 0 | 0 | 0 | 0 |
| **Total Area Inventoried** | **1,887,594** | **1,887,594** | **12,410** | **12,410** | **24,820** | **0** |

Source: CDOC (2019a)

Agriculture has historically been, and still is, the most widespread land use within the County's South County Planning Area (South County). South County supports 48,969 acres of agricultural land, which is approximately 63.5% of the areas land use. According to the South County Area Plan, the Agriculture (AG) land use designation is assigned to land that has existing or potential production capability (County of San Luis Obispo 2014). Within the Nipomo area, many of the lands to the east of US 101 have committed to agricultural preserve contracts (County of San Luis Obispo 2014).

#### 4.2.1.1.2 NATURAL RESOURCES CONSERVATION SERVICE CAPABILITY CLASSES

The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) has completed detailed soil surveys for the northern and coastal portions of San Luis Obispo County. The NRCS has also completed a soil survey of the Cuyama Valley, which is included in the Santa Barbara County survey. Each NRCS soil survey report contains a general soil map that depicts a range of soil units that support a distinct pattern of soils and a relief and drainage that represent a unique natural landscape. In addition, the NRCS identifies eight soil capability classes, which are described below (NRCS 2014):

- **Class I.** These soils have few limitations that restrict their use and are typically used for vegetables, seed crops, orchards, and other irrigated specialty crops and irrigated field crops.
- **Class II.** These soils have minor to moderate limitation that reduce the choice of plants or that require moderate conservation practices. Uses are very similar to those found on Class I soils.
- **Class III and IV.** These soils have moderate to severe limitations that reduce the choice of plants, or that require special conservation practices, or both. In some situations, the Class III soils may be used for some of the crop types that are typically found on Class I and II soils, but are more typically used for specialty crops, forage lands, mixed croplands, and dryland field crops. Irrigated Class IV soils are commonly used for vineyards.
- **Class V.** These soils are not likely to erode but have other limitations, impractical to remove, that limit their use.
- **Class VI.** These soils have severe limitations that make them generally unsuitable for cultivation, and they have commonly been used for rangeland and dryland grain production.
- **Class VII.** These soils have very severe limitations that make them unsuitable for cultivation, and these lands are primarily used as rangelands for grazing.
- **Class VIII.** These soils and landforms have limitations that nearly preclude their use for commercial crop production; however, some grazing occurs on these lands.

#### 4.2.1.1.3 FARMLAND MAPPING AND MONITORING PROGRAM

The CDOC Division of Land Resource Protection (DLRP) developed the Farmland Mapping and Monitoring Program (FMMP) to identify farmland designations throughout that state to assist in analyzing potential impacts to agricultural land. Land designations include the following categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban and Built-up Land, and Other Land. The following technical definitions are defined by the FMMP for the identified land use designations (CDOC 2019b):

- **Prime Farmland.** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.

- **Farmland of Statewide Importance.** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.
- **Unique Farmland.** Farmland of lesser-quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the 4 years prior to the mapping date.
- **Farmland of Local Importance.** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
- **Grazing Land.** Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
- **Urban and Build-up Land.** Land occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Other Land.** Land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines or borrow pits; and waterbodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

#### 4.2.1.1.4 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

### Agriculture Element

According to the *County of San Luis Obispo General Plan Agriculture Element*, the different types of agricultural lands in the county include the following (County of San Luis Obispo 2010a):

- **Row Crops Terrain and Soils.** These areas support farming operations that involve labor-intensive use of equipment and chemicals and much vehicle traffic. They are often close to populated areas because these lands have historically been the easiest to develop. These lands are characterized by various types of vegetables, seed crops, orchards, and other specialty crops. The topography in these areas typically consists of nearly level valley bottom lands. Soils typically include Classes I and II, and occasionally Class III.
- **Specialty Crops and Forage Lands.** These lands are characterized by irrigated orchards and vineyards such as wine grapes, avocados, citrus, and apples. Irrigated uses (i.e., alfalfa and pasture) may also be found in these areas. Typical topography includes gently rolling to rolling on 5% to 30% slopes. Soils generally include Classes III and IV.
- **Dry Farm Lands.** Dry land farming covers a broad range of properties that are primarily cultivated for an annual crop, but also may include some orchard operations. Dry farm lands are divided into two types of croplands, mixed croplands and dry croplands, described below.
- **Mixed Croplands.** One type of mixed cropland is found in valleys with good soils but insufficient water for major irrigated uses. Such areas are characterized by mixed agricultural uses such as dry farm grain and hay and scattered irrigated crops. The other type of mixed

cropland is found in areas of higher-than-average rainfall, such as the easterly slopes of the Santa Lucia Range, where dry farm orchards and some vineyards occur. Mixed croplands are characterized by dry farm orchards and vineyards and specialty or high-value field crops. The topography of these cropland areas typically ranges from flat to rolling on slopes between 0% and 30%. The soils consist mainly of Classes III and IV.

- **Dry Croplands.** These areas are characterized by grain and hay production that is widespread in the northeastern part of the county. Barley, wheat, and oat hay are the principal crops; other crops include dry beans and safflower. Dry croplands may also include grain stubble fields and intervening non-cultivated areas that provide seasonal forage for livestock. The topography of these areas is generally flat to rolling on slopes between 0% and 30%. The soils consist mainly of Classes III and IV. Class VI land has also been commonly used for grain production.
- **Rangelands for Grazing.** Grazing lands account for a large percentage of privately owned land in the county. Cattle ranching is the predominant use on these lands. The topography is mainly rolling and on steep slopes between 30% and 75%. Rangelands may also include small intervening valleys and ridgetops that have limited use or potential as farmland. The soils consist mainly of Classes IV, VI and VII, but may also contain small intervening areas of other land capability classes.

### Conservation and Open Space Element

The *County of San Luis Obispo General Plan Conservation and Open Space Element* (COSE) identifies important agricultural soils mapped by the NRCS throughout the region (County of San Luis Obispo 2010b). Soils in the project area are included in the Soil Survey of San Luis Obispo County, California, Coastal Part (USDA 1984).

## *4.2.1.2 Project Setting*

The project site is located within the southwestern portion of the unincorporated area of San Luis Obispo County. The project site includes the Specific Plan Area (Dana Reserve), and the location of various offsite transportation, water, and wastewater improvements (see Figures 2-3 through 2-7 in Chapter 2, *Project Description*). The project also proposes an off-site dedication of an open space easement on a 388-acre property known as Dana Ridge (APNs 090-031-003 and 090-031-004) located approximately 2.1 miles east of the project site (see Figures 2-1 and 2-2 in Chapter 2, *Project Description*). The Dana Reserve site is within the Rural Residential (RR) land use designation and the Dana Ridge site is within the Agriculture (AG) land use designation. The DRSP project site is not subject to a Williamson Act contract; however, Dana Ridge, located to the east of US 101, is subject to an existing Williamson Act contract. The Specific Plan Area has been utilized for seasonal grazing over the past 100 years and was once part of a large cattle ranch known as Dana Rancho Nipomo, which was owned by the Cañada family beginning in 1912. The Specific Plan Area is largely undeveloped, with the exception of unpaved ranch roads traversing portions of the site.

### 4.2.1.2.1 SOIL SETTING

According to the NRCS Web Soil Survey, the DRSP site and adjacent southern parcel are underlain by two soil types, including Oceano sand (0 to 9 percent slopes) and Oceano sand (9 to 30 percent slopes) (NRCS 2021). Soils at the project site are described below:

- **Oceano sand, 0 to 9 percent slopes:** This soil type is excessively drained and has a negligible runoff class. The typical soil profile consists of sand. This soil is considered Farmland of Statewide Importance by the NRCS and has a soil classification on IV. As identified in Table

4.2-1, this soil is also considered Farmland of Statewide Importance by the County's COSE. This soil is susceptible to drought and soil blowing (USDA 1984).

- **Oceano sand, 9 to 30 percent slopes:** This excessively drained soil has a very low runoff class and a soil profile that consists of sand. This soil has a classification of VI and is not considered Prime Farmland by the NRCS. As identified in Table 4.2-1, this soil is considered productive soil by the County's COSE. This soil is susceptible to drought and soil blowing (USDA 1984).

According to the NRCS Soil Survey, the proposed off-site oak mitigation site (Dana Ridge) is underlain by numerous soil types and the following soil types are considered Prime Farmland if irrigated or Farmland of Statewide Importance (NRCS 2021):

- **Cropley clay, 2 to 9 percent slopes, Major Land Resource Area (MLRA) 14:** This moderately well-drained soil has a medium runoff class and a soil profile that consists of clay and clay loam. This soil is considered Prime Farmland if irrigated. As identified in Table 4.2-3, this soil is considered Prime Farmland and Highly Productive Rangeland Soils by the County's COSE.
- **Diablo clay, 5 to 9 percent slopes, MLRA 15:** This well-drained soil has a very high runoff class and a soil profile that consists of clay and bedrock. This soil is considered Prime Farmland if irrigated. As identified in Table 4.2-3, this soil is considered Prime Farmland and Highly Productive Rangeland Soils by the County's COSE.
- **Diablo and Cibo clays, 9 to 15 percent slopes:** This well-drained soil has a very high runoff class and a soil profile that consists of clay and weathered bedrock. This soil is considered Farmland of Statewide Importance. As identified in Table 4.2-3, this soil is considered Farmland of Statewide Importance and Highly Productive Rangeland Soils by the County's COSE.
- **Zaca clay, 9 to 15 percent slopes:** This well-drained soil has a very high runoff class and a soil profile that consists of clay, silty clay, and weathered bedrock. This soil is considered Farmland of Statewide Importance. As identified in Table 4.2-3, this soil is considered Farmland of Statewide Importance and Highly Productive Rangeland Soils by the County's COSE.

#### 4.2.1.2.2 FARMLAND SETTING

According to the FMMP, the Dana Reserve is mostly designated as Farmland of Local Potential with the western portions of the site being designated as grazing land (Figure 4.2-1) (CDOC 2016a). Dana Ridge is designated as Prime Farmland, Farmland of Local Importance, Farmland of Local Potential, and Grazing Land (CDOC 2016b). On-site soil classifications are identified in Table 4.2-2 and FMMP designations are shown in Figure 4.2-1.

**Table 4.2-2. On-Site Soils**

| Symbol | Soil Name | NRCS Important Farmland Classification | NRCS Capability Class (Irrigated) | NRCS Capability Class (Non-Irrigated) | COSE Important Agricultural Soil Designation |
|---|---|---|---|---|---|
| 184 | Oceano sand, 0 to 9 percent slopes | Farmland of Statewide Importance | IVe-1 | VIe | Farmland of Statewide Importance |
| 185 | Oceano sand, 9 to 30 percent slopes | Non-prime | N/A | VIe | Other Productive Soils |

Source: County of San Luis Obispo (2010)

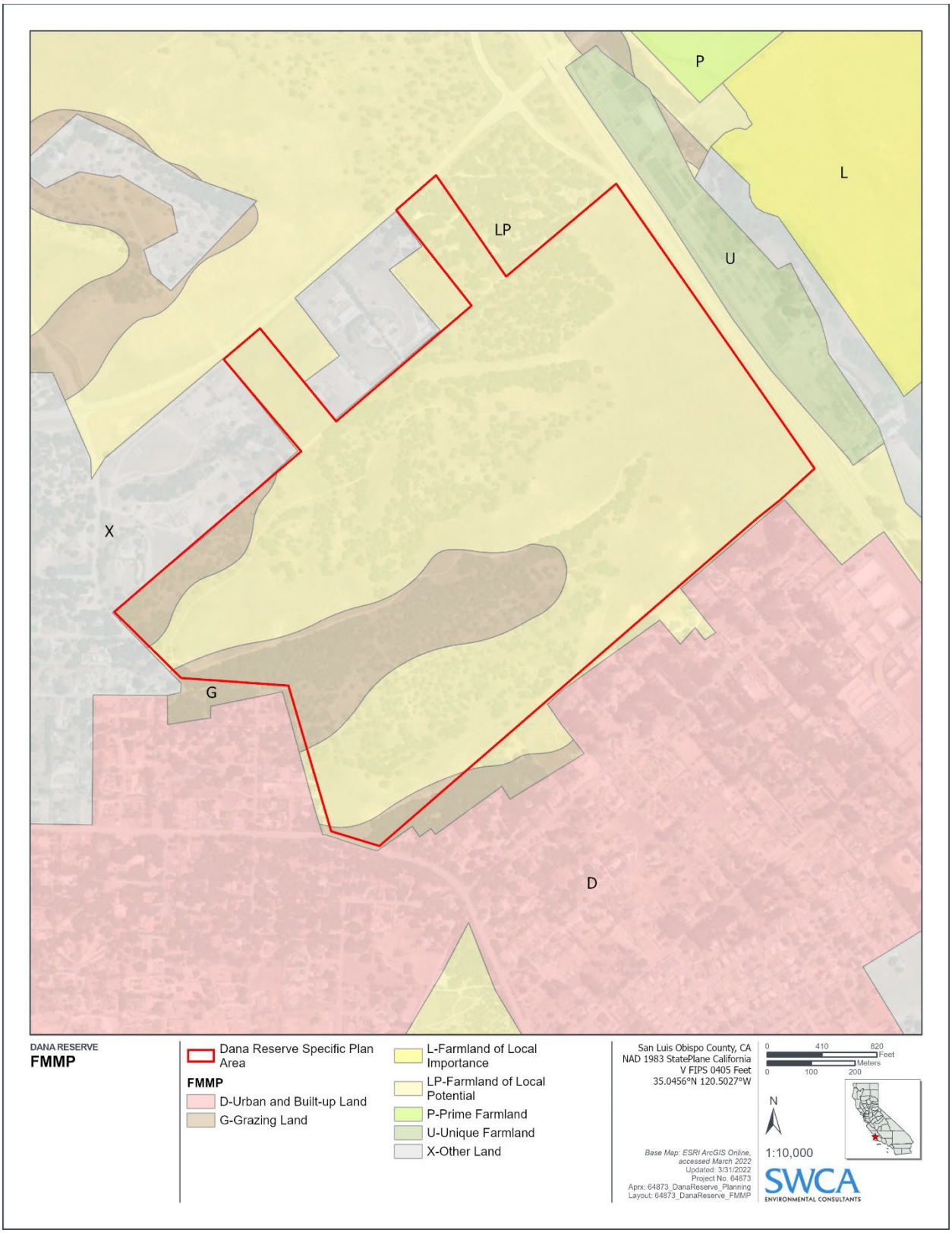


**Figure 4.2-1. Specific Plan Area FMMP designations.**

#### 4.2.1.2.3 OFF-SITE IMPROVEMENT AREAS

The exact location of proposed off-site transportation improvements and NCSD water system and wastewater system improvements is currently not known; however, proposed offsite improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue, East Tefft Street, North Frontage Road, Pomeroy Road, and Willow Road, among others (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*).

According to the NRCS Web Soil Survey, proposed off-site improvement areas are primarily underlain by Oceano sand (0 to 9 percent slopes), as well as smaller areas of Oceano sand (9 to 30 percent slopes), Diablo clay (5 to 9 percent slopes), Diablo and Cibo clays (9 to 15 percent slopes), Santa Lucia very shaly clay loam (9 to 15 percent slopes), Cropley clay (2 to 9 percent slopes), and Marimel silty clay loam (drained) (NRCS 2021). Soils at the project site are described below:

- **Cropley clay, 2 to 9 percent slopes, MLRA 14:** This soil type is moderately well drained and has a medium runoff class. The typical soil profile consists of clay and sandy clay loam. This soil is considered Prime Farmland if irrigated by the NRCS and has a soil classification IIe-5, irrigated, and IIIe-5, non-irrigated. The County's COSE classifies this soil as Prime Farmland and Highly Productive Rangeland Soils. This soil is well suited to rangeland (USDA 1984).
- **Diablo clay, 5 to 9 percent slopes, MRLA 15:** This soil type is well drained and has a very high runoff class. The typical soil profile consists of clay and bedrock. This soil type is considered Prime Farmland if irrigated by the NRCS and has a soil classification of IIe-5, irrigated, and IIIe-5, non-irrigated. The County's COSE classifies this soil as Prime Farmland and Highly Productive Rangeland Soils. This soil is well suited for rangeland and/or small grain and hay cropland (USDA 1984).
- **Diablo and Cibo clays, 9 to 15 percent slopes:** This soil type is well drained and has a very high runoff class. The typical soil profile consists of clay and weathered bedrock. This soil type is considered Farmland of Statewide Importance and has a soil classification of IIIe-5, irrigated and non-irrigated. The County's COSE designates this soil as Farmland of Statewide Importance and Highly Productive Rangeland Soils. This soil type is well suited for rangeland (USDA 1984).
- **Marimel silty clay loam, drained:** This soil is well drained and has a medium runoff class. The typical soil profile consists of silty clay loam, stratified loam, and clay loam. This soil is considered Prime Farmland if irrigated and drained by the NRCS and has a soil classification of I, irrigated, and IIIc-1, non-irrigated. The County's COSE designates this soil as Prime Farmland. This soil is well suited for cropland if properly drained and irrigated (USDA 1984).
- **Oceano sand, 0 to 9 percent slopes:** This soil type is excessively drained and has a negligible runoff class. The typical soil profile consists of sand. This soil is considered Farmland of Statewide Importance by the NRCS and has a soil classification on IVe-1, irrigated, and IVe, non-irrigated. This soil is also considered Farmland of Statewide Importance by the County's COSE. This soil is susceptible to drought and soil blowing (USDA 1984).
- **Oceano sand, 9 to 30 percent slopes:** This excessively drained soil has a very low runoff class and a soil profile that consists of sand. This soil has a classification of IVe, non-irrigated, and is not considered Prime Farmland by the NRCS. This soil is considered productive soil by the County's COSE. This soil is also susceptible to drought and soil blowing (USDA 1984).
- **Santa Lucia very shaly clay loam, 9 to 15 percent slopes:** This soil type is well drained and has a high runoff class. The typical soil profile consists of very channery clay loam and unweathered bedrock. This soil type is not considered Prime Farmland by the NRCS and has a soil classification of IVe-4, irrigated and non-irrigated. The County's COSE does not include a classification for this soil type. This soil is moderately suited for rangeland and dry farming (USDA 1984).

According to the FMMP, off-site improvement areas are located in areas that are designated as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Farmland of Local Potential, Unique Farmland, Grazing Land, Urban and Built-Up Land, and Other Land (CDOC 2016b). Off-site areas mapped as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Unique Farmland, and Grazing Land are limited to agricultural areas on both sides of East Tefft Street for approximately the easternmost 1.0-mile extent of the proposed waterline replacement (replace 10-inch with 16-inch pipeline) connecting to NCSD's Foothill Tanks. All other offsite improvements areas are mapped as Farmland of Local Potential, Urban and Built-Up Land, or Other Land.

Table 4.2-3 identifies off-site soil classifications according to the NRCS and the County's COSE.

**Table 4.2-3. Off-Site Soils**

| Symbol | Soil Name | NRCS Important Farmland Classification | NRCS Capability Class (Irrigated) | NRCS Capability Class (Non-Irrigated) | COSE Important Agricultural Soil Designation |
|---|---|---|---|---|---|
| 128 | Cropley Clay, 2 to 9 percent slopes, MLRA 14 | Prime Farmland if irrigated | IIe-5 | IIIe-5 | Prime Farmland and Highly Productive Rangeland Soils |
| 129 | Diablo Clay, 5 to 9 percent slopes, MLRA 15 | Prime Farmland if irrigated | IIe-5 | IIIe-5 | Prime Farmland and Highly Productive Rangeland Soils |
| 130 | Diablo and Cibo clays, 9 to 15 percent slopes | Farmland of Statewide Importance | IIIe-5 | IIIe-5 | Farmland of Statewide Importance and Highly Productive Rangeland Soils |
| 170 | Marimel silty clay loam, drained | Prime Farmland if irrigated and drained | I | IIIc-1 | Prime Farmland |
| 184 | Oceano sand, 0 to 9 percent slopes | Farmland of Statewide Importance | IVe-1 | VIe | Farmland of Statewide Importance |
| 185 | Oceano sand, 9 to 30 percent slopes | Non-prime | N/A | VIe | Other Productive Soils |
| 206 | Santa Lucia very shaly clay loam, 9 to 15 percent slopes | Non-prime | IVe-4 | IVe-4 | -- |

Source: County of San Luis Obispo (2010b)

## 4.2.2 Regulatory Setting

### *4.2.2.1 Federal*

#### 4.2.2.1.1 FARMLAND PROTECTION POLICY ACT

The Farmland Protection Policy Act (FPPA) of 1981 is governed by the NRCS and is intended to minimize the impact Federal programs have on the permanent conversion of farmland to non-agricultural land uses. The policy assures that to the extent feasible, federal programs are administered to be compatible with state and local units of government as well as private programs and policies to protect farmland (USDA 2021a). For the purpose of the FPPA, farmland includes Prime Farmland, Unique Farmland, and Land of Statewide or Local Importance. Farmland subject to FPPA requirements does not have to be currently used for cropland; it can be forestland, pastureland, cropland, or other land, but not water or urban built-up land (USDA 2021a).

#### 4.2.2.1.2 AGRICULTURAL CONSERVATION EASEMENT PROGRAM

The USDA NRCS created the Agricultural Conservation Easement Program (ACEP) to help landowners and other entities protect, restore, and enhance wetlands and/or working farms and ranches through conservation easements (USDA 2021b). The USDA NRCS provides financial assistance for purchasing Agricultural Land Easements in order to protect and conserve agricultural land and help keep working farms in agriculture (USDA 2021b).

### *4.2.2.2 State*

#### 4.2.2.2.1 FARMLAND MAPPING AND MONITORING PROGRAM

The purpose of the FMMP, which is authorized by the CDOC DLRP, is to produce maps and statistical data used for analyzing impacts on California's agricultural resources. Through this program, agricultural land is rated according to soils quality and irrigation status. Maps are updated every 2 years using a computer mapping system, aerial imagery, public review, and field reconnaissance.

The FMMP has several land designations based on the criteria identified above. FMMP designations include, but are not limited to, Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Grazing Land, Farmland of Local Importance, Farmland of Local Potential, Urban and Built-up Land, and Other Land, which are described in Section 4.2.1.1.3, *Farmland Mapping and Monitoring Program*. The designations for Prime Farmland, Farmland of Statewide Importance, and Unique Farmland are defined together under the terms "Agricultural Land" and "Farmland" in CEQA (PRC Section 21060.1 and State CEQA Guidelines Appendix G).

#### 4.2.2.2.2 CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

The Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) of 2000 establishes procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations. The CKH Act created Local Agency Formation Commissions (LAFCOs), which have numerous powers, including, acting on local boundary changes, discouraging urban sprawl, and encouraging orderly formation and development of local agencies. In addition, one primary purpose of LAFCOs is to consider the effects that a new change in organization may have on existing agricultural lands, especially Prime Farmland. The CKH Act strongly discourages the use of prime agriculture land for development.

#### 4.2.2.2.3 WILLIAMSON ACT

The Williamson Act, also known as the Land Conservation Act of 1965, allows local governments to enter into contracts with private landowners in order to restrict specific parcels of land to agricultural or open space uses. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming and open space uses rather than full market value (CDOC 2019c). The CDOC assists all levels of governments and landowners in interpretation of the Williamson Act.

#### 4.2.2.2.4 CALIFORNIA ASSEMBLY BILL 1492

Assembly Bill (AB) 1492, also referred to as the Laird Bill, provides further clarifications to development on land under a Williamson Act contract or other agricultural land conservation contract. According to AB 1492, any commercial, industrial, or residential building that is unrelated to agricultural use and is constructed on a parcel subject to an agricultural land conservation contract that is not permitted by the contract or by local rules or ordinance is a material breach of contract. Following the breach of contract,

the CDOC would be required to inform the local government and require the landowner to cease the operation(s) that caused the breach of contract. In some cases, a financial reimbursement may be required.

#### 4.2.2.2.5 KING AND GARDINER FARMS, LLC V. COUNTY OF KERN

*King and Gardiner Farms, LLC v. County of Kern* (2020; 45 Cal.App.5th 814) is a partially published court opinion from the Fifth District Court of Appeal. The court determined that, under CEQA, the County of Kern did not adequately analyze a proposed ordinance that would streamline oil and gas drilling in agriculturally zoned areas of the county. As part of the published decision, the court concluded that the EIR's mitigation measure related to conversion of agricultural land did not constitute adequate mitigation under CEQA and therefore did not support the EIR's determination that impacts to agricultural land would be less than significant with implementation of the mitigation.

The following options were included in the EIR as mitigation to minimize impacts related to the loss of agricultural land, and an applicant would have to complete one or more of these measures to achieve a 1:1 mitigation ratio:

a. funding and/or purchasing agricultural conservation easements or a similar instrument acceptable to the County;

b. purchasing of credits for conservation of agricultural lands from an established agricultural farmland mitigation bank or an equivalent agricultural farmland preservation program managed by the County;

c. restoring agricultural lands to productive use through the removal of legacy oil and gas production equipment, including well abandonment and removal of surface equipment; or

d. participating in any agricultural land mitigation program adopted by the County that provides equal or more effective mitigation than the measures listed above.

The court found that because agricultural conservation easements would only prevent future conversion of agricultural land and would not replace the agricultural land proposed for conversion, a significant impact on agricultural land would remain significant even with a requirement for an agricultural conservation easement. Alternatively, the court deemed restoration of agricultural land to be effective mitigation as it fully compensates for the loss caused by the project and would result in a net zero change to the amount of agricultural land.

### *4.2.2.3 Local*

#### 4.2.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

##### Agriculture Element

The County's Agriculture Element is a planning document that has the purpose of protecting agricultural resources within the county by creating policies for promotion of the agricultural industry and preservation of open space within agricultural lands. The goals, policies, and implementation measures of the Agriculture Element address the protection of agricultural resources as well as the protection of open space resources on lands zoned for Agriculture (AG) and on other lands used for production agriculture.

##### Conservation and Open Space Element

The County's COSE provides goals, policies, and implementation measures for the protection of natural resources and open space areas throughout the region. The Open Space Element and Agriculture Element were originally a part of the same document; however, based on the growing need for policies that

specifically protect agricultural resources, the two elements were divided into separate elements. Therefore, the County's COSE also identifies some policies and implementation measures for agricultural resources.

### Land Use and Circulation Elements

#### *South County Area Plan*

The South County Area Plan, included in Part II of the LUCE, serves as a guide for future development with the goal of balancing the social, economic, environmental, and governmental resources and activities to create a better quality of life within the South County planning area. While the South County Area Plan does not include specific goals or policies, it provides a framework for long-term planning and identifies general needs of the area. In regard to the agricultural land use within the South County Planning Area, the South County Area Plan identifies the need to avoid any appreciable loss of viable farmland and to maintain agricultural preserves established in the region (County of San Luis Obispo 2014).

#### 4.2.2.3.2 SAN LUIS OBISPO LOCAL AGENCY FORMATION COMMISSION

The San Luis Obispo LAFCO (SLOLAFCO) reviews and approves or disapproves proposals for boundary changes or governmental reorganizations. In addition to SLOLAFCO's goal to prevent urban sprawl and protect open space, SLOLAFCO must also consider the effect that any proposal may produce on existing agricultural lands.

#### 4.2.2.3.3 RIGHT-TO-FARM ORDINANCE

The County's Right-to-Farm Ordinance is codified San Luis Obispo County's Land Use Ordinance (LUO) Title 5, Chapter 16. The Right-to-Farm Ordinance has a purpose of enhancing and encouraging agricultural operation within the county and minimizing the loss of agricultural lands due to incompatible land use issues. According to the Right-to-Farm Ordinance, pre-existing agricultural processing and other operations shall not be considered nuisances due to a change in the area surrounding the operations (Section 5.16.030 and 5.16.031).

### *4.2.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Agricultural Resources*

Table 4.2-4 lists applicable state, regional, and local land use policies and regulations pertaining to agricultural resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.2.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.2-4 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.2.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

## Table 4.2-4. Preliminary Policy Consistency Evaluation

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Agriculture Element** | | |
| **Goal AG1: Support County Agricultural Production.**<br>a. Support and promote a healthy and competitive agricultural industry whose products are recognized in national and international markets as being produced in San Luis Obispo County.<br>b. Facilitate agricultural production by allowing a broad range of uses and agricultural support services to be consistently and accessibly located in areas of prime agricultural activity.<br>c. Support ongoing efforts by the agricultural community to develop new techniques and new practices.<br>d. Develop agricultural permit processing procedures that are rapid and efficient. Do not require permits for agricultural practices and improvements that are currently exempt. Keep the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources and sensitive habitats. | The intent of this policy is to support existing agricultural operations and streamline agricultural permit processing. | **Potentially Consistent.** The project site consists of Farmland of Statewide Importance identified by the NRCS; however, due to the lack of irrigation available on the property, dryland farming would be the only viable option for farming. Soils at the site are comprised of sand and would not be suitable for dryland farming. Since the site would not be capable of supporting farming activities, conversion of this site would not reduce prime agricultural land in the area. The project would not result in indirect impacts that could impact existing farming operations, including lack of water or substantial generation of dust. Mitigation Measures AQ/mm-2.2 and AQ/mm-2.3 have been included to ensure reduction of short- and long-term dust generation. The project does not include new agricultural uses that would be subject to development of new techniques or practices or permitting procedures. |
| **Goal AG2: Conserve Agricultural Resources.**<br>a. Maintain the agricultural land base of the county by clearly defining and identifying productive agricultural lands for long-term protection.<br>b. Conserve the soil and water that are the vital components necessary for a successful agricultural industry in this county.<br>c. Establish land-use policies in this element that support the needs of agriculture without impeding its long-term viability. | The intent of this policy is to support existing agricultural operations and maintaining viable agricultural land. | **Potentially Consistent.** The project site consists of Farmland of Statewide Importance identified by the NRCS; however, as described above, soils at the site would not be capable of supporting farming activities. Therefore, conversion of this site would not inhibit County goals to conserve agricultural resources. |
| **Goal AG3: Protect Agricultural Lands.**<br>a. Establish criteria in this element for agricultural land divisions that will promote the long-term viability of agriculture.<br>b. Maintain and protect agricultural lands from inappropriate conversion to non-agricultural uses. Establish criteria in this element and corresponding changes in the Land Use Element and Land Use Ordinance for when it is appropriate to convert land from agricultural to non-agricultural designations. | The intent of this policy is to maintain viable agricultural land and provide incentives for landowners to maintain productive agricultural land. | **Potentially Consistent.** As described above, the project site is not capable of supporting farming activities. Therefore, the project would not conflict with County goals for the protection of agricultural lands or adversely affect the long-term viability of agriculture. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| c. Maintain and strengthen the county's agricultural preserve program (Williamson Act) as an effective means for long-term agricultural land preservation.<br>d. Provide incentives for landowners to maintain land in productive agricultural uses. | | |
| **Policy AGP2: Public and Private Lands.** The agricultural policies and implementation measures in this element shall apply equally to public as well as private lands. | The intent of this policy is to protect both private and public agricultural lands. | **Potentially Consistent**. The policies included in the Agriculture Element would apply to this project, and the project would be potentially consistent with policies included in the Agriculture Element. |
| **Policy AGP3: Right-to-Farm Ordinance.**<br>a. This element reaffirms the county's Right-to-Farm Ordinance, Title 5 of the County Code, as an effective means to let the public know that the use of real property for agricultural operations is a high priority and favored use. The Right-to-Farm Ordinance requires disclosure statements between sellers and buyers of properties at the time of property transfer and through inclusion of disclosure statements on all discretionary land use permit applications administered by the County Department of Planning and Building.<br>b. Encourage the County Agriculture Department to: (1) maintain an outreach information program to make the local real estate industry and the public aware of the Right-to-Farm Ordinance and the disclosure provisions on property transactions, and (2) continue mediating issues relating to the Right-to-Farm Ordinance. | The intent of this policy is to protect existing agricultural operations through the County's Right-to-Farm Ordinance. | **Potentially Consistent.** Based on the County's Right-to-Farm Ordinance, future occupants of the Specific Plan Area would be required to be notified consistent with the requirements of the Right-to-Farm Ordinance. |
| **Policy AGP6: Visitor Serving Retail Commercial Use and Facilities.**<br>a. Allow limited visitor serving and incidental retail use and facilities in agricultural areas that are beneficial to the agricultural industry and farm operators and are compatible with long-term agricultural use of the land. Such uses shall be clearly incidental and secondary to the primary agricultural use of the site and shall comply with the performance standards in the LUO.<br>b. Locate the visitor serving and incidental retail use off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses. | The intent of this policy is to protect productive agricultural land from conversion as a result of new retail commercial uses. | **Potentially Consistent.** The project includes the development of new commercial retail uses on soils designated by the NRCS as Farmland of Statewide Importance. Soils at the site are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site due to lack of irrigation. Since the site would not be capable of supporting agricultural production activities, implementation of the project would not result in conversion of productive agricultural soils. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy AGP7: Service Commercial-Type Uses.**<br>a. Allow limited service commercial-type uses where needed to support local agricultural production.<br>b. Locate the service commercial-type uses off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses. | The intent of this policy is to protect productive agricultural land from conversion as a result of new service commercial uses. | **Potentially Consistent.** The project includes the development of new commercial uses on soils designated by the NRCS as Farmland of Statewide Importance. Soils at the site are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site due to the lack of irrigation. Since the site would not be capable of supporting agricultural production activities, implementation of the project would not result in conversion of productive agricultural soils. |
| **Policy AGP9: Soil Conservation.**<br>a. Encourage landowners to participate in programs that reduce soil erosion and increase soil productivity. Promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, Consolidated Farm Services Agency, Morro Bay State and National Estuary, and other agencies and organizations.<br>b. Emphasize the long-range benefits of proper drainage control and tillage, cropping, soil amendment, and grazing techniques to minimize soil erosion.<br>c. Assure that roads and drainage systems on county-controlled properties and facilities do not negatively impact agricultural lands and that the roads and systems are properly maintained. | The intent of this policy is to protect productive agricultural soils from erosion. | **Potentially Consistent.** The project does not include new agricultural uses that could increase the potential for long-term soil erosion due to farming activities. Construction of the project has the potential to increase erosion of soils at the project site; however, future development projects within the Specific Plan Area would be subject to County requirements for erosion and sedimentation control, and drainage plans that would reduce short- and long-term erosion potential at the site. |
| **Policy AGP11: Agricultural Water Supplies.**<br>a. Maintain water resources for production agriculture, both in quality and quantity, so as to prevent the loss of agriculture due to competition for water with urban and suburban development.<br>b. Do not approve proposed general plan amendments or rezonings that result in increased residential density or urban expansion if the subsequent development would adversely affect: (1) water supplies and quality, or (2) groundwater recharge capability needed for agricultural use.<br>c. Do not approve facilities to move groundwater from areas of overdraft to any other area, as determined by the Resource Management System in the Land Use Element. | The intent of this policy is to maintain water resources for agricultural production activities. | **Potentially Consistent.** Implementation of the DRSP would result in an estimated water usage of 370 acre-feet per year (AFY) (MKN 2022). Upon approval, the project would be annexed into the NCSD and would receive water through the NCSD. According to the NCSD Draft Urban Water Management Plan (UWMP) agricultural land makes up 3% of the NCSD service area and the majority of surrounding agricultural land uses would not use the same water supply as the proposed project (MKN 2021). Based on the UWMP and Water Supply Assessment (WSA) prepared for the project, the NCSD has a water supply that would be capable of supporting the proposed project and would not result in indirect impacts to agriculture land within the NCSD service area. In addition, since other surrounding agricultural land uses do not receive water from the NCSD, implementation of the project would not result in the conversion of agricultural land due to a lack of water supply. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy AGP17: Agricultural Buffers.**<br>a. Protect land designated Agriculture and other lands in production agriculture by using natural or man-made buffers where adjacent to non-agricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisor. | The intent of this policy is to maintain agricultural land and agricultural production through agricultural buffers. | **Potentially Consistent.** The project site is not designated Agriculture (AG) and does not include development adjacent to existing agricultural production activities. The project would not result in indirect impacts that could result in the conversion of existing agricultural production activities, including lack of water or substantial generation of dust. Mitigation Measures AQ/mm-2.2 and AQ/mm-2.3 have been included to ensure reduction of short- and long-term dust generation. |
| **Policy AGP18: Location of Improvements.**<br>a. Locate new buildings, access roads, and structures so as to protect agricultural land. | The intent of this policy is to protect agricultural land. | **Potentially Consistent.** The project includes development on soils designated by the NRCS as Farmland of Statewide Importance. Soils at the site are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site. Since the site would not be capable of supporting agricultural production activities, conversion of this site would not interfere with agricultural production in the area. Off-site improvements would be limited to previously developed paved roadways or road shoulder areas and would, therefore, not be located in areas with the potential to support future agricultural uses. |
| **Policy AGP24: Conversion of Agricultural Land.**<br>a. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:<br>2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.<br>3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.<br>4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines. | The intent of this policy is to avoid conversion of agricultural land to non-agricultural uses. | **Potentially Consistent.**<br>2. The project does not include changing the designation of land from Agriculture (AG) to non-agricultural designations.<br>3. The project site is currently zoned for Residential Rural (RR) land uses.<br>4. The project would facilitate the development of a new fire station that may be placed outside of the Nipomo URL. However, this fire station would be necessary to serve the growing community of Nipomo and would be included/added to the Nipomo URL should this project and the requested General Plan Amendment be approved. |
| **Conservation and Open Space Element** | | |
| **Policy OS 1.6 Open Space Contracts.** Consider the use of open space contracts under the terms of the County's Rules of Procedure to Implement the California Land Conservation Act of 1965 (the Williamson Act) to protect rural properties that contain identified recreational and open space resources. | The intent of this policy is to use Williamson Act contracts to protect rural properties with viable agricultural land. | **Potentially Consistent.** The project site is not currently subject to a Williamson Act contract and cancellation of the Williamson Act contract at Dana Ridge is not proposed. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy OS 1.8 Land Divisions and Development.** Encourage the use of cluster land divisions and cluster development that will locate residential clusters on the least environmentally sensitive portions of properties. | The intent of this policy is to encourage cluster development to preserve viable agricultural land. | **Potentially Consistent.** The project includes development on a 288-acre project parcel, which avoids important farmland. The DRSP has also been designed to avoid and maintain the most densely vegetated areas of oak trees to preserve biological resources and the visual quality they provide surrounding areas. |
| **Policy SL 3.1 Conserve important agricultural soils.** Conserve the Important Agricultural Soils mapped in Figure SL-1 and listed in Table SL-2 of the COSE. Proposed conversion of agricultural lands to non-agricultural uses shall be evaluated against the applicable policies in this COSE and in the Agriculture Element. | The intent of this policy is to conserve important agricultural soils in the county. | **Potentially Consistent.** Soils at the site are considered Farmland of Statewide Importance and other productive soils by the COSE. However, irrigation water is not available on the Dana Reserve; therefore, dryland farming is the only alternative for agricultural production. Dryland farming has never been successful in any part of the sandy portion of the Nipomo area, including all of the Dana Reserve. The County Agricultural Commissioner was consulted regarding the DRSP project and confirmed there were no significant issues related to the conversion of potentially viable agricultural soils within the Specific Plan Area. |
| **Framework for Planning (Inland)** | | |
| **Principle 1:** Preserve open space, scenic natural beauty, and natural resources. Conserve energy resources. Protect agricultural land and resources. | The intent of this policy is to protect agricultural land and resources. | **Potentially Consistent.** The project site is not located with the Agriculture (AG) land use designation and soils at the site would not be capable of supporting farming activities. Therefore, conversion of this site would not result in the loss of agricultural land. The project would not result in indirect impacts that could result in conversion of existing farming operations, including lack of water or substantial generation of dust. Mitigation Measures AQ/mm-2.2 and AQ/mm-2.3 have been included to ensure reduction of short- and long-term dust generation. |
| **Policy 6.** Encourage the protection and use of agricultural land for the production of food, fiber and other agricultural commodities, and support the rural economy and locally-based commercial agriculture. | The intent of this policy is to encourage the protection and use of agricultural land for agricultural and support the rural economy. | **Potentially Consistent.** The project site consists of Farmland of Statewide Importance identified by the NRCS. Soils at the site are comprised of sand and would not be suitable for dryland farming, which is the only viable option for the site due to lack of irrigation. Since the site would not be capable of supporting farming activities, use of the site for crop production to support the rural economy would also not be viable. Therefore, conversion of these soils would not interfere with agricultural production intended to support the rural economy. |
| ***SLOCOG 2019 Regional Transportation Plan (RTP)*** | | |
| **Goal 6.** Practice environmental stewardship.<br>**Policy Objective 6.4.** Conserve and protect natural, sensitive, and agricultural resources. | This policy maintains and preserves open space and agricultural areas throughout the region. | **Potentially Consistent.** The project site consists of Farmland of Statewide Importance identified by the NRCS; however, soils at the site would not be capable of supporting agricultural production because they are comprised of sand and would not be suitable |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | for dryland farming, which is the only viable option for the site. The project would not result in indirect impacts that could result in conversion of existing farming operations, including lack of water or substantial generation of dust. Mitigation Measures AQ/mm-2.2 and AQ/mm-2.3 have been included to ensure reduction of short- and long-term dust generation. |
| **Sustainable Communities Strategy** | | |
| *Reduce Vehicle Trips & VMT* | | |
| **Standard 23.** Encourage/support farm worker housing projects. (Near) | The intent of this policy is to provide housing for farmworkers near agricultural production areas to reduce VMT. | **Potentially Consistent.** A primary objective of the project is to provide affordable and workforce type housing in the community of Nipomo, which could benefit farmworker housing and would not inhibit the provision of farmworker housing in surrounding agricultural areas. |
| ***SLOLAFCO Policies and Procedures*** | | |
| **General Policies** | | |
| The Commission shall endeavor to balance the need to efficiently provide public services with the sometimes-competing interests of discouraging urban sprawl, preserving prime agriculture land and open space (CKH Act 56001 and 56301). | The intent of this policy is to balance the need to provide public services with the need to discourage urban sprawl and preserve prime agricultural farmland and open space. | **Potentially Consistent**. The project would generate population growth within the Rural Residential (RR) land use designation, outside of the Nipomo URL. However, the project site does not support prime agricultural soils because soils at the site are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site. Additionally, the County Agricultural Commissioner was consulted regarding the DRSP project and confirmed there were no significant issues related to the conversion of potentially viable agricultural soils within the Specific Plan Area. Based on review of the definition of prime soils under the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act), on-site soils do not appear to qualify as prime soils. |
| The Commission will recognize and preserve clearly defined, long-term agricultural and open space areas established by the County or other jurisdictions to preserve critical environmental areas and to bolster local economies (CKH 56001). This may be accomplished using agricultural easements, open space easements, conservation easements, or other mechanisms, that preserve agricultural or open space lands in perpetuity. | The intent of this policy is to preserve clearly defined, long-term agricultural and open space areas established by the County. | **Potentially Consistent.** Soils at the site are designated by the NRCS as Farmland of Statewide Importance; however, they are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site. Therefore, the project site does not include prime agricultural soils uses that would be subject to an agricultural easement. The project would not adversely affect any other existing agricultural easement areas and would provide permanent protection of Prime Farmland and Farmland of Statewide Importance at Dana Ridge. |

| | Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|---|
| **Agriculture Policies** | | | |
| 1. | Vacant land within urban areas should be developed before agricultural land is annexed for non-agricultural purposes. | The intent of this policy is to avoid unnecessary conversion of agricultural land. | **Potentially Consistent.** The project site does not include land within the Agriculture (AG) land use designation. Further, the project site does not support prime agricultural soils because soils at the site are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site. Additionally, the County Agricultural Commissioner was consulted regarding the DRSP project and confirmed there were no significant issues related to the conversion of potentially viable agricultural soils within the Specific Plan Area. Therefore, implementation of the project would not result in the development of agricultural land. |
| 2. | Land substantially surrounded by existing jurisdictional boundaries should be annexed before other lands. | The intent of this policy is to avoid unnecessary conversion of agricultural land. | **Potentially Consistent.** The project site is located immediately north of the Nipomo URL. The NCSD service area extends to the southern and western boundaries of the Dana Reserve, and includes areas further north and east of the Specific Plan Area (see Figure 2-25). |
| 3. | In general, urban development should be discouraged in agricultural areas. For example, agricultural land should not be annexed for nonagricultural purposes when feasible alternatives exist. Large lot rural development that places pressure on a jurisdiction to provide services and causes agricultural areas to be infeasible for farming should be discouraged. | The intent of this policy to avoid direct and indirect conversion of agricultural land. | **Potentially Consistent.** The project site does not include land within the Agriculture (AG) land use designation. The site would not be capable of supporting agricultural production activities due to sandy soils that limit dry farming ability; therefore, conversion of this site would not interfere with agricultural production capabilities in the area. The project would not result in indirect impacts that could result in conversion of existing farming operations, including lack of water or substantial generation of dust. Mitigation Measures AQ/mm-2.2 and AQ/mm-2.3 have been included to ensure reduction of short- and long-term dust generation. |
| 5. | The continued productivity and sustainability of agricultural land surrounding existing communities should be promoted by preventing the premature conversion of agricultural land to other uses and, to the extent feasible, minimizing conflicts between agricultural and other land uses. Buffers should be established to promote this policy. | The intent of this policy to avoid direct and indirect conversion of agricultural land. | **Potentially Consistent.** The project site does not include land within the Agriculture (AG) land use designation and the site would not be capable of supporting agricultural production activities due to sandy soils that limit dry farming ability. Therefore, implementation of the project would not result in conversion of agricultural land. Further, the project would not result in indirect impacts that could result in conversion of existing farming operations, including lack of water or substantial generation of dust. Mitigation Measures AQ/mm-2.2 and AQ/mm-2.3 have been included to ensure reduction of short- and long-term dust generation. |

| | Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|---|
| 6. | Development near agricultural land should not adversely affect the sustainability or constrain the lawful, responsible practices of the agricultural operations. | The intent of this policy to avoid indirect conversion of agricultural land. | **Potentially Consistent.** The project site is not located directly adjacent to existing agricultural activities. The project would not result in indirect impacts that could result in conversion of existing farming operations, including lack of water or substantial generation of dust. Mitigation Measures AQ/mm-2.2 and AQ/mm-2.3 have been included to ensure reduction of short- and long-term dust generation. |
| 7. | In considering the completeness and appropriateness of any proposal, the Executive Officer and this Commission may require proponents and other interested parties to provide such information and analysis as, in their judgment, will assist in an informed and reasoned evaluation of the proposal in accordance with these policies | The intent of this policy is to require information and analysis to assist in an informed and reasoned evaluation of the proposal. | **Potentially Consistent.** The proposed annexation of the Specific Plan Area into the NCSD service area will be subject to review and approval by SLOLAFCO. |
| 8. | No change of organization, as defined by Government Code 56021, shall be approved unless it is consistent with the Spheres of Influence of all affected agencies. | The intent of this policy is to prohibit change of organization (e.g., annexation) unless it is consistent with affected agencies. | **Potentially Consistent.** The project would require annexation into the NCSD service area to facilitate NCSD's provision of water and wastewater services within the proposed 288-acre Dana Reserve (Specific Plan Area). The DRSP is within the NCSD's Sphere of Influence (SOI). Annexation of the Specific Plan Area into NCSD's service area would be subject to the review and approval by SLOLAFCO (refer to Figure 2-25). |
| 9. | Where feasible, and consistent with LAFCO policies, non-prime land should be annexed before prime land. | The intent of this policy is to avoid unnecessary conversion of agricultural land. | **Potentially Consistent.** The project site does not include land within the Agriculture (AG) land use designation or land designated as Prime Farmland by the FMMP. The project site includes soils designated by the NRCS as Farmland of Statewide Importance. Soils at the site are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site. Therefore, the project site does not include prime agricultural soils and implementation of the project would not result in the loss of prime agricultural soils. |
| 10. | The Commission will consider feasible mitigation (found in the following guidelines) if a proposal would result in the loss of agricultural land. | The intent of this policy is to require mitigation to offset the loss of agricultural land. | **Potentially Consistent.** The project site does not include land within the Agriculture (AG) land use designation. Further, the project site does not support prime agricultural soils per the definition in the CKH Act. On-site soils are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site. Additionally, the County Agricultural Commissioner was consulted regarding the DRSP project and confirmed there were no significant issues related to the conversion of viable agricultural soils within the Specific Plan Area. Therefore, the project would not result in the loss of prime agricultural lands, and mitigation would not be required. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| 12. The Commission may approve annexations of prime agricultural land only if mitigation that equates to a substitution ratio of at least 1:1 for the prime land to be converted from agricultural use is agreed to by the applicant (landowner), the jurisdiction with land use authority. The 1:1 substitution ratio may be met by implementing various measures:<br>a. Acquisition and dedication of farmland, development rights, and/or agricultural conservation easements to permanently protect farmlands within the annexation area or lands with similar characteristics within the County Planning Area.<br>b. Payment of in-lieu fees to an established, qualified, mitigation/conservation program or organization sufficient to fully fund the acquisition and dedication activities stated above in 12a.<br>c. Other measures agreed to by the applicant and the land use jurisdiction that meet the intent of replacing prime agricultural land at a 1:1 ratio. | The intent of this policy is to require mitigation to offset the loss of agricultural land. | **Potentially Consistent.** The project site does not include land within the Agriculture (AG) land use designation. Further, the project site does not support prime agricultural soils per the definition in the CKH Act. On-site soils are comprised of sand and would not be suitable for dryland farming, which is the only viable option for agricultural production on the site. Additionally, the County Agricultural Commissioner was consulted regarding the DRSP project and confirmed there were no significant issues related to the conversion of viable agricultural soils within the Specific Plan Area. Therefore, the project would not result in the loss of prime agricultural lands, and mitigation would not be required. |
| 13. Property owners of agricultural lands adjacent to a LAFCO proposal shall be notified when an application is submitted to LAFCO. | The intent of this policy is to encourage public participation. | **Potentially Consistent.** Surrounding landowners will be notified per standard SLOLAFCO policies. |

## 4.2.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on agriculture and forestry resources if the effects exceed the significance criteria described below:

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.

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.

Each of these thresholds is discussed under Section 4.2.5, *Project-Specific Impacts and Mitigation Measures*, below.

As discussed in the IS/NOP, the County determined the proposed project would not result in impacts to forest land since the project site and surrounding areas are not zoned or used for forest land, timberland, or Timberland Production. Therefore, thresholds related to the following thresholds of significance are not discussed further in the EIR:

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC 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.

See EIR Appendix B, *Notice of Preparation for the Draft Environmental Impact Report and Comment Letters*, for more information.

## 4.2.4 Impact Assessment and Methodology

For purposes of this analysis, relevant database information was reviewed to identify designated Farmland, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance within the project region. Prime Farmland, Unique Farmland, and Farmland of Statewide Importance is protected under PRC Section 21060.1. Projects that would result in the direct or indirect conversion of designated farmland would have a significant impact on the environment.

## 4.2.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT 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?

#### Specific Plan Area

#### *AG Impact 1: The project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the FMMP, to non-agricultural use. Impacts would be less than significant (Class III).*

Implementation of the project would result in the adoption of the DRSP and related entitlements, which would allow for future residential and mixed-use development on a 288-acre project site. According to the FMMP, the project site is designated as Farmland of Local Potential and Grazing Land (see Figure 4.2-1) (CDOC 2016a). Per PRC Section 21060.1, projects that would result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance designated by the FMMP would be considered to have a significant impact on the environment. Since implementation of the project, including future development, would not result in the conversion of designated farmland, impacts would be *less than significant*.

Although the Specific Plan Area includes soils identified as Farmland of Statewide Significance per the COSE and NRCS soil classifications, the site has not historically been viable for agricultural uses. The project applicant has reported the following regarding historic agricultural uses on the site:

> The property has been used for cattle grazing historically with at least two short periods of goat grazing years ago. Presently, beginning about 45 days ago, 15 head of "roping" cattle were placed on the property along with a single horse. They will remain there through the rainy season while the grass is green and some feed remains and then be removed.

> When seasonally grazed and dependent on rainfall amounts, the property has historically supported between 15 and 20+ head of cattle for 6 months. The property has more often had fewer head of cattle (10 head +or-) there, but left on a year round basis and supported by supplemental feeding of hay and liquid protein i.e. Loomix type and salt licks during the summer and fall months. Periodic "brush rakes or mowing' as evidenced in conversations with past operators (Mehlschau) and Googlearth pictures was used to manage open range areas to improve grass and feed for the cattle.
>
> Known history of any active farming is limited to only the late 1970's and early 1980's when oat hay (Knota variety) was planted but with poor results and subsequently discontinued.

Irrigation water is not available on the Dana Reserve; therefore, dryland farming is the only alternative for agricultural production. Dryland farming has never been successful in any part of the sandy portion of the Nipomo area, including all of the Dana Reserve. This sandy area is generally defined as the west side of US 101 north of the Santa Maria Speedway to the Los Berros exit, although it also extends just to the east side of US 101 near the Dana Reserve until it drops off a bluff headed east where the soil changes to a heavy adobe, to the west where it drops off the bluff into the sandy loam of the Santa Maria Valley, and to the north where it drops off to high-quality soil in Oceano, which is a mix of loam and even peat near the dune lakes area. This entire raised bench area of sand known as the Nipomo Mesa has never been successfully farmed under dryland circumstances. Soils within the Dana Reserve lack the ability to retain sufficient moisture for dryland farming in moderate to dry years and in wet years, due to its sandy soil, lacks the fertility to produce economically viable volumes of a crop.

The County Agricultural Commissioner was consulted regarding the DRSP project and confirmed there were no significant issues related to the conversion of viable agricultural soils within the Specific Plan Area; therefore, potential impacts would be *less than significant*.

| **AG Impact 1 (Class III)** |
|---|
| The project would not result in the significant conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the FMMP, to non-agricultural use. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the conversion of farmland would be considered less than significant (Class III).* |

## Off-Site Improvements

### *AG Impact 2: Off-site improvements would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the FMMP, to non-agricultural use. Impacts would be less than significant (Class III).*

Proposed off-site improvements would result in construction and installation of transportation, water, and wastewater infrastructure improvements within previously developed roadways or otherwise disturbed road shoulder areas within existing public right-of-way (ROW) (see Figures 2-4 and 2-5 in Chapter 2, *Project Description*). According to the FMMP, off-site improvement areas are located in areas that are

designated as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Farmland of Local Potential, Grazing Land, Urban and Built-Up Land, and other land (see Figure 4.2-2) (CDOC 2016a). Additionally, the NRCS and the County's COSE designates soils that underlie proposed improvement areas as Prime Farmland, Prime Farmland if irrigated, Prime Farmland if irrigated and drained, Farmland of Statewide Importance, and highly productive rangeland soils (see Table 4.2-3).

Per PRC Section 21060.1, projects that would result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance designated by the FMMP would be considered to have a significant impact on the environment. Proposed off-site water system improvements would require temporary construction activities within or adjacent to soils designated by the FMMP as Prime Farmland and Farmland of Statewide Importance; however, off-site improvements would not result in conversion of Prime Farmland or Farmland of Statewide Importance to non-agricultural uses because water system infrastructure would be mostly installed underground, with the exception of installation of an additional water tank at the Joshua Road pump station, located near the Tefft Street and North Dana Foothill Road intersection. Proposed installation of an additional water tank would be located within the existing disturbance footprint of the Joshua Road pump station and would not require conversion of additional land to non-agricultural use. Other off-site transportation and NCSD wastewater improvements would be primarily installed underground and would be located within previously developed or otherwise disturbed areas that do not support existing cropland or other agricultural activities. Off-site disturbance would be limited to paved roadways or road shoulder areas that have little to no ability to support future agricultural uses. Additionally, off-site components would be constructed almost entirely underground and surface soils would be restored to their original condition after construction. Therefore, temporary and limited permanent disturbance of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland as a result of implementation of off-site infrastructure would be *less than significant*.

| **AG Impact 2 (Class III)** |
|---|
| Off-site improvements would not result in the significant conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the FMMP, to non-agricultural use. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the conversion of farmland would be considered less than significant (Class III).* |

## WOULD THE PROJECT CONFLICT WITH EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?

### Specific Plan Area

### *AG Impact 3: The project would not conflict with existing zoning for agricultural use or a Williamson Act contract. Impacts would be less than significant (Class III).*

Based on the County's Land Use Map, the Specific Plan Area is within the Rural Residential (RR) land use designation. The Specific Plan Area is not subject to a Williamson Act contract. Therefore, implementation of the project, and future development consistent with the DRSP, would not conflict with existing zoning for agricultural use or a Williamson Act Contract and impacts would *be less than significant*.

Based on the County's Land Use Map, Dana Ridge is within the Agriculture (AG) land use designation and is subject to an existing Williamson Act contract. However, the Dana Ridge site would be limited to an offsite dedication of an open space easement and no physical change to the environment would occur. Since no development or disturbance would occur, the project would not conflict with existing zoning for agricultural use and/or a Williamson Act contract; therefore, impacts would be *less than significant*.

| **AG Impact 3 (Class III)** |
|---|
| The project would not conflict with existing zoning for agricultural use or a Williamson Act contract. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to conflicts with zoning or a Williamson Act contract would be considered less than significant (Class III).* |

## Off-Site Improvements

### *AG Impact 4: Off-site improvements would not conflict with existing zoning for agricultural use or a Williamson Act contract. Impacts would be less than significant (Class III).*

Based on the County's Land Use Map, proposed off-site transportation, water, and wastewater system improvement areas are located in previously developed roads or otherwise disturbed road shoulder areas within the Commercial Service (CS), Commercial Retail (CR), Public Facilities (PF), Residential Single-Family (RSF), Residential Multi-Family (RMF), and Agriculture (AG) land use designations. Proposed transportation and NCSD wastewater system improvements would not occur on lands that are subject to a Williamson Act contract; however, proposed NCSD water system improvements along Tefft Street from Haggerty Way east toward North Dana Foothill Road would occur on lands that are currently subject to a Williamson Act contract. Proposed water system improvements would primarily be installed underground and would not result in the permanent conversion of lands subject to a Williamson Act contract to non-agricultural uses. The proposed NCSD water system improvements include installation of an additional water tank at the Joshua Road pump station, located near the East Tefft Street and North Dana Foothill Road intersection. Proposed installation of an additional water tank would be limited to the existing disturbance footprint of the existing Joshua Road pump station. Therefore, installation of the additional water tank would not result in any additional conversion of lands that are subject to a Williamson Act contract. Proposed off-site improvements would not conflict with existing zoning for agricultural use or a Williamson Act contract; therefore, impacts would be *less than significant*.

| **AG Impact 4 (Class III)** |
|---|
| Off-site improvements would not conflict with existing zoning for agricultural use or a Williamson Act contract. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to conflicts with zoning or a Williamson Act contract would be considered less than significant (Class III).* |

## WOULD THE PROJECT INVOLVE OTHER CHANGES IN THE EXISTING ENVIRONMENT WHICH, DUE TO THEIR LOCATION OR NATURE, COULD RESULT IN CONVERSION OF FARMLAND TO NON-AGRICULTURAL USE?

### Specific Plan Area

#### *AG Impact 5: The project could involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use. Impacts would be less than significant with mitigation (Class II).*

The project site is within the County's South County Planning area, which consists of approximately 63% agricultural land uses. According to the County's Land Use Map, the nearest Agriculture (AG) land use designation is located adjacent to the northern project parcels and approximately 160 feet to the east, on the east side of US 101. According to the FMMP, the nearest Prime Farmland is located approximately 0.45 mile southeast of the project site, the nearest Unique Farmland is located approximately 0.2 mile northwest, and the nearest Farmland of Statewide Importance is located 0.6 mile east (CDOC 2016a). Based on aerial imagery, the nearest existing agricultural operations to the Specific Plan Area are covered and uncovered row crops, located approximately 160 feet east of the Specific Plan beyond US 101 and approximately 0.2 mile to the northwest. Due to the agricultural setting of the project region, it is highly likely that other nearby agricultural land is currently used for crop production or livestock grazing.

Due to increasing residential, commercial, and other development near agricultural lands throughout the state, there has been an increase in incompatible land use caused by limitations on pesticide use, nuisance complaints due to dust and odor, vandalism, increased traffic, etc. These incompatible land uses have resulted in pressure to encourage additional conversions of agricultural land. It is reasonable to assume that development of the project site with residential and commercial uses could increase the development pressure of agricultural lands nearby the project site. These uses would be subject to the requirements of the County's Right-to-Farm Ordinance.

Implementation of the project would result in the adoption of the DRSP, which would allow for the future development of residential and commercial development, as well as Recreation and Open Space uses. As included in the DRSP, future development would result in 215.9 acres of residential development (1,289 potential units), 22.3 acres of commercial and nonresidential development (110,000–203,000 potential square feet), and 49.8 acres of open space/recreation. Future development would result in short- and long-term impacts, including air emissions and water usage that could indirectly impact agricultural operations near the project site and within the region.

As discussed in Section 4.3, *Air Quality*, construction of the project would result in construction-related emissions, including fugitive dust and other emissions. Fugitive dust has the potential to affect plant growth by reducing light interception and the ability to perform photosynthesis (Ferguson 1999). The largest concentration of fugitive dust would occur during construction of initial site preparation phase of the project as a result of earth-moving activities, including excavation, mass grading, vegetation removal, and material movement. During construction, fugitive dust emissions would not exceed established San Luis Obispo Air Pollution Control District (SLOAPCD) quarterly thresholds (AMBIENT Air Quality & Noise Consulting [AMBIENT] 2022). Additionally, Mitigation Measure AQ/mm-3.2 has been included in Section 4.2, *Air Quality*, to further reduce fugitive dust emissions during proposed construction activities. With incorporation of Mitigation Measure AQ/mm-3.3 included in Section 4.3, *Air Quality*, to reduce operational air emissions, operational emissions of fugitive dust would exceed daily SLOAPCD thresholds; however, emissions would not exceed quarterly thresholds (AMBIENT 2022). Additionally, operational fugitive dust emissions would generally progress throughout the region and would not result

in substantial concentrations at a single location. As a result, operational fugitive dust is not anticipated to be generated in a manner that could interfere with existing cropland and result in the conversion of farmland to non-agricultural use.

Policy AGP11 included in the County's Agriculture Element requires existing and future water supply to be maintained in order to avoid the conversion of agricultural land due to a lack of water. As discussed in Section 4.19, *Utilities and Service Systems*, implementation of the DRSP would result in an estimated water usage of 370 acre-feet per year (AFY) (MKN 2022). Upon approval, the project would be annexed into the NCSD and would receive water through the NCSD. According to the NCSD Draft Urban Water Management Plan (UWMP), agricultural land makes up 3% of the NCSD service area and the majority of surrounding agricultural land uses would not use the same water supply as the proposed project (MKN 2021). Based on the UWMP and Water Supply Assessment (WSA) prepared for the project, the NCSD has a water supply that would be capable of supporting the proposed project and would not result in indirect impacts to agricultural land within the NCSD service area. In addition, since other surrounding agricultural land uses do not receive water from the NCSD, implementation of the project would not result in the conversion of agricultural land due to a lack of water supply.

With implementation of Mitigation Measures AQ/mm-3.2 and AQ/mm-3.3 and required compliance with existing policies, adoption of the DRSP and future buildout would not result in the indirect conversion of farmland as a result of incompatible land uses, increase in dust, or lack of water supply; therefore, potential impacts would be *less than significant with mitigation*.

| **AG Impact 5 (Class II)** |
|---|
| The project could involve other changes in the existing environment which, due to their location or nature, could result in indirect conversion of farmland to non-agricultural use. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.2 and AQ/mm-3.3.* |
| ***Residual Impacts*** |
| *With implementation of the identified mitigation measures, residual impacts related to indirect conversion of farmland would be less than significant (Class II).* |

## Off-Site Improvements

### *AG Impact 6: Off-site improvements could involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use. Impacts would be less than significant with mitigation (Class II).*

Proposed transportation-related improvements and NCSD wastewater system improvements would be located along Willow Road, Pomeroy Road, and North Frontage Road, on the west side of US 101 and would not occur within or adjacent to designated Prime Farmland, land zoned for agricultural uses, land subject to a Williamson Act contract, or existing agricultural activities. Proposed NCSD water system improvements would occur within previously developed roads along North Oakglen Avenue and East Tefft Street and would occur in areas that are designated Prime Farmland and Farmland of Statewide Importance, land zoned for agricultural uses, and land subject to a Williamson Act contract. Proposed water system improvements would be limited to previously developed roadways or other previously disturbed road shoulder areas within the public ROW and having little to no value for future agricultural

uses. Therefore, off-site improvements would not result in additional direct or indirect conversion of agricultural land to non-agricultural uses.

Proposed transportation, water, and wastewater system improvements would not indirectly disturb existing agricultural land uses because proposed improvements would not result in new incompatible land uses that could impede existing agricultural activities. In addition, long-term operation of proposed improvement areas would require limited vehicle trips on an as-needed basis for maintenance and repair trips and would not substantially increase dust or other pollutant emissions near existing cropland. Proposed improvements would be necessary to provide water and wastewater services to the Specific Plan Area and would not result in additional water usage that could indirectly impact water availability for agriculture lands within the NCSD service area. With implementation of standard fugitive dust control measures during periods of heavy earth-moving activities, proposed off-site improvements would not result in indirect impacts that could result in the conversion of agricultural land to non-agricultural uses; therefore, impacts would be *less than significant with mitigation*.

| **AG Impact 6 (Class II)** |
|---|
| Off-site improvements could involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure AQ/mm-3.2.* |
| ***Residual Impacts*** |
| *With implementation of the identified mitigation measure, residual impacts related to indirect conversion of farmland would be less than significant (Class II).* |

## 4.2.6 Cumulative Impacts

### *AG Impact 7: The project would not result in a cumulatively considerable impact to agricultural resources. Impacts would be less than cumulatively considerable and less than significant (Class III).*

As discussed in Chapter 3, *Environmental Setting*, the cumulative impact analysis is based on the County's cumulative projects list. Cumulative projects would generate residential, industrial, and commercial development within the county. Although the proposed project would not result in the direct or indirect conversion of farmland, other past, present, or reasonably foreseeable future projects located on or near farmland have the potential to result in the direct and/or indirect conversion of farmland to non-agricultural uses.

With implementation of Mitigation Measures AQ/mm-3.2 and AQ/mm-3.3 to reduce fugitive dust emissions, the project would have a less-than-significant impact related to the indirect conversion of farmland. Because the project would have no impact related to the conversion of Important Farmland or conflicts with existing agricultural zoning or Williamson Act contracted land, less-than-significant effects on off-site farmland, and negligible effects on off-site forestland, the project would not result in a cumulatively considerable adverse effect on agricultural resources. Therefore, the proposed project would not contribute to the cumulative loss of farmland within the county, and cumulative impacts would be *less than significant*.

| **AG Impact 7 (Class III)** |
|---|
| The project would not result in a cumulatively considerable impact to agricultural resources. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Cumulative impacts would be avoided through compliance with identified project-specific mitigation, and no additional mitigation is needed to avoid or minimize potential cumulative impacts; therefore, residual impacts would be less than significant (Class III).* |

# 4.3 AIR QUALITY

The following setting and impact discussion is based, in part, on the *Air Quality and Greenhouse Gas Impact Assessment* prepared for the DRSP (AMBIENT 2022; EIR Appendix D). The Impact Assessment includes an in-depth assessment of existing condition related to air quality, pertinent regulatory framework, and potential air quality impacts associated with the proposed project.

## 4.3.1 Existing Conditions

### *4.3.1.1 Regional Setting*

#### 4.3.1.1.1 LOCAL AND REGIONAL METEOROLOGY

The climate of the county can generally be characterized as Mediterranean, with warm, dry summers and cooler, relatively damp winters. Along the coast, mild temperatures are the rule throughout the year due to the moderating influence of the Pacific Ocean. This effect is diminished inland in proportion to the distance from the ocean or by major intervening terrain features, such as the coastal mountain ranges. As a result, inland areas are characterized by a considerably wider range of temperature conditions. Maximum summer temperatures average about 70ºF near the coast, while inland valleys are often in the high 90s. Minimum winter temperatures average from the low 30s along the coast to the low 20s inland.

Regional meteorology is largely dominated by a persistent high-pressure area that commonly resides over the eastern Pacific Ocean. Seasonal variations in the strength and position of this pressure cell cause seasonal changes in the weather patterns of the area. The Pacific High remains generally fixed several hundred miles offshore from May to September, enhancing onshore winds and opposing offshore winds. During spring and early summer, as the onshore breezes pass over the cool water of the ocean, fog and low clouds often form in the marine air layer along the coast. Surface heating in the interior valleys dissipates the marine layer as it moves inland.

From November to April, the Pacific High tends to migrate southward, allowing northern storms to move across the county. About 90% of the total annual rainfall is received during this period. Winter conditions are usually mild, with intermittent periods of precipitation followed by mostly clear days. Rainfall amounts can vary considerably among different regions in the county. In the Coastal Plain, annual rainfall averages 16 to 28 inches, while the Upper Salinas River Valley generally receives about 12 to 20 inches of rain. The Carrizo Plain is the driest area of the county with less than 12 inches of rain in a typical year (San Luis Obispo County Air Pollution Control District [SLOAPCD] 2001).

Airflow around the county plays an important role in the movement and dispersion of pollutants. The speed and direction of local winds are controlled by the location and strength of the Pacific High pressure system and other global patterns, topographical factors, and circulation patterns resulting from temperature differences between the land and sea. In spring and summer months, when the Pacific High attains its greatest strength, onshore winds from the northwest generally prevail during the day. At night, as the sea breeze dies, weak drainage winds flow down the coastal mountains and valleys to form a light, easterly land breeze (SLOAPCD 2001).

In the fall, onshore surface winds decline and the marine layer grows shallow, allowing an occasional reversal to a weak offshore flow. This, along with the diurnal alternation of land–sea breeze circulation, can sometimes produce a “sloshing” effect. Under these conditions, pollutants may accumulate over the ocean for a period of 1 or more days and are subsequently carried back onshore with the return of the sea breeze. Strong inversions can form at this time, “trapping” pollutants near the surface (SLOAPCD 2001).

This effect is intensified when the Pacific High weakens or moves inland to the east. This may produce a "Santa Ana" condition, in which air, often pollutant-laden, is transported into the county from the east and southeast. This can occur over a period of several days until the high-pressure system returns to its normal location, breaking the pattern. The breakup of a Santa Ana condition may result in relatively stagnant conditions and a buildup of pollutants offshore. The onset of the typical daytime sea breeze can bring these pollutants back onshore, where they combine with local emissions to cause high pollutant concentrations. Not all occurrences of the "post-Santa Ana" condition leads to high ambient pollutant levels, but it does play an important role in the air pollution meteorology of the county (SLOAPCD 2001).

#### 4.3.1.1.2 ATMOSPHERIC STABILITY AND DISPERSION

Air pollutant concentrations are primarily determined by the amount of pollutant emissions in an area and the degree to which these pollutants are dispersed into the atmosphere. The stability of the atmosphere is one of the key factors affecting pollutant dispersion. Atmospheric stability regulates the amount of vertical and horizontal air exchange or mixing that can occur within a given air basin. Restricted mixing and low wind speeds are generally associated with a high degree of stability in the atmosphere. These conditions are characteristic of temperature inversions.

In the atmosphere, air temperatures normally decrease as altitude increases. At varying distances above the earth's surface, however, a reversal of this gradient can occur. This condition, termed an inversion, is simply a warm layer of air above a layer of cooler air, and it has the effect of limiting the vertical dispersion of pollutants. The height of the inversion determines the size of the mixing volume trapped below. Inversion strength or intensity is measured by the thickness of the layer and the difference in temperature between the base and the top of the inversion. The strength of the inversion determines how easily it can be broken by winds or solar heating.

Several types of inversions are common to this area. Weak surface inversions are caused by radiational cooling of air in contact with the cold surface of the earth at night. In valleys and low-lying areas, this condition is intensified by the addition of cold air flowing downslope from the hills and pooling on the valley floor. Surface inversions are a common occurrence throughout the county during the winter, particularly on cold mornings when the inversion is strongest. As the morning sun warms the earth and the air near the ground, the inversion lifts, gradually dissipating as the day progresses. During the late spring and early summer months, cool air over the ocean can intrude under the relatively warmer air over land, causing a marine inversion. These inversions can restrict dispersion along the coast, but they are typically shallow and will dissipate with surface heating.

In contrast, in the summertime, the presence of the Pacific High pressure cell can cause the air mass aloft to sink. As the air descends, compressional heating warms it to a temperature higher than the air below. This highly stable atmospheric condition, termed a subsidence inversion, is common to all of coastal California and can act as a nearly impenetrable lid to the vertical mixing of pollutants. The base of the inversion typically ranges from 1,000 to 2,500 feet above sea level; however, levels as low as 250 feet, among the lowest anywhere in the state, have been recorded on the coastal plateau in San Luis Obispo County. The strength of these inversions makes them difficult to disrupt. Consequently, they can persist for 1 or more days, causing air stagnation and the buildup of pollutants. Highest or worst-case ozone levels are often associated with the presence of this type of inversion (SLOAPCD 2001).

#### 4.3.1.1.3 CRITERIA AIR POLLUTANTS

For the protection of public health and welfare, the federal Clean Air Act (FCAA) required that the U.S. Environmental Protection Agency (USEPA) establish National Ambient Air Quality Standards (NAAQS) for various pollutants. These pollutants are referred to as "criteria" pollutants because the USEPA

publishes criteria documents to justify the choice of standards. These standards define the maximum amount of an air pollutant that can be present in ambient air without harm to the public's health. An ambient air quality standard is generally specified as a concentration averaged over a specific time period, such as 1 hour, 8 hours, 24 hours, or 1 year. The different averaging times and concentrations are meant to protect against different exposure effects. The FCAA allows states to adopt additional or more health-protective standards. The air quality regulatory framework and ambient air quality standards are discussed in greater detail in Section 4.3.2, *Regulatory Setting*.

#### 4.3.1.1.4 HUMAN HEALTH AND WELFARE EFFECTS

Table 4.3-1 summarizes common pollutants and potential adverse health effects associated with human exposure to these pollutants.

**Table 4.3-1. Common Pollutants and Adverse Effects**

| Pollutant | Human Health and Welfare Effects |
|---|---|
| Particulate Matter ($PM_{10}$ and $PM_{2.5}$) | Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; aggravated asthma; development of chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility (haze). |
| Ozone ($O_3$) | Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; and aggravates lung and heart problems. Damages plants; reduces crop yield. Damages rubber, some textiles, and dyes. |
| Sulfur Dioxide ($SO_2$) | Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid, which can damage marble, iron, and steel; crops; and natural vegetation. Impairs visibility. Precursor to acid rain. |
| Carbon Monoxide (CO) | Reduces the ability of blood to deliver oxygen to vital tissues, effecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death. |
| Nitrogen Dioxide ($NO_2$) | Respiratory irritant; aggravates lung and heart problems. Precursor to ozone and acid rain. Contributes to global warming and nutrient overloading, which deteriorates water quality. Causes brown discoloration of the atmosphere. |
| Lead (Pb) | Causes anemia, high blood pressure, brain and kidney damage, neurological disorders, cancer, and lowered IQ. Affects animals, plants, and aquatic ecosystems. |

Source: AMBIENT (2022)

## Common Pollutants

- **Reactive organic gases (ROGs)** are reactive chemical gases, composed of hydrocarbon compounds that may contribute to the formation of smog by their involvement in atmospheric chemical reactions. No separate health standards exist for ROGs as a group. Because some compounds that make up ROGs are also toxic, like the carcinogen benzene, they are often evaluated as part of a toxic risk assessment. Total Organic Gases (TOGs) includes all of the ROGs, in addition to low-reactivity organic compounds like methane and acetone.
- **Volatile organic compounds (VOCs)** are hydrocarbon compounds that exist in the ambient air. VOCs contribute to the formation of smog and may also be toxic. VOC emissions are a major precursor to the formation of ozone. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. ROGs and VOCs are subsets of TOGs.
- **Nitrogen oxides (NOx)** are a family of gaseous nitrogen compounds and a precursor to the formation of ozone and particulate matter. The major component of NOx, nitrogen dioxide ($NO_2$), is a reddish-brown gas that is toxic at high concentrations. NOx results primarily from the combustion of fossil fuels under high temperature and pressure. On- and off-road motor vehicles and fuel combustion are the major sources of this air pollutant.

- **Particulate matter (PM)**, also known as particle pollution, is a complex mixture of extremely small particles and liquid droplets. Particle pollution is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. The size of particles is directly linked to their potential for causing health problems. USEPA is concerned about particles that are 10 micrometers in diameter ($PM_{10}$) or smaller because those are the particles that generally pass through the throat and nose and enter the lungs. Once inhaled, these particles can affect the heart and lungs and cause serious health effects. USEPA groups particle pollution into three categories based on their size and where they are deposited:
    - Inhalable coarse particles ($PM_{2.5}$–$PM_{10}$), such as those found near roadways and dusty industries, are between 2.5 and 10 micrometers in diameter. $PM_{2.5}$–$PM_{10}$ is deposited in the thoracic region of the lungs.
    - Fine particles ($PM_{2.5}$), such as those found in smoke and haze, are 2.5 micrometers in diameter and smaller. These particles can be directly emitted from sources such as forest fires, or they can form when gases emitted from power plants, industries, and automobiles react in the air. They penetrate deeply into the thoracic and alveolar regions of the lungs.
    - Ultrafine particles (UFP) are very small particles less than 0.1 micrometers in diameter largely resulting from the combustion of fossils fuels, meat, wood, and other hydrocarbons. While UFP mass is a small portion of $PM_{2.5}$, its high surface area, deep lung penetration, and transfer into the bloodstream can result in disproportionate health impacts relative to their mass.

  $PM_{10}$, $PM_{2.5}$, and UFP include primary pollutants (emitted directly to the atmosphere) and secondary pollutants (formed in the atmosphere by chemical reactions among precursors). Generally speaking, $PM_{2.5}$ and UFP are emitted by combustion sources like vehicles, power generation, industrial processes, and wood burning, while $PM_{10}$ sources include these same sources plus roads and farming activities. Fugitive windblown dust and other area sources also represent a source of airborne dust.

  Numerous scientific studies have linked both long- and short-term particle pollution exposure to a variety of health problems. Long-term exposures, such as those experienced by people living for many years in areas with high particle levels, have been associated with problems such as reduced lung function and the development of chronic bronchitis and even premature death. Short-term exposures to particles (hours or days) can aggravate lung disease, causing asthma attacks and also acute (short-term) bronchitis, and may also increase susceptibility to respiratory infections. In people with heart disease, short-term exposures have been linked to heart attacks and arrhythmias. Healthy children and adults have not been reported to suffer serious effects from short-term exposures, although they may experience temporary minor irritation when particle levels are elevated.

- **Carbon monoxide (CO)** is an odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels and emitted directly into the air (unlike ozone). The main source of CO is on-road motor vehicles. Other CO sources include other mobile sources, miscellaneous processes, and fuel combustion from stationary sources. Because of the local nature of CO problems, the USEPA and California Air Resources Board (CARB) designate urban areas as CO nonattainment areas instead of the entire basin as with ozone and $PM_{10}$. Motor vehicles are by far the largest source of CO emissions. Emissions from motor vehicles have been declining since 1985, despite increases in vehicle miles traveled (VMT), with the introduction of new automotive emission controls and fleet turnover.

- **Sulfur dioxide ($SO_2$)** is a colorless, irritating gas with a "rotten egg" smell formed primarily by the combustion of sulfur-containing fossil fuels. However, like airborne NOx, suspended sulfur

oxide (SOx) particles contribute to poor visibility. These SOx particles can also combine with other pollutants to form $PM_{2.5}$. The prevalence of low-sulfur fuel use has minimized problems from this pollutant.

- **Lead (Pb)** is a metal that is a natural constituent of air, water, and the biosphere. Lead is neither created nor destroyed in the environment, so it essentially persists forever. The health effects of lead poisoning include loss of appetite, weakness, apathy, and miscarriage. Lead can also cause lesions of the neuromuscular system, circulatory system, brain, and gastrointestinal tract. Gasoline-powered automobile engines were a major source of airborne lead through the use of leaded fuels. The use of leaded fuel has been mostly phased out, with the result that ambient concentrations of lead have dropped dramatically.
- **Hydrogen sulfide ($H_2S$)** is associated with geothermal activity, oil and gas production, refining, sewage treatment plants, and confined animal feeding operations. $H_2S$ is extremely hazardous in high concentrations; especially in enclosed spaces (800 parts per million [ppm] can cause death). The Occupational Safety and Health Administration (OSHA) regulates workplace exposure to $H_2S$.

## Other Pollutants

The State of California has established air quality standards for some pollutants not addressed by federal standards. The CARB has established state standards for hydrogen sulfide, sulfates, vinyl chloride, and visibility-reducing particles. The following section summarizes these pollutants and provides a description of the pollutants' physical properties, health and other effects, sources, and extent of the problems.

- **Sulfates ($SO_4^{2-}$)** are the fully oxidized ionic form of sulfur. Sulfates occur in combination with metal and/or hydrogen ions. In California, emissions of sulfur compounds occur primarily from the combustion of petroleum-derived fuels (e.g., gasoline, diesel fuel) that contain sulfur. This sulfur is oxidized to $SO_2$ during the combustion process and subsequently converted to sulfate compounds in the atmosphere. The conversion of $SO_2$ to sulfates takes place comparatively rapidly and completely in urban areas of California due to regional meteorological features.

  The CARB sulfate standard is designed to prevent aggravation of respiratory symptoms. Effects of sulfate exposure at levels above the standard include a decrease in ventilatory function, aggravation of asthmatic symptoms, and an increased risk of cardiopulmonary disease. Sulfates are particularly effective in degrading visibility, and, due to the fact that they are usually acidic, can harm ecosystems, and can damage materials and property.
- **Visibility-reducing particles** are a mixture of suspended particulate matter consisting of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. The standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.
- **Vinyl chloride ($C_2H_3Cl$ or VCM)** is a colorless gas that does not occur naturally. It is formed when other substances such as trichloroethane, trichloroethylene, and tetrachloro-ethylene are broken down. Vinyl chloride is used to make polyvinyl chloride (PVC), which is used to make a variety of plastic products, including pipes, wire and cable coatings, and packaging materials.

### 4.3.1.1.5 ODORS

Odors are generally regarded as an annoyance rather than a health hazard. However, a person's reaction to objectionable odors can range from the psychological (i.e., irritation, anger, or anxiety) to the physiological, including circulatory and respiratory effects, nausea, vomiting, and headache. Neither the federal nor the state governments have adopted rules or regulations for the control of odor sources.

#### 4.3.1.1.6 TOXIC AIR CONTAMINANTS

Toxic air contaminants (TACs) are air pollutants that may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air, but due to their high toxicity, they may pose a threat to public health even at very low concentrations. Because there is no threshold level below which adverse health impacts are not expected to occur, TACs differ from criteria pollutants for which acceptable levels of exposure can be determined and for which federal and state governments have set ambient air quality standards. TACs, therefore, are not considered "criteria pollutants" under either the FCAA or the California Clean Air Act (CCAA) and are thus not subject to the NAAQS or California Ambient Air Quality Standards (CAAQS). Instead, the USEPA and CARB regulate Hazardous Air Pollutants (HAPs) and TACs, respectively, through statutes and regulations that generally require the use of the maximum or best available control technology to limit emissions. In conjunction with SLOAPCD rules, these federal and state statutes and regulations establish the regulatory framework for TACs. At the national levels, the USEPA has established National Emission Standards for HAPs (NESHAPs), in accordance with the requirements of the FCAA and subsequent amendments. These are technology-based source-specific regulations that limit allowable emissions of HAPs.

Within California, TACs are regulated primarily through the Tanner Air Toxics Act (Tanner Act; AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (Air Toxics Hot Spots Act; AB 2588). The Tanner Act sets forth a formal procedure for the CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before the CARB designates a substance as a TAC. Existing sources of TACs that are subject to the Air Toxics Hot Spots Act are required to (1) prepare a toxic emissions inventory, (2) prepare a risk assessment if emissions are significant, (3) notify the public of significant risk levels, and (4) prepare and implement risk reduction measures.

At the state level, the CARB has authority for the regulation of emissions from motor vehicles, fuels, and consumer products. Most recently, diesel particulate matter (DPM) was added to the CARB list of TACs. DPM is the primary TAC of concern for mobile sources. Of all controlled TACs, emissions of DPM are estimated to be responsible for about 70% of the total ambient TAC risk. The CARB has made the reduction of the public's exposure to DPM one of its highest priorities, with an aggressive plan to require cleaner diesel fuel and cleaner diesel engines and vehicles (CARB 2005).

At the local level, air districts have authority over stationary or industrial sources. All projects that require air quality permits from the SLOAPCD are evaluated for TAC emissions. The SLOAPCD limits emissions and public exposure to TACs through a number of programs. The SLOAPCD prioritizes TAC-emitting stationary sources, based on the quantity and toxicity of the TAC emissions and the proximity of the facilities to sensitive receptors. The SLOAPCD requires a comprehensive health risk assessment for facilities that are classified in the significant-risk category, pursuant to AB 2588.

#### 4.3.1.1.7 NATURALLY OCCURRING ASBESTOS

Asbestos is the common name for a group of naturally occurring fibrous silicate minerals that can separate into thin but strong and durable fibers. Naturally occurring asbestos (NOA), which was identified as a TAC in 1986 by the CARB, is located in many parts of California and is commonly associated with ultramafic rock.

### *4.3.1.2 Local Setting*

The South Central Coast Air Basin (SCCAB) consists of the San Luis Obispo County, Santa Barbara County, and Ventura County Air Pollutant Control Districts. Within the SCCAB, the air pollutants of

primary concern, with regard to human health, include ozone, PM, and CO. As identified in Table 4.3-1, exposure to increased pollutant concentrations of ozone, PM, and CO have the potential to result in various heart and lung ailments, cardiovascular and nervous system impairment, and death.

The Specific Plan Area is located within the community of Nipomo, which is located within the SCCAB and under the jurisdiction of the SLOAPCD. According to the USEPA Greenbook, San Luis Obispo County is currently not in attainment for 8-hour ozone (USEPA 2022). According to the CARB, San Luis Obispo County is not in attainment for ozone and $PM_{10}$ (CARB 2020). The Nipomo Mesa is located in an area that is impacted by periods of high PM concentrations (SLOAPCD 2022b).

#### 4.3.1.2.1 AMBIENT AIR QUALITY

Air pollutant concentrations are measured at several monitoring stations in the SCCAB. The Nipomo Regional Park and Nipomo Guadalupe Road Monitoring Stations are the closest representative monitoring stations with sufficient data to meet USEPA and/or CARB criteria for quality assurance. The monitoring stations record ambient concentrations of ozone, $NO_2$, $PM_{2.5}$, and $PM_{10}$. Ambient monitoring data was obtained for the last 3 years of available measurement data (i.e., 2018–2020) and is summarized in Table 4.3-2.

**Table 4.3-2. Summary of Ambient Air Quality Monitoring Data**

| Pollutant | Monitoring Year | | |
|---|---|---|---|
| | 2018 | 2019 | 2020 |
| ***Ozone ($O_3$)[1]*** | | | |
| Maximum concentration (1-hour / 8-hour average; ppm) | 0.063 / 0.055 | 0.064 / 0.054 | 0.067 / 0.064 |
| Number of days 1-hour standard exceeded (national / state) | 0 / 0 | 0 / 0 | 0 / 0 |
| Number of days 8-hour standard exceeded (national / state) | 0 / 0 | 0 / 0 | 0 / 0 |
| ***Nitrogen Dioxide ($NO_2$)[1]*** | | | |
| Maximum concentration (1-hour average; ppb) | 25 | 25 | 23 |
| Annual average (ppb) | 2 | 2 | 2 |
| Number of days standard exceeded (national / state) | 0 / 0 | 0 / 0 | 0 / 0 |
| ***Suspended Particulate Matter ($PM_{2.5}$)[2]*** | | | |
| Maximum 24-hour concentration (national / state; µg/m$^3$) | 38.3 | 23.6 | 84.5 |
| Annual average (national / state; µg/m$^3$) | 7.5 / 7.6 | 7.0 / 7.0 | 9.4 / 9.5 |
| Number of days national standard exceeded (measured / calculated)[3] | 1 / 1 | 0 / 0 | 7.0 / 7.3 |
| ***Suspended Particulate Matter ($PM_{10}$)[1]*** | | | |
| Maximum concentration (national / state; µg/m$^3$) | 89.8 | 142.7 | 104.2 |
| Number of days state standard exceeded (measured / calculated)[3] | 20 / 20 | 15 / NA | 17 / 17 |
| Number of days national standard exceeded (measured / calculated)[3] | 0 / 0 | 0 / 0 | 0 / 0 |

Source: AMBIENT (2022)

Notes: ppm = parts per million by volume, µg/m$^3$ = micrograms per cubic meter, NA=Not Available

[1] Based on ambient concentrations obtained from the Nipomo Regional Park Monitoring Station.

[2] Based on ambient concentrations obtained from the Nipomo-Guadalupe Road Monitoring Station.

[3] Measured days are those days that an actual measurement was greater than the standard. Calculated days are estimated days that measurements would have exceeded the standard had measurements been collected every day.

As shown in Table 4.3-2, the national standard for $PM_{2.5}$ was exceeded once in 2018 and seven times in 2020. Measured 1-hour ozone, $NO_2$, and $PM_{10}$ concentrations did not exceed the NAAQS and CAAQS in the last 3 years of monitoring.

#### 4.3.1.2.2 SENSITIVE RECEPTORS

The Specific Plan Area is located in an urban area within the community of Nipomo. Surrounding land uses include existing residential dwellings to the north, west, and south and US 101 to the east. The nearest sensitive receptor locations include residential dwellings located adjacent to the northern, western, and southern boundaries of the Specific Plan Area.

#### 4.3.1.2.3 ODORS

The SLOAPCD does not have an individual rule or regulation that specifically addresses odors; however, odors would be applicable to SLOAPCD's Rule 204, Nuisance. Any actions related to odors would be based on citizen complaints to local governments and the SLOAPCD. The SLOAPCD recommends that odor impacts be addressed in a qualitative manner. Such analysis shall determine if the project results in excessive nuisance odors, as defined under the California Code of Regulations (CCR), California Health and Safety Code (HSC) Section 41700, air quality public nuisance.

#### 4.3.1.2.1 NATURALLY OCCURRING ASBESTOS AND TOXIC AIR CONTAMINANTS

Based on the SLOAPCD NOA Map, the Specific Plan Area is not directly located within an area that has the potential for NOA to occur. However, there is potential for NOA to occur approximately 1.15 miles north and 2 miles south of the Specific Plan Area (SLOAPCD 2022a). Additionally, no major existing sources of TACs have been identified in the project area (AMBIENT 2022).

### *4.3.1.3 Off-Site Improvement Areas*

Off-site transportation, water, and wastewater improvement areas would be located within previously developed areas within the community of Nipomo. Proposed off-site transportation improvements would be required at DRSP roadway connections to Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way. Proposed off-site water system improvements would occur along North Oakglen Avenue and Tefft Street and proposed off-site wastewater system improvements would be required along North Frontage Road and at the NCSD's existing Southland Wastewater Treatment Facility (WWTF) (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*).

As previously identified, the community of Nipomo is located within the SCCAB and is under the jurisdiction of the SLOAPCD. Currently, San Luis Obispo County is in non-attainment for 8-hour and $PM_{10}$ (USEPA 2022; CARB 2020). The Nipomo Mesa is located in an area that is impacted by periods of high PM concentrations (SLOAPCD 2022b).

#### 4.3.1.3.1 SENSITIVE RECEPTORS

Land uses along proposed off-site wastewater improvements include commercial development, and land uses along proposed off-site water system improvements include commercial, residential, and agricultural land uses. The nearest sensitive receptor locations include residential dwellings along Tefft Street, which would be located adjacent to proposed water system improvement areas.

#### 4.3.1.3.2 NATURALLY OCURRING ASBESTOS

Based on the SLOAPCD NOA Map, proposed water system improvements would not be located within an area with potential for NOA to occur; however, proposed wastewater system improvements along North Frontage Road would be located in an area with potential for NOA to occur (SLOAPCD 2022a).

## 4.3.2 Regulatory Setting

### *4.3.2.1 Federal*

#### 4.3.2.1.1 U.S. ENVIRONMENTAL PROTECTION AGENCY

At the federal level, the USEPA has been charged with implementing national air quality programs. The USEPA's air quality mandates are drawn primarily from the FCAA, which was signed into law in 1970. The U.S. Congress substantially amended the FCAA in 1977 and again in 1990.

#### 4.3.2.1.2 FEDERAL CLEAN AIR ACT

The FCAA required the USEPA to establish the NAAQS, and also set deadlines for their attainment. Two types of NAAQS have been established: primary standards, which protect public health, and secondary standards, which protect public welfare from non-health-related adverse effects, such as visibility restrictions. The NAAQS are summarized in Table 4.3-3.

### *4.3.2.2 State*

#### 4.3.2.2.1 CALIFORNIA AIR RESOURCES BOARD

The CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the CCAA of 1988. Other CARB duties include monitoring air quality, in conjunction with air monitoring networks maintained by air pollution control districts and air quality management districts; establishing CAAQS, which in many cases are more stringent than the NAAQS; and setting emissions standards for new motor vehicles. The CAAQS are summarized in Table 4.3-3. The emission standards established for motor vehicles differ depending on various factors, including the model year and the type of vehicle, fuel, and engine used.

#### 4.3.2.2.2 CALIFORNIA CLEAN AIR ACT

The CCAA requires that all air districts in the state endeavor to achieve and maintain CAAQS for ozone, CO, $SO_2$, and $NO_2$ by the earliest practicable date. The CCAA specifies that districts focus particular attention on reducing the emissions from transportation and area-wide emission sources, and the act provides districts with authority to regulate indirect sources. Each district plan is required to either (1) achieve a 5% annual reduction, averaged over consecutive 3-year periods, in district-wide emissions of each non-attainment pollutant or its precursors; or (2) provide for the implementation of all feasible measures to reduce emissions. Any planning effort for air quality attainment would thus need to consider both federal and state planning requirements.

**Table 4.3-3. Summary of Ambient Air Quality Standards and Attainment Designations**

| Pollutant | Averaging Time | California Standards**** | | Federal Standards**** | |
|---|---|---|---|---|---|
| | | Concentration | Attainment Status | Concentration | Attainment Status |
| Ozone ($O_3$) | 1 Hour | 0.09 ppm (180 µg/m³) | Non-Attainment | – | Non-Attainment Eastern SLO County - Attainment Western SLO County*** |
| | 8 Hour | 0.070 ppm (137 µg/m³) | | 0.070 ppm (137 µg/m³)****** | |
| Respirable Particulate Matter (PM10) | 24 Hour | 50 µg/m³ | Non-Attainment | 150 µg/m³ | Unclassified*/ Attainment |
| | Annual Arithmetic Mean | 20 µg/m³ | | – | |
| Fine Particulate Matter (PM2.5) | 24 Hour | No State Standard | Attainment | 35 µg/m³ | Unclassified*/ Attainment |
| | Annual Arithmetic Mean | 12 µg/m³ | | 12.0 µg/m³ ***** | |
| Carbon Monoxide (CO) | 8 Hour | 9.0 ppm (10 mg/m³) | Attainment | 9 ppm (10 mg/m³) | Unclassified* |
| | 1 Hour | 20 ppm (23 mg/m³) | | 35 ppm (40 mg/m³) | |
| | | | | | |
| Nitrogen Dioxide ($NO_2$) | Annual Arithmetic Mean | 0.030 ppm (57 µg/m³) | Attainment | 0.053 ppm (100 µg/m³) | Unclassified* |
| | 1 Hour | 0.18 ppm (330 µg/m³) | | 100 ppb (196 mg/m³) | |
| Sulfur Dioxide ($SO_2$) | Annual Arithmetic Mean | – | Attainment | 0.030 ppm (80 µg/m³) | Unclassified* |
| | 24 Hour | 0.04 ppm (105 µg/m³) | | 0.14 ppm (365 µg/m³) | |
| | 3 Hour | – | | 0.5 ppm (1300 µg/m³)** | |
| | 1 Hour | 0.25 ppm (655 µg/m³) | | 75 ppb (196 mg/m³) | |
| Lead* | 30 Day Average | 1.5 µg/m³ | Attainment | – | No Attainment Information |
| | Calendar Quarter | – | | 1.5 µg/m³ | |
| | Rolling 3-Month Average* | – | | 0.15 µg/m³ | |
| Visibility Reducing Particles | 8 Hour | Extinction coefficient of 0.23 per kilometer – visibility of ten miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape. | Attainment | No Federal Standards | |
| Sulfates | 24 Hour | 25 µg/m³ | Attainment | | |
| Hydrogen Sulfide | 1 Hour | 0.03 ppm (42 µg/m³) | Attainment | | |
| Vinyl Chloride* | 24 Hour | 0.01 ppm (26 µg/m³) | No Attainment Information | | |

* Unclassified (EPA/Federal definition): Any area that cannot be classified on the basis of available information as meeting or not meeting the national primary or secondary ambient air quality standard for that pollutant. ** Secondary Standard

*** San Luis Obispo County has been designated non-attainment east of the -120.4 deg Longitude line, in areas of SLO County that are south of latitude 35.45 degrees, and east of the -120.3 degree Longitude line, in areas of SLO County that are north of latitude 35.45 degrees. Map of non-attainment area is available upon request from the APCD. **** For more information on standards visit:http://ww.arb.ca.gov.research/aaqs/aaqs2.pdf

**Attainment** (EPA/Federal definition): Any area that meets the national primary or secondary ambient air quality standard for that pollutant. (CA definition): State standard was not exceeded during a three year period. ***** Federal PM2.5 Secondary Standard is 15µg/m³

**Non-Attainment** (EPA/Federal definition): Any area that does not meet, or contributes to an area that does not meet the national primary or secondary ambient air quality standard for that pollutant. (CA definition): State standard was exceeded at least once during a three year period. ******The 2008 NAAQS for 8hr ozone is 0.075 ppm. The 2015 NAAQS for 8hr ozone is 0.070 ppm. The attainment status shown in this table relates to the 2008 and 2015 NAAQS. SLO County has been designated non-attainment of the 2015 NAAQS. NAAQS is National Ambient Air Quality Standards H:\OUTREACH\AttainmentStatus Revised January 29, 2019

#### 4.3.2.2.3 CALIFORNIA ASSEMBLY BILLS 1807 AND 2588: TOXIC AIR CONTAMINANTS

Within California, TACs are regulated primarily through AB 1807 (Tanner Act) and AB 2588 (Air Toxics Hot Spots Act). The Tanner Act sets forth a formal procedure for the CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before the CARB designates a substance as a TAC. Existing sources of TACs that are subject to the Air Toxics Hot Spots Act are required to (1) prepare a toxic emissions inventory, (2) prepare a risk assessment if emissions are significant, (3) notify the public of significant risk levels, and (4) prepare and implement risk reduction measures.

#### 4.3.2.2.4 IN-USE OFF-ROAD DIESEL VEHICLE REGULATION

On July 26, 2007, the CARB adopted a regulation to reduce DPM and NOx emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. The regulation applies to self-propelled diesel-fueled vehicles that cannot be registered and licensed to drive on-road, as well as two-engine vehicles that drive on road, with the limited exception of two-engine sweepers. Examples include loaders, crawler tractors, skid steers, backhoes, forklifts, airport ground support equipment, water well drilling rigs, and two-engine cranes. Such vehicles are used in construction, mining, and industrial operations. The regulation does not apply to stationary equipment or portable equipment, such as generators. The off-road vehicle regulation establishes emissions performance requirements, reporting, disclosure, and labeling requirements for off-road vehicles and limits unnecessary idling.

#### 4.3.2.2.5 CALIFORNIA BUILDING CODE

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 is adopted every 3 years by the Building Standards Commission (BSC). In the interim, the BSC also adopts annual updates to make necessary mid-term corrections. The CBC standards apply statewide; however, a local jurisdiction may amend a CBC standard if it makes a finding that the amendment is reasonably necessary due to local climatic, geological, or topographical conditions.

#### 4.3.2.2.6 CALIFORNIA GREEN BUILDING STANDARDS

In essence, green buildings standards are indistinguishable from any other building standards. Both standards are contained in the California Building Code and regulate the construction of new buildings and improvements. The only practical distinction between the two is that whereas the focus of traditional building standards has been protecting public health and safety, the focus of the California Green Building Standards (CALGreen) is to improve environmental performance.

The 2019 Building Energy Efficiency Standards (2019 Standards), previously adopted in May 2018, addressed four key areas: smart residential photovoltaic (PV) systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements. The 2019 Standards required new residential and nonresidential construction, as well as major alterations to existing structures, to include electric vehicle (EV)-capable parking spaces, which have electrical panel capacity and conduit to accommodate future installation. In addition, the 2019 Standards also required the installation of solar PV systems for low-rise residential dwellings, defined as single-family dwellings and multi-family dwellings up to three-stories in height. The solar PV systems are to be sized based on the buildings annual electricity demand, the building square footage, and the climate zone within which the home is located. However, under the 2019 Standards, homes may still rely on other energy sources, such

as natural gas. Compliance with the 2019 Standards, including the solar PV system mandate, residential dwellings will use approximately 50% to 53% less energy than those under the 2016 Standards. Actual reduction will vary depending on various factors (e.g., building orientation, sun exposure). Nonresidential buildings will use about 30% less energy due mainly to lighting upgrades.

The recently updated 2022 Building Energy Efficiency Standards (2022 Standards), which were approved in December 2021, encourage efficient electric heat pumps, establishes electric-ready requirements when natural gas is installed and to support the future installation of battery storage, and further expands solar PV and battery storage standards. The 2022 Standards extend solar PV system requirements, as well as battery storage capabilities for select land uses, including high-rise, multi-family, and nonresidential land uses, such as office buildings, schools, restaurants, warehouses, theaters, grocery stores, and more. Depending on the land use and other factors, solar systems should be sized to meet targets of up to 60% of the structure's loads. These new solar requirements will become effective January 1, 2023, and contribute to California's goal of reaching net-zero carbon footprint by 2045.

## *4.3.2.3 Local*

### 4.3.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Conservation and Open Space Element

The COSE is a comprehensive long-range planning document that sets forth goals, policies, and actions to address the conservation and preservation of public services, air quality, vegetation and wildlife, mineral resources, and visual resources, historic and archaeological resources, and energy (County of San Luis Obispo 2010). Applicable GHG policies include, but are not limited to:

**Policy AQ 1.1** **Compact development.** Encourage compact land development by concentrating new growth within existing communities and ensuring complete services to meet local needs.

**Policy AQ 1.2** **Reduce vehicle miles traveled.** Require projects subject to discretionary review to minimize additional vehicle travel.

**Policy AQ 1.3** **Convenient alternative transportation.** Require new development to provide safe and convenient access to alternative transportation within the project area and safe access to public transportation as feasible.

**Policy AQ 1.4** **Alternative transportation improvements.** Where new development is required to provide necessary alternative transportation improvements, such improvements should be in place, or otherwise guaranteed, before or concurrent with construction of the new development.

**Policy AQ 1.5** **Transportation efficiency**. Improve the operating efficiency of the transportation system by reducing vehicle travel demand and expanding opportunities for multi-modal travel.

**Policy AQ 1.7** **Bicycle and pedestrian travel**. Encourage bicycle and pedestrian use by supporting the policies found in the Regional Transportation Plan, County Bikeways Plan, Land Use and Circulation Element, and County Parks and Recreation Element. In addition, support public and private efforts to facilitate bicycling and walking for transportation and recreation.

**Policy AQ 1.8** **Support SLO Regional Rideshare**. Support San Luis Obispo Regional Rideshare's Transportation Choices Programs that promote transportation alternatives by providing financial or other incentives to employers, employees, and commuters who develop Trip Reduction Plans and implement commute options.

**Policy AQ 3.2** **Attain air quality standards**. Attain or exceed federal or state ambient air quality standards (the more stringent if not the same) for measured criteria pollutants.

**Policy AQ 3.3** **Avoid air pollution increases**. Avoid a net increase in criteria air pollutant emissions in planning areas certified as Level of Severity II or III for Air Quality by the County's Resource Management System (RMS).

**Policy AQ 3.4** **Toxic exposure**. Minimize public exposure to toxic air contaminants, ozone, particulate matter, sulfur dioxide, carbon monoxide, nitrogen oxides, and lead.

**Policy AQ 3.7** **Reduce vehicle idling.** Encourage the reduction of heavy-vehicle idling throughout the county, particularly near schools, hospitals, senior care facilities, and areas prone to concentrations of people, including residential areas.

**Policy AQ 3.8** **Reduce dust emissions**. Reduce $PM_{10}$ and $PM_{2.5}$ emissions from unpaved and paved County roads to the maximum extent feasible.

#### 4.3.2.3.2 SAN LUIS OBISPO COUNCIL OF GOVERNMENTS 2019 REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY

The *2019 Regional Transportation Plan* (RTP), which was adopted by the San Luis Obispo Council of Governments (SLOCOG) Board in June 2019, includes the region's Sustainable Communities Strategy (SCS) and outlines how the region will meet or exceed its greenhouse gas (GHG) reduction targets by creating more compact, walkable, bike-friendly, and transit-oriented communities; preserving important habitat and agricultural areas; and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network.

#### 4.3.2.3.3 SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

The SLOAPCD is the agency primarily responsible for ensuring that the NAAQS and CAAQS are not exceeded and that air quality conditions within the region are maintained. Responsibilities of the SLOAPCD include, but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the FCAA and the CCAA. Tables 4.3-4 and 4.3-5 detail the SLOAPCD thresholds of significance for project-level construction and operational impacts, respectively.

**Table 4.3-4. SLOAPCD Thresholds of Significance for Project-Level Construction Impacts**

| | Threshold[1] | | |
|---|---|---|---|
| **Pollutant** | **Daily (lbs/day)** | **Quarterly Tier 1 (tons)** | **Quarterly Tier 2 (tons)** |
| Ozone Precursors (ROG + NOx) | 137 | 2.5 | 6.3 |
| Diesel Particulate Matter (DPM) | 7 | 0.13 | 0.32 |
| Fugitive Particulate Matter ($PM_{10}$), Dust[2] | None | 2.5 | None |

Source: SLOAPCD (2012)

[1] Daily and quarterly emissions thresholds are based on the California HSC and the CARB Carl Moyer Guidelines.

[2] Any project with a grading area greater than 4.0 acres of a worked area can exceed the 2.5 tons $PM_{10}$ quarterly threshold.

**Table 4.3-5. SLOAPCD Thresholds of Significance for Project-Level Operational Impacts**

| | Threshold[1] | |
|---|---|---|
| **Pollutant** | **Daily (lbs/day)** | **Annual (tons/year)** |
| Ozone Precursors (ROG + NOx) | 25 | 25 |
| Diesel Particulate Matter (DPM) | 1.25 | None |
| Fugitive Particulate Matter ($PM_{10}$), Dust | 25 | 25 |
| CO | 550 | None |

Source: SLOAPCD (2012)

[1] Daily and annual emissions thresholds are based on California HSC Division 26, Part 3, Chapter 10, Section 40918 and the CARB Carl Moyer Guidelines for DPM.

### *4.3.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Air Quality*

Table 4.3-6 lists applicable state, regional, and local land use policies and regulations pertaining to air quality that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.3.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.3-6 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.3.5, *Project-Specific Impacts and Mitigation Measures*, for additional discussion.

## Table 4.3-6. Preliminary Policy Consistency Evaluation

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Conservation and Open Space Element** | | |
| **Policy AQ 1.1 Compact Development**. Encourage compact land development by concentrating new growth within existing communities and ensuring complete services to meet local needs. | Development of mixed-used communities with locally serving commercial uses will support regional efforts to reduce VMT. | **Potentially Consistent.** The Specific Plan Area would include new development immediately adjacent to the Nipomo URL in an area planned for housing of varying densities and hotel, retail, and educational land uses, which would be supported by the planned extension of transportation, water, and wastewater infrastructure. |
| **Policy AQ 1.2 Reduce vehicle miles traveled**. Require projects subject to discretionary review to minimize additional vehicle travel. | The intent of this policy is to reduce VMT on a project-by-project basis. | **Potentially Inconsistent.** Buildout of the DRSP would result in an increase in overall VMT and VMT per employee even with implementation of Mitigation Measure TR/mm-3.1. |
| **Policy AQ 1.5 Transportation efficiency.** Improve the operating efficiency of the transportation system by reducing vehicle travel demand and expanding opportunities for multi-modal travel. | The promotion of alternative transportation modes supports regional efforts to maximize the existing transportation network and to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities, a Park and Ride transit center, and transit stops along Collector A. |
| **Policy AQ 1.6 Multi-modal transportation.** Coordinate with other local governments and agencies to develop a multi-modal transportation system. This system should enable convenient and efficient use of transportation alternatives. It should also provide multi-modal transfer sites that incorporate auto, bike parking, transit, pedestrian and bicycle paths, as well as park and ride pickup points. | The promotion of alternative transportation modes supports regional efforts to maximize the efficiency of the existing transportation network and to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities, a Park and Ride transit center, and transit stops along Collector A. |
| **Policy AQ 1.7 Bicycle and pedestrian travel.** Encourage bicycle and pedestrian use by supporting the policies found in the Regional Transportation Plan, County Bikeways Plan, Land Use and Circulation Element, and County Parks and Recreation Element. In addition, support public and private efforts to facilitate bicycling and walking for transportation and recreation. | The promotion of walking and bicycling for varied trip purposes supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities, a Park and Ride transit center, and transit stops along Collector A. |
| **Policy AQ 1.8 Support SLO Regional Rideshare.** Support San Luis Obispo Regional Rideshare's Transportation Choices Programs that promote transportation alternatives by providing financial or other incentives to employers, employees, and commuters who develop Trip Reduction Plans and implement commute options. | The promotion of carpooling and bicycle use for varied trip purposes (e.g., work, school, household needs) supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would support countywide rideshare as part of a suite of transportation demand management strategies limiting the number of single-occupancy vehicles for work trips. |
| **Policy AQ 3.2 Attain air quality standards.** Attain or exceed federal or state ambient air quality standards (the more stringent if not the same) for measured criteria pollutants. | The intent of this policy is to reduce emission of criteria air pollutants, PM, and TACs. | **Potentially Consistent.** Buildout of the Specific Plan Area would require implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 to limit construction- and operations-related emissions of criteria air pollutants, PM, and TACs. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy AQ 3.3 Avoid air pollution increases.** Avoid a net increase in criteria air pollutant emissions in planning areas certified as Level of Severity II or III for Air Quality by the County's Resource Management System (RMS). | The intent of this policy is to reduce emission of criteria air pollutants, PM, and TACs. | **Potentially Consistent.** Buildout of the Specific Plan Area would require implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 to limit construction- and operations-related emissions of criteria air pollutants, PM, and TACs. |
| **Policy AQ 3.4 Toxic exposure.** Minimize public exposure to toxic air contaminants, ozone, particulate matter, sulfur dioxide, carbon monoxide, nitrogen oxides, and lead. | The intent of this policy is to reduce emission of criteria air pollutants, PM, and TACs. | **Potentially Consistent.** Buildout of the Specific Plan Area would require implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 to limit construction- and operations-related emissions of criteria air pollutants, PM, and TACs. |
| **Policy AQ 3.6 Strategic growth principles.** Ensure that implementation of the Strategic Growth principles and goals are balanced with protection of sensitive receptors near high-volume transportation routes and sources of toxic emissions (i.e., railyards, downtown centers, gasoline development facilities, chrome platers, dry cleaners, and refineries). | The intent of this policy is to reduce emission of criteria air pollutants. | **Potentially Consistent.** Development of the DRSP would locate residential uses 500 or more feet from the US 101 corridor. Further, buildout of the Specific Plan Area would require implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 to limit construction- and operations-related emissions of criteria air pollutants, PM, and TACs. |
| **Policy AQ 3.7 Reduce vehicle idling.** Encourage the reduction of heavy vehicle idling throughout the county, particularly near schools, hospitals, senior care facilities, and areas prone to concentrations of people, including residential areas. | The intent of this policy is to reduce emission of criteria air pollutants, PM, and TACs. | **Potentially Consistent.** With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1, compact development proposed within the Specific Plan Area with a mix of land uses interconnected by pedestrian and bicycle facilities that connect to public transit stops and a Park and Ride transit center would support transportation demand management strategies limiting the number of vehicle trips and tailpipe emissions. |
| **Policy AQ 3.8 Reduce dust emissions.** Reduce PM10 and PM2.5 emissions from unpaved and paved county roads to the maximum extent feasible. | The intent of this policy is to reduce emission of criteria air pollutants, PM, and TACs. | **Potentially Consistent.** With implementation of Mitigation Measure AQ/mm-3.2, roads within the Specific Plan Area would be paved and the backbone roadway infrastructure would meet minimum standards identified in the County's Public Improvement Standards. |
| **Policy AQ 4.1 Reduce greenhouse gas emissions**. Implement and enforce State legislative or regulatory standards, policies, and programs designed to reduce greenhouse gas emissions. | The intent of this policy is to reduce emission of criteria air pollutants, PM, TACs, and GHGs. | **Potentially Consistent.** With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 for infrastructure improvements and development of the mix of land uses, GHGs would be reduced to the maximum extent feasible. |
| **Policy AQ 4.4 Development projects and land use activities.** Reduce greenhouse gas emissions from development projects and other land use activities. | The intent of this policy is to reduce emission of criteria air pollutants, PM, and TACs. | **Potentially Consistent.** With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 for infrastructure improvements and development of the mix of land uses, GHGs would be reduced to the maximum extent feasible. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Framework for Planning (Inland)** | | |
| **Principle 1:** Preserve open space, scenic natural beauty, and natural resources. Conserve energy resources. Protect agricultural land and resources. | | |
| **Policy 4.** Preserve and protect the air quality of the county by seeking to exceed or at least maintain the minimum state and federal ambient air quality standards. | The intent of this policy is to reduce emission of criteria air pollutants, PM, and TACs to meet federal and state standards. | **Potentially Consistent.** With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1, compact development proposed within the Specific Plan Area with a mix of land uses interconnected by pedestrian **and** bicycle facilities that connect to public transit stops and a Park and Ride transit center would support transportation demand management strategies limiting the number of vehicle trips and tailpipe emissions. |
| **Principle 4:** Create walkable neighborhoods and towns. | | |
| **Policy 1.** Plan communities with schools, parks, public spaces, transit stops and commercial districts located as focal points within convenient walking distances of neighborhoods. | The planning and development of mixed-used communities with multimodal transportation infrastructure and locally serving commercial uses supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of compatible land uses interconnected by a system of pedestrian, bicycle, and equestrian facilities with links to the Nipomo and County pedestrian and bicycle network. |
| **Policy 2.** Plan for maximum connectivity between different land uses through walkways or other means. | The planning and development of an interconnected multimodal transportation system within mixed-used communities with locally serving commercial uses supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of compatible land uses interconnected by a system of pedestrian, bicycle, and equestrian facilities with links to the Nipomo and County pedestrian and bicycle network. |
| **Principle 5:** Provide a variety of transportation choices. | | |
| **Policy 2.** Reduce and minimize the generation of air pollutants and greenhouse gases from existing and future development, with emphasis on reducing vehicle miles traveled. | Compact development with a mix of land uses limits single-occupant vehicle trips and supports regional efforts to reduce VMT. | **Potentially Consistent.** Transportation demand strategies identified under Mitigation Measure TR/mm-3.1 would minimize impacts associated with VMT per employee and overall VMT. In addition, mitigation measures have been identified in this section to reduce air pollutant emissions from project construction activities and operation. |
| **Policy 4.** Provide public transit, bicycle lanes, multi-use trails and pedestrian walkways that connect destinations within and between communities, to encourage alternative transportation. | Implementation of mixed-use communities with pedestrian and bicycle facilities that connect with transit service support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP would include a backbone roadway infrastructure designed as “Complete Streets” to include pedestrian and bicycle facilities and meet the County’s minimum design standards and construction specifications. The DRSP would also include off-street pedestrian paths. |
| **Policy 5.** Make communities more bicycle- and pedestrian-friendly with safe and attractive routes. | Implementation of mixed-use communities with pedestrian and bicycle facilities that connect with the existing facilities | **Potentially Consistent.** The DRSP would include a backbone roadway infrastructure designed as “Complete Streets” to include pedestrian and bicycle facilities and meet the County’s minimum design standards and |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | support regional efforts to reduce VMT. | construction specifications. The DRSP would also include off-street pedestrian paths. |
| **Principle 7:** Encourage mixed land uses. | Coordinated land use and transportation planning support mixed-use developments and regional efforts to reduce VMT. | **Potentially Consistent.** While no typical mixed-use development is proposed within the Specific Plan Area, the DRSP includes a mix of land uses (residential, parks and open space, commercial/retail, and educational) and multimodal transportation infrastructure. Transportation demand strategies identified under Mitigation Measure TR/mm-3.1 would minimize impacts associated with VMT per employee and overall VMT; however, such impacts would remain significant and unavoidable. |
| ***South County Inland Area Plan*** | | |
| **Circulation Policies** | | |
| a. Transportation should be planned to facilitate the use of all modes to improve traffic service and air quality. Transportation planning should be consistent between the Planning and Public Works Departments. | Increased efficiency of the transportation system through coordinated development and promotion of multimodal transportation supports regional efforts to reduce VMT and limit air pollutant and PM emissions. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| ***Nipomo Community Plan*** | | |
| **Land Use Programs** | | |
| **5. Pathway Plan**. Work with the community to prepare a plan for pedestrian circulation through the urban area. The plan should identify locations of walking and riding paths connecting neighborhoods to shopping areas, parks and schools. Linear parkways should be studied as one method of providing alternate pedestrian routes within public parks. | The intent of this program is to support development of an interconnected system of bicycle, pedestrian, and equestrian pathways that connect varied land uses. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities |
| ***SLOCOG 2019 Regional Transportation Plan (RTP)*** | | |
| **Goal 2.** Improve intermodal mobility and accessibility for all people | | |
| **Policy Objective 2.1.** Provide reliable, integrated, and flexible travel choices across and between modes. | Development of interconnected pedestrian, bicycle, and transit facilities support regional efforts to reduce VMT, and ultimately GHG, criteria air pollutant, and PM emissions. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops and the proposed Park and Ride lot along Collector A. |
| **Policy Objective 2.2.** Improve opportunities for businesses and citizens to easily access goods, jobs, services, and housing. | Mixed-use developments support regional efforts to reduce VMT, and ultimately GHG, criteria air pollutant, and PM emissions, by locating goods, jobs, services, and | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops, the proposed Park and Ride lot along Collector A, and the |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | housing in close proximity to pedestrian, bicycle, and transit-supportive facilities. | commercial and employment center on the east portion of Specific Plan Area. |
| **Policy Objective 2.5.** Support cooperative planning activities that lead to *an* integrated multimodal transportation system. | Coordinated land use and transportation planning, including development of effective transportation demand management strategies, support mixed-use developments and regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops, the proposed Park and Ride lot along Collector A, and the commercial and employment center on the east portion of Specific Plan Area. |
| **Goal 4.** Improve public safety and security. | | |
| **Policy Objective 4.2.** Reduce congestion and increase safety by improving operations. | This policy is focused on maintaining the quality of service on County roadways as growth continues so that increases in congestion and delay are limited and user safety is maintained. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from road ROWs, such as Class I and Class IV bicycle paths. |
| **Policy Objective 4.3.** Enhance public safety and security in all modes of transportation. | This policy is focused on the development of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit with an emphasis on user safety. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from road ROWs, such as Class I and Class IV bicycle paths. |
| **Goal 5.** Foster livable, healthy communities and promote social equity | | |
| **Policy Objective 5.1.** Reflect community values while integrating land use and transportation planning to connect communities through a variety of transportation choices that promote healthy lifestyles. | This policy is focused on the development of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit with an emphasis on user safety. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from road ROWs, such as Class I and Class IV bicycle paths. |
| **Policy Objective 5.2.** Integrate public health and social equity in transportation planning and decision-making. | This policy is focused on the health concerns associated with emissions of criteria air pollutants, PM, and TACs. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from road ROWs, such as Class I and Class IV bicycle paths. |
| **Policy Objective 5.3.** Support efforts to increase the supply and variety of housing, jobs, and basic services in locations that reduce trips, travel distances, and congestion on US 101. | This policy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting mixed-use land development. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| **Policy Objective 5.4.** Make investments and develop programs that support local land use decisions that implement the SCS and other strategies to reduce GHG emissions and make our communities more healthy, livable, sustainable, and mobile. | This policy reduces VMT, and ultimately GHG and air quality emissions, by promoting mixed land uses, and further reduces GHG and other contaminant emissions through the reduction of VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair share contributions for identified on- and off-site transportation improvements. Additionally, the existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| **Sustainable Communities Strategy** | | |
| *Community Planning and Development Standards* | | |
| 2. Support the update and modification of zoning and development standards in downtowns and villages to consider or support (Near):<br>• Mixed-use, infill, and residential development,<br>• Reduced vehicle parking requirements,<br>• Increased bicycle parking requirements,<br>• Intensification of land use, and<br>• Modification of setbacks, building height, and size limitations. | This standard is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities with transportation demand strategies. | **Potentially Consistent**. The DRSP has been developed with input from various governmental agencies and has employed strategic growth and transit-oriented development principles for site planning and infrastructure. |
| *Infill Development and Location Efficiency* | | |
| 8. Support mixed-use and infill development near existing transit services and activity centers. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Inconsistent.** The DRSP proposes a mix of residential, commercial, and open space uses outside of the existing Nipomo URL. The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service, and is generally surrounded by existing residential development; however, the project does not propose infill development and does not promote location efficiency. |
| 11. Support the reduction of parking requirements along existing and emerging transit corridors. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| *Healthy, Livable Communities* | | |
| 12. Promote healthy and livable communities and human-scale development that promotes biking and walking. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 13. Coordinate with local jurisdictions to ensure best practices of incorporating healthy community design in land use, circulation, and health elements of agency general plans. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 14. Coordinate with public health staff to share best practices of incorporating healthy community design into policy and planning documents. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library and Nipomo Regional Park. |
| 15. As part of agency review and comment on specific plans and significant development projects, encourage healthy and livable community design concepts, and incorporation of multimodal transportation options. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Land Use Transportation Connection* | | |
| 18. Support local jurisdictions' efforts to direct new and future development to existing downtowns, villages, and commercial corridors. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 19. Support local jurisdictions' efforts to improve connectivity between adjacent land uses. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Reduce Vehicle Trips and VMT* | | |
| 20. Support expanded transit service and increased frequency of transit service within and between communities to reduce vehicle trips and vehicle miles of travel. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 21. Support local jurisdictions' efforts to improve active transportation infrastructure to replace some short vehicle trips with bike and walk trips. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 22. Support the addition of peak-hour express transit trips to reduce vehicle congestion on major highways, and other primary transportation corridors. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | transportation demand strategies. | |
| *Parking and Parking Demand Management* | | |
| 24. Support roadway corridor plans in downtown and village areas that investigate how to best use existing roadway width relative to traffic demands to assess options of reducing travel lanes and providing additional on-street parking and enhanced pedestrian and bicycle facilities, additional public space, and aesthetic streetscape improvements. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Complete Streets and Multi-Modal Transportation Options* | | |
| 29. Support local jurisdictions' incorporation of complete streets policies as part of periodic circulation element updates. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| 30. Encourage local jurisdictions to establish and maintain a mix of transit, bicycle, and pedestrian access choices. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| 31. Support the incorporation of design features and infrastructure in new projects that support active transportation and transit users. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| *Resource Protection* | | |
| 38. Work with federal, state, and local agencies and other stakeholders to identify priority areas for protection; enhancement of sensitive resources; carbon sequestration opportunities; and/or provide mitigation banking opportunities/funds for mitigating adverse impacts to the environment associated with transportation improvements. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards and would avoid identified on-site sensitive resources, such as the oak trees, as well as any resources at off-site locations for infrastructure improvements. |
| *Funding Mechanisms* | | |
| 46. Prioritize funding toward existing communities to improve the effectiveness of public investments; and support community revitalization through such strategies as encouraging redevelopment and mixed-use development along existing corridors and emerging transit corridors. (Ongoing) | This strategy is focused on soliciting input for refinements to the local circulation system as part of larger regional efforts to relieve traffic congestion, improve air quality, and reduce VMT and to also ensure that future development contributes fair share costs for services and infrastructure. | **Potentially Consistent.** Improvements would require the payment of development fees by each prospective developer, including fair share contributions for needed off-site transportation improvements. Additionally, the existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |

## 4.3.3 Thresholds of Significance

Pursuant to the State CEQA Guidelines, the project would be considered to have a significant effect on air quality if the effects exceed the significance criteria described below:

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.

Each of these thresholds is discussed under Section 4.3.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.3.4 Impact Assessment and Methodology

The following impact discussion is based, in part, on the *Air Quality and Greenhouse Gas Impact Assessment* prepared for the DRSP (AMBIENT 2022). A significant impact related to air quality would occur if the proposed project would conflict with an applicable air quality plan, result in a cumulatively considerable net increase in criteria air pollutants above applicable standards, expose sensitive receptors to substantial pollutant concentrations, or result in odors that may affect a substantial number of people.

# 4.3.5 Project-Specific Impacts and Mitigation Measures

## WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE APPLICABLE AIR QUALITY PLAN?

### Specific Plan Area

#### *AQ Impact 1: The project would conflict with an applicable air quality plan. Impacts would be significant and unavoidable (Class I).*

SLOAPCD CLEAN AIR PLAN

As part of the CCAA, the SLOAPCD is required to develop a plan to achieve and maintain the state ozone standard by the earliest practicable date. The SLOAPCD's 2001 Clean Air Plan (CAP) addresses the attainment and maintenance of the NAAQS and CAAQS. The SLOAPCD CAP outlines the district's strategies to reduce ozone-precursor pollutants (i.e., ROG and NOx) from a wide variety of sources. The SLOAPCD CAP also includes a stationary-source control program, which includes control measures for permitted stationary sources and transportation and land use management strategies to reduce motor vehicle emissions and use. Transportation and land use control measures are implemented at the regional or local level by promoting and facilitating the use of alternative transportation options, increased pedestrian access and accessibility to community services and local destinations, reductions in VMT, and promotion of congestion management efforts. In addition, local jurisdictions also prepare population forecasts, which are used by the SLOAPCD to forecast population-related emissions and air quality attainment, including those contained in the SLOAPCD CAP. As a result, consistency with the SLOAPCD CAP has been evaluated based on the proposed project's consistency with the land use management strategies and transportation control measures identified in the CAP. The control measures applicable to the proposed project and the project's consistency are summarized in Table 4.3-7.

**Table 4.3-7. Project Consistency with the SLOAPCD's CAP Transportation and Land Use Control Measures**

| Control Measures | Project Consistency |
|---|---|
| ***Land Use Planning Strategies*** | |
| **L-3 Balancing Jobs and Housing.**<br>Within cities and unincorporated communities, the gap between the availability of jobs and housing should be narrowed and should not be allowed to expand. | **Inconsistent**. The proposed project is located within the NCSD Sphere of Influence (SOI). Nipomo is an unincorporated area that is jobs poor. The project would result in the creation of 1,441 dwelling units (including ADUs) and approximately 273 new jobs, which would increase the gap between jobs and housing. Deterioration in a jobs-to-housing imbalance would be anticipated to hinder regional and local improvements related to increased transportation mobility and potential increase in VMT. Although the DRSP would include commercial uses and infrastructure to promote the use of public transit and walking and bicycling (e.g., Park and Ride lot, transit service expansion, connections to bicycle lane network), it would remain inconsistent with this measure. |
| ***Transportation Control Measures*** | |
| **T-2B Regional Public Transit Improvements.**<br>The goal of this measure is to improve transit service and facilities that will promote increased public transit use instead of a private automobile. | **Consistent with Mitigation Incorporated**.<br>• Transit service does not have a route that passes the project location; however, infrastructure to promote the use of public transit (e.g., Park and Ride lot, transit stops, service expansion) would be provided as part of the backbone infrastructure for the DRSP. |
| **T-3 Bicycling and Bikeway Enhancements.** | |

| Control Measures | Project Consistency |
|---|---|
| The goal of this measure is to encourage a modal shift to bicycles through implementation of infrastructure improvements and administrative actions that provide inexpensive commute options and increased safety and convenience for commuters. | • Site improvements (e.g., backbone roadway infrastructure and utilities) would support the use of bicycles and walking. Bicycle lanes and sidewalks (for internal connections and to connect with Nipomo's existing network of bike lanes and sidewalks) would be provided as part of the backbone roadway infrastructure, along with separated pedestrian and equestrian trails.<br>• The DRSP and each phase of development (residential and commercial) would provide a menu of transportation demand management measures to support the County's efforts to promote modal shift and reductions in single-occupancy vehicle trips and VMT under the 2019 RTP and SCS.<br>• Mitigation Measure AQ/mm-3.3 would add additional measures to reduce operational emissions, including the installation of bicycle storage per current building code requirements. |
| **T-8 Teleworking, Teleconferencing, and Telelearning.**<br>The objective of this measure is to reduce the number of trips and miles traveled by employees and students by promoting teleworking, tele-conferencing and telelearning. | **Consistent with Mitigation Incorporated**. As noted above, future operations would include numerous site design elements and transportation demand management measures that, when implemented, could reduce employee-related trips. |

Source: AMBIENT (2022)

### Jobs-to-Housing Balance

The proposed project is located within the NCSD Sphere of Influence (SOI). The community of Nipomo is unincorporated with a low number of employment opportunities. The project would result in the creation of 1,441 dwelling units and approximately 273 new jobs, which would increase the gap between jobs and housing. Deterioration in a jobs-to-housing imbalance would be anticipated to hinder regional and local improvements related to increased transportation mobility and potential reductions in VMT. Therefore, the proposed project would be inconsistent with this threshold.

### Transportation Control Measures

The DRSP includes development of pedestrian and bicycle facilities to facilitate alternative modes of transportation throughout the Specific Plan Area and other areas within the community. In addition, Mitigation Measure AQ/mm-3.3, included in AQ Impact 3, would further facilitate the use of alternative modes of transportation to reduce VMT within the vicinity of the Specific Plan Area. Therefore, the proposed project would be consistent with this measure with mitigation incorporated.

### Teleworking, Teleconferencing, and Telelearning

Implementation of the proposed project would generate the need for approximately 273 new employees that would likely increase vehicle trips for travel to and from work. The proposed extension of public transit through the site along proposed Collector A, the development of the Park and Ride transit center, and implementation of transportation demand management strategies on a project-by-project basis (see Mitigation Measure TR/mm-3.1, included in TR Impact 3 in Section 4.17, *Transportation*, and Mitigation Measure AQ/mm-3.3, included in AQ Impact 3) would facilitate employees within the Specific Plan Area to reduce employee VMT where feasible through use of transit, rideshare options such as vanpooling, telecommuting, etc. Therefore, the proposed project would be consistent with this threshold with mitigation incorporated.

### Regional Vehicle Miles Traveled

This analysis also provides an analysis of regional VMT and consistency with regional VMT-reduction efforts. Regional VMT estimates are relied upon for regional air quality planning purposes. Regional VMT and growth projections are used to determine the strategies to be implemented sufficient to reach the emission reduction targets set by the CARB through Senate Bill (SB) 375, which is transportation legislation that supports the broader 2030 emission reduction targets required in SB 32. The proposed project includes creation of single-family residential units, multi-family residential units, flex commercial space, commercial retail space, education land uses (daycare center and educational/training facility), and a hotel. Table 4.3-8 presents a summary of project VMT impacts.

**Table 4.3-8. Project VMT Impact Summary**

| Category | VMT Per Employee | VMT Per Capita |
|---|---|---|
| County Threshold | 25.7 | 27.2 |
| Proposed Project | 26.9 | 30.0 |
| **Percent Reduction in VMT Required to Reduce to Below Threshold** | **4.46%** | **9.34%** |

Source: AMBIENT (2022)

As shown in Table 4.3-8, the project would generate 26.9 VMT per employee and 30.0 VMT per capita, which are 4.46% and 9.34% above the country threshold. Regional VMT would also be expected to increase by 26,861 miles, which would exceed the significance threshold of no net increase in overall VMT for retail and other projects (AMBIENT 2022).

## SENATE BILL 656 REQUIREMENTS

The SLOAPCD has adopted the *Particulate Matter Report* (PM Report), which identifies various measures and strategies to reduce public exposure to PM emitted from a wide variety of sources, including emissions from permitted stationary sources and fugitive sources, such as construction activities. Uncontrolled fugitive dust generated during construction has the potential to result in localized pollutant concentrations that may result in increased nuisance concerns to nearby land uses. Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2, included in AQ Impact 3, have been included to reduce construction-related air pollutant emissions. Therefore, construction-generated emissions of PM would be less than significant with regard to air quality planning efforts.

## CONCLUSION

The proposed project would be inconsistent with the elements of the SLOAPCD CAP because implementation of the proposed project would further divide the jobs-to-housing balance within the project area. Further, the proposed project would be inconsistent with regional VMT reduction efforts because implementation of the project would increase regional VMT in excess of applicable per capita thresholds. No mitigation measures have been identified that would reduce these impacts to below applicable thresholds. However, the proposed project would be consistent with alternative transportation and employee VMT reduction strategies included in the SLOAPCD CAP and would also be consistent with SB 656 requirements. However, due to the increase in regional VMT and inconsistency with the jobs-to-housing balance, impacts would be *significant and unavoidable*.

| **AQ Impact 1 (Class I)** |
|---|
| The project would conflict with an applicable air quality plan. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1 through AQ/mm-3.3 and TR/mm-3.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1 through AQ/mm-3.3 and TR/mm-3.1, the project would be consistent with alternative transportation and employee VMT reduction strategies included in the SLOAPCD CAP and PM reduction requirements of SB 656. However, the project would increase regional VMT and would be inconsistent with the jobs-to-housing balance included in the SLOPACD CAP. No mitigation has been identified that would reduce these impacts to below applicable thresholds. Therefore, impacts related to consistency with applicable air quality plans would be significant and unavoidable (Class I).* |

## Off-Site Improvements

### *AQ Impact 2: Off-site improvements would not conflict with an applicable air quality plan. Impacts would be less than significant (Class III).*

Implementation of proposed off-site improvements would result in the construction and operation of various transportation, water, and wastewater system improvements. Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan Area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed off-site water system improvements would occur along North Oakglen Avenue and Tefft Street and proposed off-site wastewater system improvements would be required along North Frontage Road and at the NCSD's existing Southland WWTF (see Figures 2-4 and 2-5 in Chapter 2, *Project Description*). All proposed off-site improvements would be located within existing paved roadways or disturbed road shoulder areas or within existing NCSD facilities (such as the Southland WWTF), with the exception of a new lift station near the southeast corner of the Specific Plan Area.

Proposed off-site improvements would require short-term, intermittent construction activities that have the potential to result in PM emissions that would be subject to SB 656 requirements. Construction emissions are anticipated to be limited and Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2 have conservatively been included to reduce potential PM emissions where feasible in AQ Impact 3; therefore, construction-generated emissions of PM would be less than significant with regard to air quality planning efforts.

Operation of off-site improvements would result in a limited number of vehicle trips to proposed improvement areas for as-needed maintenance and repair. Because future operations would generate limited vehicle trips, the potential effects would be similar to existing activities associated with transportation facility and NCSD maintenance activities within the community of Nipomo. Implementation of off-site improvements would not result in the development of new land uses that would facilitate substantial population growth or new employment opportunities that would be inconsistent with the SLOAPCD CAP or regional VMT reduction strategies. Therefore, operation of off-site water and wastewater improvements would be consistent with applicable air quality plans and requirements and impacts would be *less than significant*.

| **AQ Impact 2 (Class III)** |
|---|
| Off-site improvements would not conflict with an applicable air quality plan. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Off-site improvements would not conflict with an applicable air quality plan, and residual impacts would be considered less than significant (Class III).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

#### *AQ Impact 3: The project would result in a cumulatively considerable net increase of criteria pollutants in exceedance of established SLOAPCD daily emissions thresholds. Impacts would be significant and unavoidable (Class I).*

CONSTRUCTION

Construction activities for buildout of the Specific Plan Area would result in a short-term increase in criteria air pollutant and ozone precursor emissions, including ROG, NOx, and PM through ground disturbance, construction and worker vehicle and equipment use, and paving. Emissions of ozone precursors would result from the operation of on- and off-road motorized vehicles and equipment. Emissions of airborne PM would depend on the amount of ground disturbance associated with site preparation activities.

The exact schedule for buildout of the Specific Plan Area is currently not known but is anticipated to occur over a span of 6 years beginning in 2024 (see Table 2-11 in *Chapter 2, Project Description*). Based on the duration of buildout activities and scale of proposed development, there is potential for proposed construction to generate emissions in exceedance of established thresholds. Estimated maximum daily and quarterly emissions associated with construction of the proposed project are summarized in Table 4.3-9 (see EIR Appendix D).

As shown in Table 4.3-9, maximum daily emissions associated with the construction of the proposed project would total approximately 210.39 pounds per day of ROG+NOx emissions and 3.69 pounds per day of exhaust $PM_{10}$. Maximum quarterly construction-generated emissions would total approximately 4.46 tons per quarter of ROG+NOx, 0.96 tons per quarter of fugitive $PM_{10}$, and 0.06 tons per quarter of exhaust $PM_{10}$. Maximum daily and quarterly construction emissions of ROG+NOx would exceed SLOAPCD's daily and quarterly Tier 1 significance thresholds but would not exceed the quarterly Tier 2 significance threshold.

**Table 4.3-9. Summary of Construction Emissions without Mitigation**

| Criteria | Project Emissions | SLOAPCD Significance Threshold | | Exceeds Significance Threshold? | |
|---|---|---|---|---|---|
| Maximum Daily Emissions of ROG+NOx | 210.39 lbs/day | 137 lbs/day | | Yes | |
| Maximum Daily Emissions of DPM | 3.69 lbs/day | 7 lbs/day | | No | |
| | | **Tier 1** | **Tier 2** | **Tier 1** | **Tier 2** |
| Maximum Quarterly Emissions of ROG+NOx | 4.46 tons/quarter | 2.5 tons/quarter | 6.3 tons/quarter | Yes | No |
| Maximum Quarterly Emissions of DPM | 0.06 tons/quarter | 0.13 tons/quarter | 0.32 tons/quarter | No | No |
| Maximum Quarterly Emissions of Fugitive PM | 0.96 tons/quarter | 2.5 tons/quarter | None | No | No |

Source: AMBIENT (2022)
Notes: lbs = pounds. Refer to EIR Appendix D for modeling assumptions and results.

Emissions would primarily be a result of mobile-source emissions associated with construction vehicle and equipment operations anticipated to occur during the building construction phase. Estimated emissions of fugitive PM and DPM would not exceed SLOAPCD's significance thresholds. However, uncontrolled fugitive dust generated during construction may result in localized pollutant concentrations that could exceed ambient air quality standards and result in increased nuisances to nearby residential land uses. Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2 have been included to require implementation of SLOAPCD-recommended measures and best-available control technology to reduce construction-generated emissions where feasible. Depending on the availability of Tier 4 off-road equipment, on-site emissions could be reduced by up to approximately 50% for ROG, 80% for NOx, and 90% for DPM, in comparison to off-road equipment meeting the Tier 3 emission standards. Implementation of dust control measures would reduce fugitive dust emissions by approximately 50% or more (AMBIENT 2022). Additional measures have also been included, in addition to standard SLOAPCD measures, to reduce evaporative emissions from architectural coatings, including the use of low VOC-content paint and prefinished construction materials. Implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2 would assist with the compliance of SLOAPCD's 20% opacity limit (SLOAPCD Rule 401), nuisance rule (SLOAPCD Rule 402), and minimize potential nuisance impacts to nearby receptors. For projects exceeding Tier 1 significance thresholds, the SLOAPCD considers implementation of standard mitigation measures and best-available control technology to be sufficient to reduce short-term air quality impacts to a less-than-significant level. With implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2, construction-related emissions would not exceed SLOAPCD's daily or quarterly Tier 2 significance thresholds, as shown in Table 4.3-10. Therefore, construction-related impacts would be *less than significant with mitigation*.

**Table 4.3-10. Summary of Construction Emissions With Mitigation**

| Criteria | Project Emissions | SLOAPCD Significance Threshold | | Exceeds Significance Threshold? | |
|---|---|---|---|---|---|
| Maximum Daily Emissions of ROG+NOx | 121.33 lbs/day | 137 lbs/day | | No | |
| Maximum Daily Emissions of DPM | 3.11 lbs/day | 7 lbs/day | | No | |
| | | **Tier 1** | **Tier 2** | **Tier 1** | **Tier 2** |
| Maximum Quarterly Emissions of ROG+NOx | 3.02 tons/quarter | 2.5 tons/quarter | 6.3 tons/quarter | Yes | No |
| Maximum Quarterly Emissions of DPM | 0.09 tons/quarter | 0.13 tons/quarter | 0.32 tons/quarter | No | No |
| Maximum Quarterly Emissions of Fugitive PM | 0.88 tons/quarter | 2.5 tons/quarter | None | No | No |

Source: AMBIENT (2022)
Notes: lbs = pounds. Includes the use of Tier 3 off-road equipment of fugitive dust control measures, and low-VOC content paint. Refer to EIR Appendix D for modeling assumptions and results.

## OPERATION

Buildout of the Specific Plan Area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, 152 ADUs, and approximately 203,000 square feet of land dedicated to commercial, hotel, education, and light industrial development. Full buildout of the Specific Plan Area is anticipated to generate a total population of 4,554 residents and 273 new employees (4,827 people total) and approximately 18,662 additional daily trips (Central Coast Transportation Consulting [CCTC] 2021). In addition, buildout of the Specific Plan Area includes development of a new 10-acre public park, a 1-acre equestrian staging area, and 8.5 to 12 acres of neighborhood pocket parks. Long-term operational emissions associated with the proposed project would be predominantly associated with mobile sources (i.e., vehicle use). Other emissions associated with area sources, such as landscape maintenance activities and energy use, including electricity and natural gas use, would also contribute to increased operational emissions. Unmitigated operational emissions associated with the proposed project are summarized in Table 4.3-11 (see EIR Appendix D).

**Table 4.3-11. Operational Emissions without Mitigation**

| | Emissions[1] | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | | $PM_{10}$ | | |
| **Operational Period/Source** | **ROG** | **NOx** | **ROG+NOx** | **CO** | **Fugitive** | **Exhaust** | **Total** |
| ***Daily Emissions (lbs/day)*** | | | | | | | |
| Area Source | 59.5 | 1.4 | 60.9 | 118.8 | 0 | 0.7 | 0.7 |
| Energy Use | 1.0 | 8.5 | 9.5 | 4.2 | 0 | 0.7 | 0.7 |
| Mobile | 34.9 | 54.7 | 89.6 | 350.2 | 115.8 | 0.7 | 116.5 |
| **Total Project Emissions** | 95.4 | 64.6 | **160.0** | 473.3 | **115.8** | **2.0** | 117.8 |
| **SLOAPCD Significance Thresholds** | **--** | **--** | **25** | **550** | **25** | **1.25** | **--** |
| Exceeds SLOAPCD Thresholds? | -- | -- | **Yes** | No | **Yes** | **Yes** | -- |
| ***Annual Emissions (tons/year)*** | | | | | | | |
| **Total Project Emissions** | 15.6 | 10.1 | **25.7** | 72.0 | 17.6 | 0.3 | 17.9 |
| **SLOAPCD Significance Thresholds** | **--** | **--** | **25** | **--** | **25** | **--** | **--** |
| Exceeds SLOAPCD Thresholds? | -- | -- | **Yes** | -- | No | -- | -- |

Source: AMBIENT (2022)

Note: Based on operational year of 2030 for Hotel, Commercial, Educational, and Residential. Totals may not sum due to rounding. Refer to EIR Appendix D for modeling output files and assumptions.

[1] Daily emissions are based on the highest emissions for summer or winter operational conditions for buildout conditions. Totals may not sum due to rounding.

As shown in Table 4.3-11, maximum daily operational emissions of ROG+NOx would total approximately 160.0 pounds per day, fugitive $PM_{10}$ would total approximately 115.8 pounds per day, and exhaust $PM_{10}$ would total approximately 2.0 pounds per day, each of which would exceed SLOAPCD's operational significance thresholds. Annual emissions of ROG+NOx would total approximately 25.7 tons per year, which would also exceed SLOAPCD's recommended operational significance thresholds.

Mitigation Measure AQ/mm-3.3 has been included to require implementation of SLOAPCD-recommended mitigation measures to reduce long-term operational air quality pollutant emissions. Additional mitigation measures, in addition to SLOAPCD recommended measures, have also been included to further reduce operational emissions. The proposed project includes California Air Pollution

Control Officers Association (CAPCOA)-recommended VMT reduction strategies within its site design, and Mitigation Measure TR/mm-3.1 has also been included to reduce VMT and associated emissions. However, the effectiveness of the design features in reducing VMT and emissions from mobile sources is uncertain. Mitigated operational emissions associated with the proposed project are summarized in Table 4.3-12 (see EIR Appendix D).

**Table 4.3-12. Operational Emissions with Mitigation**

| | Emissions | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | | $PM_{10}$ | | |
| **Operational Period/Source** | **ROG** | **NOx** | **ROG+ NOx** | **CO** | **Fugitive** | **Exhaust** | **Total** |
| ***Daily Emissions (lbs/day)*** | | | | | | | |
| Total Project Emissions | 90.2 | 54.6 | **144.9** | 410.7 | **88.6** | **1.9** | 90.5 |
| **SLOAPCD Significance Thresholds** | **--** | **--** | **25** | **550** | **25** | **1.25** | **--** |
| Exceeds SLOAPCD Thresholds? | -- | -- | **Yes** | No | **Yes** | **Yes** | -- |
| ***Annual Emissions (tons/year)*** | | | | | | | |
| Total Project Emissions | 15.1 | 8.7 | 23.7 | 63.1 | 13.6 | 0.3 | 13.9 |
| **SLOAPCD Significance Thresholds** | **--** | **--** | **25** | **--** | **25** | **--** | **--** |
| Exceeds SLOAPCD Thresholds? | -- | -- | No | -- | No | -- | -- |

Source: AMBIENT (2022)

Note: Based on operational year of 2030 for Hotel, Commercial and Educational, and Residential. Totals may not sum due to rounding. Refer to EIR Appendix D for modeling output files and assumptions.

With implementation of Mitigation Measures AQ/mm-3.3 and TR/mm-3.1, operational annual emissions would be reduced to below SLOAPCD's significance threshold; however, daily emissions would continue to exceed SLOAPCD's significance threshold. Therefore, impacts related to the generation of criteria pollutants in exceedance of established daily emissions thresholds would be *significant and unavoidable*.

| **AQ Impact 3 (Class I)** |
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| The project would result in a cumulatively considerable net increase of criteria pollutants in exceedance of established SLOAPCD daily emissions thresholds. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure TR/mm-3.1.* |
| *AQ/mm-3.1* *The following measures shall be implemented to reduce construction generated mobile-source and evaporative emissions:*<br>*1. Maintain all construction equipment in proper tune according to manufacturer's specifications.*<br>*2. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).*<br>*3. Diesel-fueled construction equipment shall meet, at a minimum, California Air Resources Board's Tier 3, or newer, certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation. Heavy-duty off-road equipment meeting Tier 4 emissions standards shall be used to the extent locally available.* |

| **AQ Impact 3 (Class I)** | |
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| | *4. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2010, or cleaner, certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation.*<br>*5. 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 nitrogen oxides exempt area fleets) may be eligible by proving alternative compliance.*<br>*6. Electrify equipment when feasible.*<br>*7. Substitute gasoline-powered in place of diesel-powered equipment, where feasible.*<br>*8. Use alternative-fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.*<br>*9. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or be permitted by the San Luis Obispo Air Pollution Control District. Such equipment may include power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, concrete plant). For more information, contact the San Luis Obispo Air Pollution Control District Engineering and Compliance Division at (805) 781-5912.*<br>*10. Construction of the proposed project shall use low-volatile organic compound content paints not exceeding 50 grams per liter.*<br>*11. To the extent locally available, use prefinished building materials or materials that do not require the application of architectural coatings.*<br>*12. The following idling restrictions near sensitive receptors for both on- and off-road equipment shall be implemented:*<br>*a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;*<br>*b. Diesel idling within 1,000 feet of sensitive receptors is not permitted;*<br>*c. Use of alternative fueled equipment is recommended whenever possible; and*<br>*d. Signs that specify the no idling requirements must be posted and enforced at the construction site.*<br>*13. On-road vehicle operations shall comply with 13 California Code of Regulations Section 2485, which limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:*<br>*a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and*<br>*b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.*<br>*14. Signs shall be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following web site: www.arb.ca.gov/msprog/truck-idling/2485.pdf.*<br>*15. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use Off-Road Diesel regulation available at: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.* |
| *AQ/mm-3.2* | *The following measures shall be implemented to reduce construction-generated fugitive dust. These measures shall be shown on grading and building plans:*<br>*1. Reduce the amount of disturbed area where possible.*<br>*2. Use water trucks, San Luis Obispo Air Pollution Control District-approved dust suppressants (see Section 4.3 in the California Environmental Quality Act Air Quality* |

| **AQ Impact 3 (Class I)** | |
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| | *Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a San Luis Obispo Air Pollution Control District -approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the California Environmental Quality Act Air Quality Handbook.*<br>3. *All dirt stockpile areas should be sprayed daily as needed.*<br>4. *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.*<br>5. *Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast-germinating, non-invasive grass seed and watered until vegetation is established.*<br>6. *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 San Luis Obispo Air Pollution Control District.*<br>7. *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.*<br>8. *Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.*<br>9. *All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between the top of load and top of trailer) in accordance with California Vehicle Code Section 23114.*<br>10. *Install wheel washers at the construction site entrance/exit, wash off the tires or tracks of all trucks and equipment leaving the site, or implement other San Luis Obispo Air Pollution Control District -approved track-out prevention devices sufficient to minimize the track-out of soil onto paved roadways.*<br>11. *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.*<br>12. *The burning of vegetative material shall be prohibited. Effective February 25, 2000, the San Luis Obispo Air Pollution Control District prohibited developmental burning of vegetative material within San Luis Obispo County. For more information, contact the San Luis Obispo Air Pollution Control District Engineering and Compliance Division at (805) 781-5912.*<br>13. *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 prevent the transport of dust off-site. 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 San Luis Obispo Air Pollution Control District Compliance Division prior to the start of any grading or earthwork.* |
| *AQ/mm-3.3* | *The following mitigation measures shall be implemented, to the extent possible, to minimize long-term operational emissions:*<br>1. *Install electric fireplaces in place of U.S. Environmental Protection Agency-certified Tier 2 residential wood-burning appliances.*<br>2. *Provide a pedestrian-friendly and interconnected streetscape with good access to/from the development for pedestrians, bicyclists, and transit users to make alternative transportation more convenient, comfortable, and safe. Features may include appropriate signalization and signage, safe routes to school, linking cul-de-sacs and dead ends, orienting buildings toward streets with automobile parking in the rear, etc.* |

| **AQ Impact 3 (Class I)** |
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| *3. For all commercial and multi-family residential land uses, provide shade (e.g., through tree plantings or built structures) over 50% of parking spaces to reduce evaporative emissions from parked vehicles, excluding areas where increased shade would affect the performance of solar photovoltaic systems.*<br>*4. Reduce fugitive dust from roads and parking areas with the use of paving or other materials.*<br>*5. Use a San Luis Obispo Air Pollution Control District-approved suppressant on private unpaved roads leading to the site, unpaved driveways, and parking areas applied at a rate and frequency that ensures compliance with San Luis Obispo Air Pollution Control District Rule 401: Visible Emissions and that off-site nuisance impacts do not occur.*<br>*6. Incorporate traffic calming modifications to project roads to reduce vehicle speeds and increase pedestrian and bicycle usage and safety.*<br>*7. Work with San Luis Obispo Council of Governments to create, improve, or expand an on-site or nearby Park and Ride lot with car parking and bike lockers in proportion to the size of the project. The Park and Ride lot proposed as part of the Dana Reserve Specific Plan could meet the requirements of this measure, if upon review of final design plans, the County and San Luis Obispo Council of Governments concur that the on-site Park and Ride lot is in proportion to the size of the Dana Reserve Specific Plan project.*<br>*8. Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment.*<br>*9. Require future commercial land uses to provide employee lockers and showers to promote bicycle and pedestrian use. One shower and five lockers for every 25 employees is recommended.*<br>*10. Increase bicycle accessibility and safety in the vicinity of the project; for example, provide interconnected bicycle routes/lanes or construction of bikeways.*<br>*11. Provide on-site bicycle parking: both short-term racks and long-term lockers, or a locked room with standard racks and access limited to bicyclists only.*<br>*12. If the project is located on an established transit route, provide improved public transit amenities (e.g., covered transit turnouts, direct pedestrian access, bicycle racks, covered bench, smart signage, route information displays, lighting, etc.).*<br>*13. Encourage commercial land uses to provide a bicycle-share program.*<br>*14. Require 15% of fleet vehicles owned by commercial land uses to be zero-emission vehicles (ZEVs). This requirement shall apply to commercial land uses and fleets based on-site within the Specific Plan Area and not on a larger scale for commercial operations that occur at multiple locations.*<br>*15. Encourage neighborhood electric vehicles/car-share program for the development.*<br>*16. Provide dedicated parking for carpools, vanpools, and/or high-efficiency vehicles to meet or exceed California Green Building Standards Tier 2 for nonresidential land uses.*<br>*17. Work with SLO Regional Rideshare to educate occupants with alternative transportation and smart commute information (e.g., transportation board, electronic kiosk, new hire packets, web portal, newsletters, social media, etc.)*<br>*18. Encourage nonresidential land uses to implement and promote programs to reduce employee vehicle miles traveled (e.g., incentives, SLO Regional Rideshare trip reduction program, vanpools, on-site employee housing, alternative schedules (e.g., 9/80s, 4/10s, telecommuting, satellite work sites, etc.).*<br>*19. Community event centers (i.e., amphitheaters, theaters, and stadiums) shall provide free valet bicycle parking.*<br>*20. Meet or exceed applicable building standards at the time of development for providing electric vehicle charging infrastructure.*<br>*21. Meet or exceed applicable building standards at the time of development for building energy efficiency with a goal of achieving zero net energy (ZNE) buildings.*<br>*22. Implement a "No Idling" vehicle program, which includes signage enforcement, etc.* |

| **AQ Impact 3 (Class I)** |
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| 23. *Meet or exceed applicable building standards at the time of development for utilizing recycled content materials.*<br>24. *Meet or exceed applicable building standards at the time of development for reducing cement use in the concrete mix as allowed by local ordinance and conditions.*<br>25. *Meet or exceed applicable building standards at the time of development for the use of greywater, rainwater, or recycled water.*<br>26. *Meet or exceed applicable building standards at the time of development for water conservation (e.g., use of low-flow fixtures, water-efficient irrigation systems, drought-tolerant landscaping).*<br>27. *Meet or exceed applicable building standards at the time of development for using shading, trees, plants, cool roofs, etc. to reduce the "heat island" effect.*<br>28. *All built-in appliances shall comply with California Title 20, Appliance Efficiency Regulation.*<br>29. *Utilize on-site renewable energy systems (e.g., solar, wind, geothermal, biomass and/or biogas) sufficient to meet or exceed applicable building standards at the time of development with a goal of achieving zero net energy (ZNE) buildings.*<br>30. *Design roof trusses to handle dead weight loads of standard solar-heated water and photovoltaic panels.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2, construction-related impacts related to the generation of air pollutant emissions in exceedance of established SLOAPCD thresholds would be less than significant. However, with implementation of Mitigation Measures AQ/mm-3.3 and TR/mm-3.1, operational impacts related to air pollutant emissions would still exceed SLOAPCD established daily emissions thresholds. Therefore, this impact would be considered significant and unavoidable (Class I).* |

## Off-Site Improvements

### *AQ Impact 4: Off-site improvements could result in a cumulatively considerable net increase of criteria pollutants in exceedance of established SLOAPCD emissions thresholds. Impacts would be less than significant with mitigation (Class II).*

Proposed off-site transportation, water, and wastewater improvements would require short-term, intermittent construction activities that have the potential to result in ROG, NOx, and PM emissions through ground-disturbing activities, construction and worker vehicle and equipment use, and paving. Proposed improvements are anticipated to occur incrementally and would reduce the amount of total air pollutant emissions that may result from proposed off-site improvement activities. Construction emissions are anticipated to be limited; however, the exact development plan, including the amount of proposed ground disturbance and the number and type of construction equipment and vehicles, is currently not known. Therefore, Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2 have conservatively been included to reduce potential construction emissions where feasible. Therefore, construction-related emissions associated with off-site improvements would be *less than significant with mitigation*.

Operation of off-site improvements would result in a limited number of vehicle trips to proposed improvement areas for as-needed maintenance and repair. Operation of proposed off-site improvements would generate limited pollutant emissions and would be similar to existing emissions associated with transportation facility and NCSD maintenance activities within the community of Nipomo; therefore, operational impacts related to pollutant emissions would be *less than significant*.

| **AQ Impact 4 (Class II)** |
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| Off-site improvements could result in a cumulatively considerable net increase of criteria pollutants in exceedance of established SLOAPCD emissions thresholds. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2, residual impacts related to off-site improvements would be considered less than significant (Class II).* |

## WOULD THE PROJECT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?

### Specific Plan Area

### *AQ Impact 5: The project could expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant with mitigation (Class II).*

The Specific Plan Area is currently undeveloped. Surrounding land uses include existing residential dwellings to the north, west, and south and US 101 to the east. The nearest sensitive receptor locations include residential dwellings located adjacent to the northern, western, and southern boundaries of the Specific Plan Area.

#### CONSTRUCTION

Fugitive dust emissions would primarily be associated with site preparation, grading, and vehicle travel on unpaved and paved surfaces. On-site off-road equipment and trucks would also result in short-term emissions of DPM, which could contribute to an increase in fugitive dust and diesel exhaust emissions at nearby sensitive receptor locations. Uncontrolled emissions of fugitive dust may also contribute to potential increases in nuisance impacts to nearby receptors. Implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2, included in AQ Impact 3, would reduce fugitive dust and diesel exhaust emissions during proposed construction activities for buildout of the Specific Plan Area to ensure construction-related emissions do not result in disturbance to nearby sensitive receptor location. Therefore, potential construction-related impacts would be *less than significant with mitigation*.

#### OPERATION

As previously identified, buildout of the Specific Plan Area would result in up to 1,441 new residential dwelling units; commercial, light industrial, and retail land uses; a new 10-acre public park; a 1-acre equestrian staging area; and 8.5 to 12 acres of neighborhood pocket parks. Buildout would result in a population of approximately 4,554 residents and 273 new employees, which would generate 18,662 additional daily trips (CCTC 2021).

##### Operational Diesel Particulate Matter Concentrations

Operation of the proposed project is not anticipated to result in a significant increase in long-term localized DPM concentrations that may adversely affect nearby sensitive receptor locations. DPM

emissions may occur as a result of proposed on-site stationary sources of emissions, such as diesel-fueled backup power generators for commercial and/or light industrial land use, and heavy-duty diesel trucks traveling along US 101, located adjacent to the eastern project boundary. These DPM concentrations have the potential to adversely impact proposed on-site sensitive land uses.

Based on the CARB *Air Quality and Land Use Handbook,* sensitive land uses should not be located within 500 feet of major freeways (AMBIENT 2022). DPM concentrations are typically strongest within 300 feet of the freeway and decrease by roughly 70% at 500 feet. In some cases, control measures can be implemented to help reduce potential impacts to DPM originating from major roadways, such as the installation of vegetative barriers and/or installation of indoor high-efficiency (HE) filtration systems to reduce indoor concentrations. However, the effectiveness of these measures at reducing DPM concentrations can vary widely depending on multiple factors, including the density, height, and type of vegetation, as well as the life expectancy of the vegetation. The effectiveness of HE filtration systems also varies widely depending on the type of system installed and are most effective during periods when the units are operating and with windows closed.

As currently proposed, planned future residential development would primarily be located in excess of 500 feet from US 101. The planned future childcare center would also be located in excess of 500 feet of US 101. However, a small portion of planned multi-family residential units located within the northeastern and southeastern portion of the project site have the potential to be located within 500 feet of US 101. Since the exact development plan for future buildout of the Specific Plan Area is currently not known, depending on the land uses that are ultimately developed, other sensitive land uses, such as childcare centers, have the potential to be located within planned future commercial areas. Mitigation Measure AQ/mm-5.1 would require future development of sensitive land uses, including residential dwellings, childcare facilities, or other sensitive land uses, to be located a minimum of 500 feet from US 101. Therefore, implementation of the proposed project would not result in excessive DPM emission at on-site or off-site sensitive receptor locations and impacts would be *less than significant with mitigation*.

### Operational Carbon Monoxide Concentrations

Localized concentrations of CO are of primary concern in areas located near congested roadway intersections. Of particular concern are signalized intersections that are projected to operate at unacceptable level of service (LOS) E or F. With implementation of the proposed project, the signalized intersections at the West Tefft Street/US 101 southbound ramps would continue to operate at LOS F (CCTC 2021). However, planned widening projects and an additional interchange are in progress to bring the intersection to an acceptable LOS (CCTC 2021). As a result, implementation of the proposed project would not be anticipated to result in or contribute to localized CO concentrations that would exceed applicable ambient air quality standards and impacts would be *less than significant*.

| **AQ Impact 5 (Class II)** | |
|---|---|
| The project could expose sensitive receptors to substantial pollutant concentrations. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2.* | |
| *AQ/mm-5.1* | *The following mitigation measures shall be implemented to reduce long-term exposure to localized pollutant concentrations:*<br>*1. Sensitive land uses, including, but not limited to, residential dwellings, childcare facilities, and convalescent care facilities, shall be oriented as far from U.S. Route 101 as possible and shall not be located within 500 feet of the edge of pavement of U.S. Route 101 (see Figure 2 of Environmental Impact Report Appendix D). In the event* |

| AQ Impact 5 (Class II) |
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| *future development proposals include sensitive land uses within the 500-foot buffer from U.S. Route 101, those sensitive land uses shall be disallowed unless a detailed Health Risk Assessment, approved by the County of San Luis Obispo and San Luis Obispo Air Pollution Control District, documents that health risks associated with proximity to U.S. Route 101 would be within acceptable thresholds in effect at the time development is proposed.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, and AQ/mm-5.1, potential impacts related to exposure of sensitive receptor locations to substantial pollutant concentrations would be less than significant (Class II).* |

## Off-Site Improvements

### *AQ Impact 6: Off-site improvements could expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant with mitigation (Class II).*

Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan Area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed off-site water system improvements are anticipated to be located along North Oakglen Avenue and Tefft Street and proposed off-site wastewater system improvements are anticipated to occur along North Frontage Road (see Figures 2-4 and 2-5 in Chapter 2, *Project Description*). Land uses adjacent to proposed off-site transportation improvements include residential and commercial development. Land uses along proposed off-site wastewater improvements include commercial development. Land uses along proposed off-site water system improvements include commercial, residential, and agricultural land uses.

Proposed construction activities for off-site improvements would be short-term and intermittent and would not result in a long-term source of air pollutant emissions within the vicinity of proposed improvement areas. Construction emissions are anticipated to be limited; however, due to the proximity of nearby sensitive receptor locations, including residential dwellings, along Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, Cory Way, and Tefft Street, Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2 have been included to avoid and/or minimize exposure of sensitive receptors to construction-related emissions. Operation of off-site improvements would result in a limited number of vehicle trips to proposed improvement areas for as-needed maintenance and repair. Operation of proposed off-site improvements would generate limited emissions and would not expose sensitive receptor locations to long-term air quality pollutant emissions. With implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2 to reduce construction-related emissions, construction and operation of proposed off-site NCSD improvements would not expose sensitive receptor locations to substantial pollutant concentrations. Therefore, impacts would be *less than significant with mitigation*.

| AQ Impact 6 (Class II) |
|---|
| Off-site improvements could expose sensitive receptors to substantial pollutant concentrations. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2.* |

| **AQ Impact 6 (Class II)** |
|---|
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2, residual impacts related to exposure of sensitive receptor locations to substantial pollutant concentrations would be less than significant (Class II).* |

## WOULD THE PROJECT RESULT IN OTHER EMISSIONS (SUCH AS THOSE LEADING TO ODORS) ADVERSELY AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?

### Specific Plan Area

### *AQ Impact 7: The project could result in other emissions (such as those leading to odors) that may adversely affect a substantial number of people. Impacts would be less than significant with mitigation (Class II).*

The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors.

Construction activities for buildout of the Specific Plan Area require the use of a variety of gasoline- and/or diesel-powered equipment that would emit exhaust fumes, including diesel-exhaust, which may be considered objectionable by some people. Additionally, pavement coatings and architectural coatings used during project construction would also emit temporary odors. Construction-generated emissions would occur intermittently, would dissipate rapidly with increasing distance from the source, and would not result in a permanent source of exhaust or other odors at the site. Implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2, included in AQ Impact 3 to reduce fugitive dust and diesel exhaust emissions during proposed construction activities for buildout of the Specific Plan Area, would also function to reduce construction-related emissions that may result in nuisance odors at nearby locations.

Operation of the proposed project would not result in the installation of any equipment or processes that would be considered major odor-emission sources. The eastern boundary of the Specific Plan Area is located adjacent to US 101, and sensitive locations within 500 feet of the eastern project boundary have the potential to be exposed to diesel or other exhaust odors caused by vehicles and heavy trucks traveling on US 101. Mitigation Measure AQ/mm-5.1 requires future development of sensitive land uses to be located a minimum of 500 feet from US 101 to minimize and/or avoid the exposure of proposed on-site land uses to objectionable odors associated with US 101. No other known odor sources are present within 1 mile of the project site; therefore, proposed on-site land uses would not be exposed to other sources of long-term objectionable odors. Implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, and AQ/mm-5.1 would reduce exposure of on- and off-site land uses to short- and long-term sources of objectionable odors. Therefore, impacts would be *less than significant with mitigation*.

#### NATURALLY OCCURRING ASBESTOS

Based on the SLOAPCD NOA Map, the Specific Plan Area is not directly located within an area that has the potential for NOA to occur; however, there is potential for NOA to occur approximately 1.15 miles north and 2 miles south of the Specific Plan Area (SLOAPCD 2022a). Due to the proximity of areas with potential for NOA to occur, there is potential for NOA to be present within the Specific Plan Area; therefore, proposed ground-disturbing activities have the potential to release NOA if present within soils at the site. Mitigation Measure AQ/mm-7.1 has been included to require geologic evaluation prior to

ground-disturbing activities to determine if NOA is present within the Specific Plan Area and, if NOA is determined to be present, development and implementation of an Asbestos Dust Mitigation Plan and/or an Asbestos Health and Safety Program.

CONCLUSION

Implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-5.1, and AQ/mm-7.1 would reduce exposure of nearby land uses to sources of emissions that could affect a substantial number of people, including objectionable odors and NOA. Therefore, impacts would be *less than significant with mitigation*.

| **AQ Impact 7 (Class II)** | |
|---|---|
| The project could result in other emissions (such as those leading to odors) that may adversely affect a substantial number of people. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, and AQ/mm-5.1.* | |
| *AQ/mm-7.1* | *Prior to any grading activities, a geologic evaluation shall be conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If naturally occurring asbestos is not present, an exemption request must be filed with the San Luis Obispo Air Pollution Control District. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to:*<br>*1. Development of an Asbestos Dust Mitigation Plan, which must be approved by the San Luis Obispo Air Pollution Control District before operations begin; and*<br>*2. Development and approval of an Asbestos Health and Safety Program (required for some projects).* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-5.1, and AQ/mm-7.1, potential impacts related to exposure of people to objectionable odors, including NOA, would be less than significant (Class II).* | |

## Off-Site Improvements

### *AQ Impact 8: Off-site improvements could result in other emissions (such as those leading to odors) that may adversely affect a substantial number of people. Impacts would be less than significant with mitigation (Class II).*

Construction activities for proposed off-site improvements would require short-term construction activities that have the potential to emit diesel exhaust fumes that may be considered objectionable to nearby sensitive land uses. Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan Area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed off-site water system improvements are anticipated to be located along North Oakglen Avenue and Tefft Street and proposed off-site wastewater system improvements are anticipated to occur along North Frontage Road (see Figures 2-4 and 2-5 in Chapter 2, *Project Description*). Land uses adjacent to proposed off-site transportation improvements include residential and commercial development. Land uses along proposed

off-site wastewater improvements include commercial development. Land uses along proposed off-site water system improvements include commercial, residential, and agricultural land uses.

Proposed construction activities for off-site improvements would be short-term and intermittent and would not result in a long-term source of objectionable odors within the vicinity of proposed improvement areas. Construction emissions are anticipated to be limited; however, due to the proximity of nearby sensitive land uses, Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2 have been included to reduce construction-related emissions, including diesel fumes, that may expose nearby land uses to objectionable odors. Operation of off-site improvements would result in primarily undergrounded infrastructure and would not result in a long-term source of potentially objectionable odors. Implementation of Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2 would reduce exposure of on- and off-site land uses to short- and long-term sources of objectionable odors. Therefore, impacts would be *less than significant with mitigation.*

### NATURALLY OCCURRING ASBESTOS

Based on the SLOAPCD NOA Map, proposed off-site water system improvements are not directly located within an area that has the potential for NOA to occur; however, proposed wastewater system improvements along North Frontage Road would be located in an area with potential for NOA to occur (SLOAPCD 2022a). Due to the proximity of the areas with potential for NOA to occur, there is potential for NOA to be present within the proposed off-site NCSD improvement areas. Therefore, proposed ground-disturbing activities have the potential to release NOA if present within soils at the site. Mitigation Measure AQ/mm-7.1 has been included to require geologic evaluation prior to ground-disturbing activities to determine if NOA is present within proposed off-site NCSD improvement areas and, if NOA is determined to be present, development and implementation of an Asbestos Dust Mitigation Plan and/or an Asbestos Health and Safety Program.

### CONCLUSION

Implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, and AQ/mm-7.1 would reduce exposure of nearby land uses to source emissions that could affect a substantial number of people, including objectionable odors and NOA. Therefore, impacts would be *less than significant with mitigation*.

| **AQ Impact 8 (Class II)** |
|---|
| Off-site improvements could result in other emissions (such as those leading to odors) that may adversely affect a substantial number of people. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, and AQ/mm-7.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, and AQ/mm-7.1, potential impacts related to exposure of people to objectionable odors, including NOA, would be less than significant (Class II).* |

## 4.3.6 Cumulative Impacts

### *AQ Impact 9: The project would result in cumulatively considerable impacts related to air quality. Cumulative impacts would be significant and unavoidable (Class I).*

As discussed in Chapter 3, *Environmental Setting*, the cumulative impact analysis is based on the County's cumulative projects list. Cumulative projects would generate residential, industrial, and commercial development within the county. Project-specific impacts related to exposure of sensitive receptors to substantial pollutant concentrations and/or objectionable odors, including NOA, would be less than significant with implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-5.1, and AQ/mm-7.1. Reasonably foreseeable future projects would be subject to separate environmental review to determine potential impacts related to air quality and exposure of sensitive receptor locations to substantial pollutant concentrations or objectionable odors, including NOA. Reasonably foreseeable future projects would also be subject to standard SLOAPCD measures to reduce short- and long-term ROG, NOx, and PM emissions, as necessary, and to reduce exposure to NOA or asbestos-containing material (ACM), as applicable. Therefore, impacts would be *less than cumulatively considerable*.

Mitigation Measures AQ/mm-3.3 and TR/mm-3.1 have been included to reduce operational emissions where feasible; however, operation of the proposed project would result in the exceedance of daily emissions thresholds established by the SLOAPCD. This exceedance is primarily attributed to the increase in mobile source (i.e., vehicle use) emissions generated by the project. Due to the large scale of proposed development and associated population growth, the proposed project would generate approximately18,662 additional daily trips (CCTC 2021). Other reasonably foreseeable future projects are not anticipated to generate population growth or VMT of this scale; however, reasonably foreseeable future projects within the vicinity of the Specific Plan Area still have the potential to contribute pollutant emissions and further exceed established thresholds. Reasonably foreseeable future projects would be subject to separate environmental review to determine potential long-term sources of pollutant emissions and would be required to reduce pollutant emissions as necessary and feasible. Since other reasonably foreseeable future projects are anticipated to generate substantially less population growth and VMT, implementation of long-term emission reduction strategies would likely mitigate impacts to below established SLOAPCD emissions thresholds. However, due to project-specific significant impacts, the project would have a cumulatively considerable effect on air quality and cumulative impacts would be *potentially significant*.

The proposed project would be inconsistent with the elements of the SLOAPCD CAP because implementation of the proposed project would further divide the jobs-to-housing ratio within the project area. Further, the proposed project would be inconsistent with regional VMT reduction efforts because implementation of the project would increase regional VMT in excess of applicable per capita thresholds. Mitigation Measure TR/mm-3.1 has been included to reduce VMT generated by the project; however, no mitigation measures have been identified that would reduce these impacts to below applicable thresholds. Therefore, reasonably foreseeable future projects within the vicinity of the Specific Plan Area have the potential to further exceed established VMT reduction and jobs-to-housing balance requirements. Reasonably foreseeable future projects would be subject to separate environmental review to determine consistency with applicable air quality plans and would be required to implement measures, as necessary, to ensure consistency with established plans, policies, and goals included in those plans. However, other reasonably future projects would likely increase regional VMT. Further, other reasonably foreseeable future residential development projects would likely worsen the jobs-to-housing ratio within the community of Nipomo. Therefore, cumulative impacts would be *significant and unavoidable*.

| **AQ Impact 9 (Class I)** |
|---|
| The project would result in cumulatively considerable impacts related to air quality. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.3 and TR/mm-3.1.* |
| ***Residual Impacts*** |
| *Cumulative impacts related to exposure of sensitive receptors to substantial pollutant concentrations and/or objectionable odors, including NOA, would be less than significant with implementation of identified project-specific mitigation; no additional mitigation is needed to avoid or minimize these potential cumulative impacts. However, implementation of the project would contribute to a cumulative net increase in daily criteria pollutant emissions during operation and would generate growth in a manner that would be inconsistent with VMT reduction measures and would further divide the jobs-to-housing ratio. Mitigation has been included to reduce project-specific impacts; however, residual cumulative impacts would continue to be significant and unavoidable (Class I).* |

# 4.4 BIOLOGICAL RESOURCES

This section of the EIR identifies and evaluates potential impacts to biological resources resulting from implementation of the project. All information in this section, including biological survey results, habitat mapping, impact calculations, and citations, were provided in the *Biological Report for Dana Reserve* (Althouse and Meade 2022a) and the *N. Frontage Road Extension Addendum to Biological Report for Dana Reserve Specific Plan* (Althouse and Meade 2022b) (EIR Appendix E).

## 4.4.1 Existing Conditions

### *4.4.1.1 Specific Plan Area*

#### 4.4.1.1.1 SITE HISTORY

The project area and adjacent landscapes are comprised of gently rolling hills that generally slope from the southwestern side near Hetrick Avenue towards the northeastern side near US 101. Elevations in the project area range from 355 to 430 feet. No watercourses are located on the property. Nipomo Creek (off-site) occurs east of US 101, conveying water southeast toward the Santa Maria River. Between US 101 and Pomeroy Road, the project area is bordered by dense oak woodland on the southern end and patches of landscape trees, oaks, and a line of eucalyptus trees (*Eucalyptus globulus*) closer to US 101. The main Dana Reserve parcel is undeveloped and has been used as farm and livestock rangeland for more than a century.

Evidence of episodic disturbance from farming was observed in the field and from aerial imagery dating back to 1939. Field evidence of very old woodland clearcutting suggests a link to a historic drought between 1862 and 1864 when ranchers were compelled to fell trees for livestock consumption (Guinn 1890; and personal communications between Althouse and Meade with Jim Sinton, family rancher familiar with the Nipomo Mesa). Google Earth imagery indicates that the grassland west of US 101 was last farmed in about 2002, or possibly 2006 (Althouse and Meade 2022a).

Farming, mowing, and chaparral (brush) removal appears to have been conducted for decades. Imagery from 1939 shows evidence of brush clearing on rolling topography and farmed fields on flatter terrain, and imagery from 1949 indicates some of the brush cover and associated coast live oaks (*Quercus agrifolia*) were starting to grow back. Some brush clearing is evidenced in 1957. The 1969 to 1994 aerials show chaparral cover generally increasing in areas not actively farmed. Between 1994 and 2002, shrub reduction appears to have reduced brush cover while retaining young trees barely visible in the 1994 imagery. Aerial images from 2002 and years thereafter show reduced brush cover. Livestock pens are visible in 2011 to 2013 aerial imagery.

Two additional parcels provide a connection from Cherokee Place on the north side of the ranch to Willow Road. The western 7-acre parcel is undeveloped and shows evidence of significant site disturbance from past dry farming. There are no trees, weedy species dominate, and a few bushes have become reestablished and/or have regenerated since 2010 when the last mowing appears to have occurred. The eastern 7-acre parcel is densely wooded with a residence and numerous animal pens for horses, chickens, and other animals.

#### 4.4.1.1.2 SOILS

The Soil Survey of San Luis Obispo County, California, Coastal Part (USDA 1984) identifies Oceano sand as two soil map units, depending on slope. Figure 4.4-1 includes digitized spatial data from the USDA soil survey overlaid on an aerial photo. The soil survey map may not indicate small inclusions or other soil types within the project area, such as sandy loam and fine sand soils.

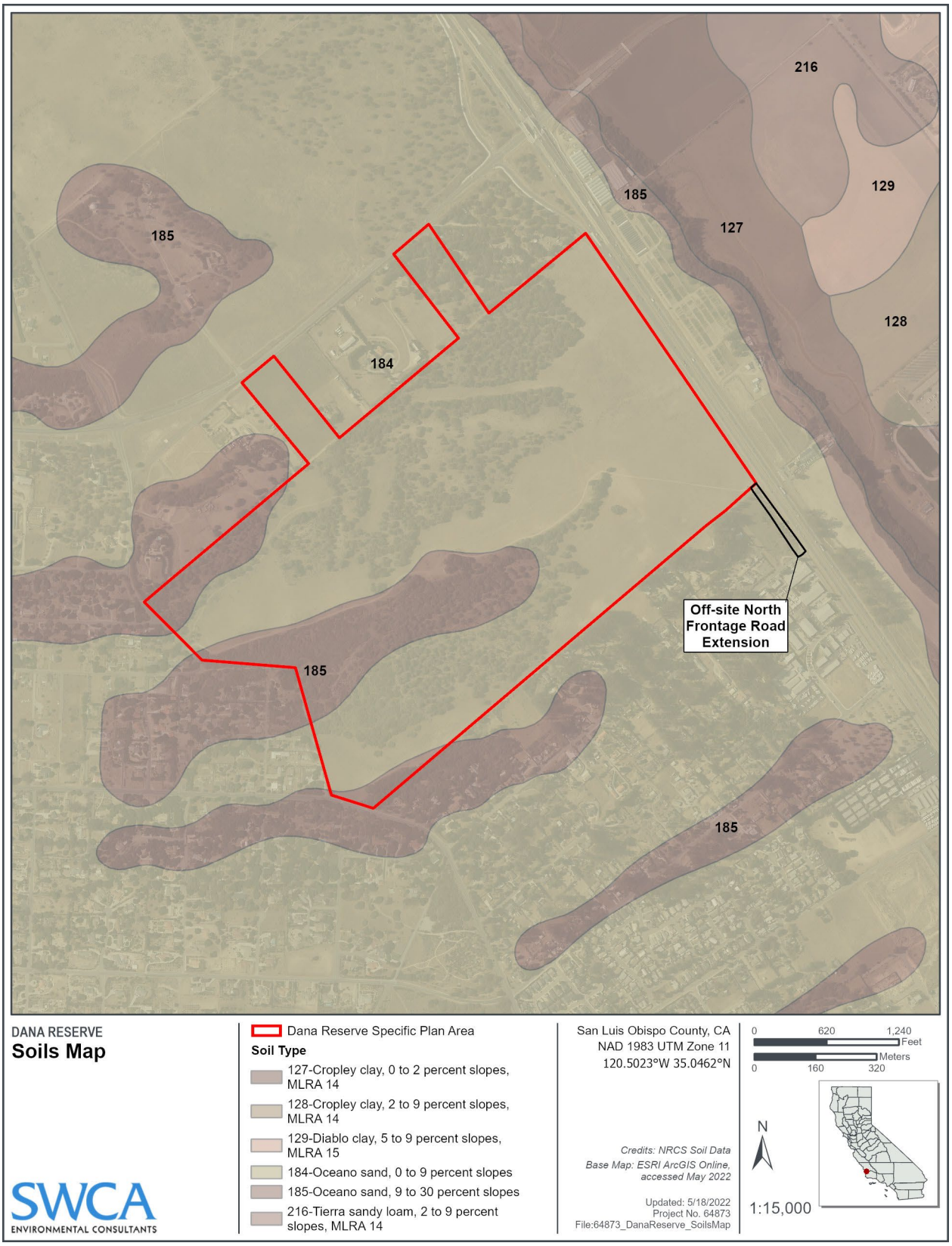


**Figure 4.4-1. Soils map.**

Oceano sand, 0 to 9 percent slopes (184) and 9 to 30 percent slopes (185), is a very deep and excessively drained soil from stabilized sand dunes formed through deposits of windblown sand. The slope can be nearly flat to moderate (184) to strongly sloping (185). The soil type formed in deposits of windblown sand. Included in this map unit are areas of Baywood fine sand, Garey sandy loam, and dune land. Permeability is rapid, and the available water capacity is low causing droughty conditions making the soil poorly suited for rangeland. Water erosion is slight to moderate (USDA 1984).

#### 4.4.1.1.3 HABITAT TYPES

Habitat types in the project area include coast live oak forest, coast live oak woodland, Burton Mesa chaparral, California perennial grassland group (vegetation with native plants diagnostically present), Mediterranean California naturalized annual grassland (stands strongly dominated by non-native plants), annual brome grasslands alliance, and anthropogenic (Table 4.4-1; Figure 4.4-2; California Native Plant Society [CNPS] 2021a). Habitat classifications are based on the classification system presented in *A Manual of California Vegetation, 2nd Edition* (Sawyer et al. 2009; CNPS 2021a). Habitats were identified to the alliance or association level when possible and to the group level when the on-site habitat did not conform to a known alliance. Sensitive associations were considered when applicable. Global and State ranks are not applied at the group level and, therefore, are not provided for habitat "groups." Global and State rankings are further discussed in Section 4.4.1.1.5, *Sensitive Natural Communities*

**Table 4.4-1. Habitat Types**

| Habitat Type | Global/ State Rank | Location | Area (acres) |
|---|---|---|---|
| Coast live oak forest (*Quercus agrifolia* / *Toxicodendron diversilobum*) | G5/S4 | Common on slopes in the project area | 38.7 |
| Coast live oak woodland (*Quercus agrifolia* / *Adenostoma fasciculatum – Salvia mellifera*) | G3/S3 | Throughout project area, commonly integrating with coast live oak forest and Burton Mesa chaparral | 78.3 |
| Burton Mesa chaparral (*Arctostaphylos* [*purissima*, *rudis]* Shrubland Special Stands) | G1/S1 | Occasional on slopes, in areas lacking canopy cover | 36 |
| California perennial grassland group | N/A | Common on lower elevation flats in the project area | 126 |
| Mediterranean California naturalized perennial grassland group | N/A | Northern parcel in project area | 5.1 |
| Annual brome grasslands alliance | N/A | Northern parcel in project area | 3.2 |
| Anthropogenic | N/A | Existing roads and structures, mostly on the northern parcel in project area | 1.2 |
| **Total** | | | **288.5** |

### Coast Live Oak Forest (*Quercus agrifolia* / *Toxicodendron diversilobum*) (G5/S4)

Mature, coast live oak forest occurs on flats and gentle north-trending slopes within the project area. This habitat meets the alliance membership rule of coast live oak comprising greater than 50% average cover in the tree canopy. There are generally few gaps in the canopy with multiple trees creating a continuous overstory. Oak trees within the areas mapped as coast live oak forest are, on average, taller than the oak trees in the areas mapped as coast live oak woodland and Burton Mesa chaparral. This is likely due to a lack of disturbance in the denser forested areas. In addition, fewer trees in the coast live oak forest area show evidence of historic pruning.

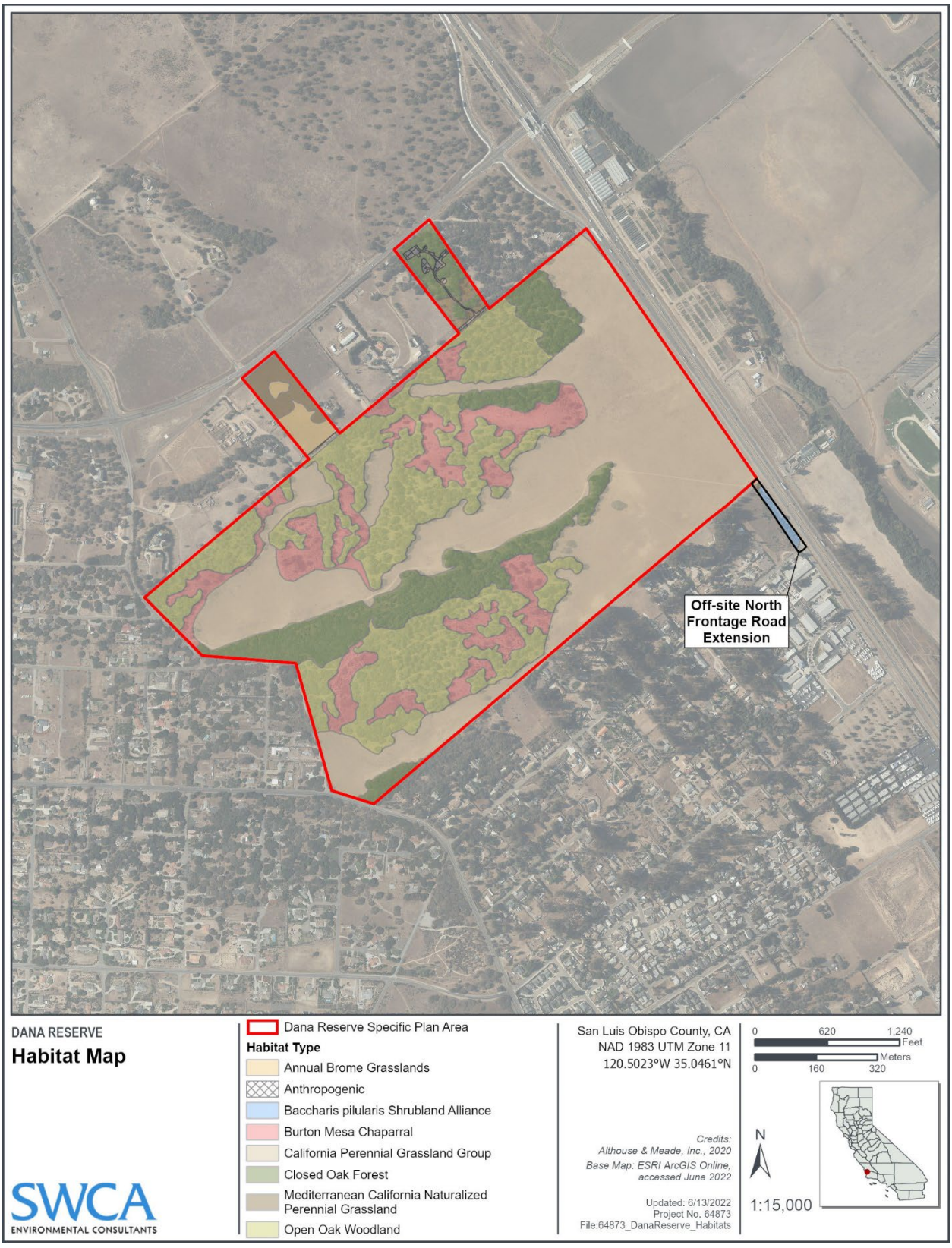


**Figure 4.4-2. Habitat map.**

Other than a single Peruvian pepper tree (*Schinus molle*) in the northeast corner near Cherokee Place and individual pine trees (*Pinus* sp.) near both the northeastern and southwestern boundary, coast live oaks are the only trees present within areas mapped as coast live oak forest. The shaded understory is dominated by non-native annual grasses, poison oak (*Toxicodendron diversilobum*) thickets, and occasional shade-tolerant shrubs, such as coffeeberry (*Frangula californica)*, while chaparral species are conspicuously absent. As such, coast live oak forest was identified as the *Quercus agrifolia / Toxicodendron diversilobum* association (Sawyer et al. 2009), which has a Global and State Rank of G5/S4, which is not considered a sensitive natural community by the California Department of Fish and Wildlife (CDFW; CDFW 2021b). Special-status plant species such as mesa horkelia (*Horkelia cuneata* var. *puberula)* and Michael's rein orchid (*Piperia michaelii*) are restricted to openings in and around the periphery of coast live oak forest. Of particular note, Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*) is located along the northern edge of coast live oak forest habitat. Coast live oak forest occupies 38.7 acres of the project area.

The following special-status species designated as Species of Special Concern (SSC) by the CDFW (CDFW 2022) occur in coast live oak forest but are unlikely to be observed without appropriately timed focused surveys: northern California legless lizard (*Anniella pulchra*), pallid bat (*Antrozous pallidus*), silver-haired bat (*Lasionycteris noctivagans*), and western red bat (*Lasiurus blossevillii*). The following special-status species designated as Special Animals (SA) by the CDFW also occur in coast live oak forest: hoary bat (*Lasiurus cinereus*) and Yuma myotis (*Myotis yumanensis*) (CDFW 2022). U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern (BCC) observed in oak forests include the cavity-nesting oak titmouse (*Baeolophus inornatus*) and Nuttall's woodpecker (*Picoides nuttallii*) (USFWS 2008). Coast live oak forest supports many songbirds, raptors, and common rodents, such as mice, voles, and woodrats. Oak tree canopies, cavities, and loose bark may provide roosting habitat for multiple bat species, including little brown bat (*Myotis lucifugus*) and California myotis (*Myotis californicus*).

### Coast Live Oak Woodland (*Quercus agrifolia / Adenostoma fasciculatum – Salvia mellifera*) (G3/S3)

Coast live oak woodland occurs on gentle slopes and flats within the project area (see Figure 4.4-2). Characteristics of this habitat within the project area meet the alliance membership rule of coast live oak woodland comprising between 20% and 50% cover and a mixture of open and closed canopy. This habitat integrates with adjacent coast live oak forest, Burton Mesa chaparral, and grassland habitats, creating a heterogeneous mosaic. Many of the understory species present in Burton Mesa chaparral are also present here, including crown-sprouting chamise (*Adenostoma fasciculatum*), black sage (*Salvia mellifera*), and sand mesa manzanita (*Arctostaphylos rudis*). However, these areas are not considered Burton Mesa chaparral because oak cover is generally too high (greater than 20%) to be regarded as a shrub-dominated vegetation community (CNPS 2021a). Coast live oak woodland was identified as the *Quercus agrifolia / Adenostoma fasciculatum – (Salvia mellifera)* association, which is a G3/S3 sensitive natural community (CDFW 2021b). Evidence of historic clearcutting was observed within the coast live oak woodland in the project area along with decades of land management for livestock grazing and fire fuel reduction (see Section 4.4.1.1, *Specific Plan Area*, and Althouse and Meade 2022a).

The coast live oak woodland habitat in the project area supports a unique assemblage of rare plants. All special-status plant species observed within the project area occur within coast live oak woodland or along its gaps and edges. These include sand mesa manzanita, sand buck brush (*Ceanothus cuneatus* var. *fasciculatis*), Nipomo Mesa ceanothus (*Ceanothus impressus* var. *nipomensis*), sand almond (*Prunus fasciculata* var. *punctata*), mesa horkelia (*Horkelia cuneata* var. *puberula*), and California spine flower (*Mucronea californica*). Sand mesa manzanita, sand buck brush, Nipomo Mesa ceanothus, and sand almond occur in areas where coast live oak woodland integrates with Burton Mesa chaparral. Mesa horkelia is locally abundant and occurs along the margins of oak woodland and along the dripline of tree canopies where the habitat transitions to more open grassland and shrubland vegetation. Pismo clarkia,

California spineflower (*Mucronea californica*), and Michael's rein orchid were encountered along margins of oak woodland habitat where it transitions to grassland. Coast live oak woodland occupies 78.3 acres within the Specific Plan Area.

Coast live oak woodland habitat within the Specific Plan Area supports Blainville's (Coast) horned lizard (*Phrynosoma blainvillii*), a CDFW SSC (CDFW 2022), which was observed on-site during surveys (Althouse and Meade 2022a). The following special-status species are also supported by coast live oak woodland habitat but are unlikely to be observed without appropriately timed focused surveys: northern California legless lizard, pallid bat, silver-haired bat, western red bat, hoary bat, Yuma myotis. USFWS BCC observed in oak woodlands include the cavity-nesting oak titmouse and Nuttall's woodpecker (USFWS 2008). Coast live oak woodlands support many songbirds, raptors, and common rodents, such as mice, voles, and woodrats. Oak tree canopies, cavities, and loose bark may provide roosting habitat for multiple bat species, including little brown bat and California myotis.

## Burton Mesa Chaparral (*Arctostaphylos [purissima, rudis]* Shrubland Special Stands) (G1/S1)

Burton Mesa chaparral is a type of maritime chaparral that is restricted to old, stabilized dune sands of the Lompoc and Nipomo areas along the southern California Coast in northern Santa Barbara and southern San Luis Obispo Counties (CNPS 2021a). Characteristic species of Burton Mesa chaparral (*Arctostaphylos* [*purissima*, *rudis*] Shrubland Special Stands) include La Purisima manzanita (*Arctostaphylos purissima*) and/or sand mesa manzanita, which are dominant or characteristically present in the shrub canopy with crown-sprouting chamise, black sage, Eastwood's brittle-leaf manzanita (*Arctostaphylos crustacea* ssp. *eastwoodiana*), California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), sand buck brush, Santa Barbara ceanothus (*Ceanothus impressus*), sticky monkeyflower (*Diplacus aurantiacus*), mock heather (*Ericameria ericoides*), golden yarrow (*Eriophyllum confertiflorum*), broom rush-rose (*Crocanthemum scoparium*) and deer weed *(Acmispon glaber*) (CNPS 2021a). Emergent trees may be present at low cover, including coast live oak or Shreve's oak (*Quercus parvula* var. *shrevei*). Shrubs are generally less than 16 feet, and the canopy is open to continuous (CNPS 2021a). Soils are derived from Pleistocene sand deposits, occasionally marine siltstones overlain with a thin sand layer (CNPS 2021a).

In the project area, Burton Mesa chaparral habitat occurs primarily on south-trending slopes in areas dominated by re-sprouting shrubs with an open canopy (less than 20% oak canopy). Decades of routine brush removal has thinned the endemic chaparral species, such as the rare (California Rare Plant Rank [CRPR] 1B.2) sand mesa manzanita and allowed for the invasion of weedy annual Mediterranean grasses, such as ripgut brome (*Bromus diandrus*) and veldt grass (*Ehrharta calycina*). Despite the years of disturbance, sand mesa manzanita persists across the project area, occurring in both the Burton Mesa chaparral (with less than 20% oak canopy) and open woodland habitats (between 20% and 50% oak canopy). The shrub layer in this habitat type is co-dominated by crown-sprouting chamise and black sage. Additional maritime species present in low but persistent cover in the project area include common deer weed, sticky monkeyflower, and broom rush-rose, which are characteristic of the Burton Mesa chaparral association, along with coffeeberry and hollyleaf cherry (*Prunus ilicifolia*).

Burton Mesa chaparral (*Arctostaphylos* [*purissima*, *rudis*] Shrubland Special Stands) is a Sensitive Natural Community listed by the CDFW as G1/S1 and is considered a Special Stand by CNPS, which defines this habitat type by the characteristic presence of sand mesa manzanita (CDFW 2021b; CNPS 2021a). Special-status species in this habitat include scattered individuals and groups of sand mesa manzanita, sand almond, sand buck brush, mesa horkelia, and California spineflower.

Coast live oak trees are commonly found within Burton Mesa chaparral, but canopy does not exceed 20% absolute cover. Many of the species described within Burton Mesa chaparral are also present in coast live

oak woodland, as both habitats often integrate. The primary distinction between these two habitats is the canopy cover of coast live oaks, which, when greater than 20%, is considered a woodland or forest. See coast live oak woodland description for further details.

## California Perennial Grassland Group

Disturbed California perennial grassland group occurs on the sandy flats of the project area, which appear to have been routinely tilled (i.e., disced) and support a unique assemblage of plants species (see Figure 4.4-2). This habitat type does not conform to a described vegetation alliance in the Manual of California Vegetation (online); therefore, it is identified at the group level and does not have a sensitivity rating (CNPS 2021a). The habitat is strongly dominated by non-native annual plants and generally contains 5% relative cover of native species.

Native perennial plants are consistently diagnostically present, although only two native perennial grasses were observed in small patches: salt grass (*Distichlis spicata*) and Coast range melic (*Melica imperfecta*). All the other grasses are introduced species. The most abundant native plants include California croton (*Croton californicus*) and California spineflower with occasional patches of slender buckwheat (*Eriogonum gracile* var. *gracile*) and emergent shrubs, including deer weed, broom rush-rose, mock heather, California sagebrush, and coastal bush lupine (*Lupinus arboreus*). Ubiquitous introduced annual species, such as ripgut brome and filaree species (*Erodium botrys*, *E. brachycarpum*, and *E. cicutarium*) are also present. Occasional mature individual coast live oak trees are scattered throughout this habitat type.

This habitat supports special-status plant species, including abundant California spineflower and occasional mesa horkelia, sand almond, and sand mesa manzanita. This habitat is utilized by a variety of birds, mammals, reptiles, and invertebrates.

## Mediterranean California Naturalized Annual and Perennial Grassland Group

The smaller parcels along the western, northwestern and southeastern portions of the project area contain habitat identified as Mediterranean California naturalized perennial grassland group (see Figure 4.4-2). This habitat is dominated by non-native perennial veldt grass. Perennial veldt grass is a highly invasive plant species, known to invade sandy soils on the California Central Coast. This habitat has low plant diversity and is nearly a monoculture of perennial veldt grass. Other occasional plant species include ripgut brome, common deer weed, wild oats (*Avena fatua*), telegraph weed (*Heterotheca grandiflora*), Santa Barbara wirelettuce (*Stephanomeria elata*), and California croton. A few mature individual coast live oak trees are scattered throughout this habitat type, but oak canopy cover is sparse. This habitat type does not conform to a described vegetation alliance in the Manual of California Vegetation (online); therefore, it is identified at the group level and does not have a sensitivity rating (CNPS 2021a).

This habitat supports special-status plant species, including multiple mature sand buck brush and Nipomo Mesa ceanothus as well as a single individual of mesa horkelia. This habitat is utilized by a variety of birds, mammals, reptiles, and invertebrates. American badger (*Taxidea taxus*) dens were observed in this habitat.

## Annual Brome Grassland - Herbaceous Semi-Natural Alliance

The northern portion of the project area contains annual brome grassland. This habitat is dominated by a mix of non-native annual grasses with abundant ripgut brome, perennial veldt grass, wild oats, and short-fruited filaree (*Erodium brachycarpum*) and occasional California croton and scattered individual mock heather. Ripgut brome constitutes over 60% relative cover with other non-natives in the herbaceous layer, with a variety of annuals at low cover, conforming to the membership rules of the *Avena* spp. - *Bromus*

spp. Herbaceous Semi-Natural Alliance (CNPS 2021a). No special-status plant species were observed in this habitat.

No Global or State rank is applied to this vegetation alliance because it is comprised of non-native species (CDFW 2021a). This habitat is utilized by a variety of birds, mammals, reptiles, and invertebrates. A shed skin of a Northern Pacific rattlesnake (*Crotalus oreganus* ssp*. oreganus*) was observed in this habitat.

### Anthropogenic

In general, anthropogenic land uses on-site consist of areas that no longer support native vegetation due to physical alteration. This may include construction of structures, hardscape, pavement and/or landscaping. Anthropogenic land consists of approximately 1.2 acres comprised of Cherokee Place roadway and a private driveway and associate structures used for storage (parcel located northeast of Cherokee Place). Other land uses within this land use category are holding pens for horses and goats, a water tank, garden and landscaped areas, parking areas, and maintained areas for fire/brush clearing purposes. Several isolated oaks occur within this land use classification and were mapped separately from the oak habitats described above.

## 4.4.1.1.4 POTENTIAL WETLANDS AND JURISDICTIONAL WATERS

No evidence of potentially jurisdictional wetlands or waters were observed in the project area during the 2017 to 2020 surveys (Althouse and Meade 2022a). The very deep, excessively drained sandy soils of these ancient dunes have rapid permeability with low water capacity.

## 4.4.1.1.5 SENSITIVE NATURAL COMMUNITIES

Sensitive Natural Community is a statewide designation given by the CDFW to specific vegetation associations of ecological importance. Rarity and ranking of Sensitive Natural Communities involves the knowledge of range and distribution of a given type of vegetation, and the proportion of occurrences that are of good ecological integrity (CDFW 2021a; CDFW 2021c). Evaluation is conducted at both the Global (G) and State (S) levels, resulting in a rank ranging from 1 for very rare and threatened to 5 for demonstrably secure. Natural Communities with ranks of S1 through S3 are considered Sensitive Natural Communities in California and may need to be addressed in the environmental review processes of CEQA and its equivalents.

The project area contains two recognized sensitive natural communities: Burton Mesa chaparral (*Arctostaphylos* [*purissima, rudis*] Shrubland Special Stands, G1/S1) and coast live oak woodland (*Quercus agrifolia / Adenostoma fasciculatum* – [*Salvia mellifera*] association, G3/S3) (CDFW 2021b). Both habitats support a unique assemblage of rare plant species that are associated with maritime climate and sandy soils.

No additional sensitive natural communities were identified in the project area. California perennial grassland and Mediterranean California naturalized perennial grassland groups do not conform to a known alliance and do not have global or state ranks because ranking systems are applied at the alliance level in *A Manual of California Vegetation* (CNPS 2021a).

## 4.4.1.1.6 SPECIAL-STATUS PLANT SPECIES

For the purposes of this section, special-status plant species are defined as the following:

- Plants that are listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (FESA) (50 Code of Federal Regulations [CFR] Section 17.12 for listed plants and various notices in the *Federal Register* for proposed species).

- Plants that are candidates for possible future listing as threatened or endangered under the FESA.
- Plants that meet the definitions of rare or endangered species under CEQA (State CEQA Guidelines Section 15380).
- Plants that are considered by CNPS to be "rare, threatened, or endangered" in California (CRPR 1, 2, and 3).
- Plants that are listed by CNPS as plants about which more information is needed and plants of limited distribution (CRPR 4).
- Plants that are listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA) (14 CCR Section 670.5).
- Plants that are listed under the California Native Plant Protection Act (NPPA; California Fish and Game Code [CFGC] Section 1900 et seq.).
- Plants that are considered sensitive by other federal agencies (i.e., U.S. Forest Service, Bureau of Land Management), state and local agencies, or jurisdictions.

Althouse and Meade conducted a data search of the California Natural Diversity Database (CNDDB) (CDFW 2021a) and the CNPS On-line Inventory of Rare and Endangered Plants of California (CNPS 2021b) on June 3, 2020. Other database searches included online museum and herbarium specimen records for locality data within San Luis Obispo, as maintained by the Consortium of California Herbaria (CCH; CCH 2018). The data search area included the Oceano and Nipomo, California U.S. Geological Survey (USGS) 7.5-minute quadrangles and the six surrounding quadrangles—Arroyo Grande Northeast, Guadalupe, Pismo Beach, Point Sal, Santa Maria, and Tar Spring Ridge.

The search results determined that 81 special-status plant taxa are known to occur in the region (Althouse and Meade 2022a; CDFW 2021a). Of those 81 special-status plant taxa, 18 could potentially occur in the project area based on an analysis of their known ecological requirements and the observed habitat conditions in the project area. Seasonally timed botanical surveys, designed to identify special-status plants species, were conducted in 2018, 2019, and 2020. Additional surveys for sensitive botanical resources were conducted at various times between winter 2017 and summer 2021. Table 4.4-2 lists all the biological surveys conducted for the property by Althouse and Meade between 2017 and 2021 (see EIR Appendix E)

Eight special-status plant taxa were detected during the botanical surveys. One federally and state-listed plant—Pismo clarkia—was detected during 2019 and 2020 surveys. A discussion of each taxon with their typical habitat, range, known occurrences, potential to occur on-site, and survey results for the project area are provided in Table 4.4-3 (CNPS 2021b; CDFW 2021a; Jepson Flora Project 2020). Additional discussion is provided in *Special-Status Plant Taxa Observed* for taxa observed during field surveys. Figures 4.4-3 through 4.4-5 show mapped locations of sensitive plant taxa observed on an aerial photograph and topographic map, respectively. Plants are listed in alphabetical order by scientific name.

**Table 4.4-2. Biological Surveys**

| Survey Date | Biologist(s) | Weather Observations | Activities |
|---|---|---|---|
| 12/6/2017 | LynneDee Althouse | 56°F, 0–5 mph, clear | Initial site visit |
| 12/19/2017 | Shannon Henke, Darcee Guttilla | 59–66°F, wind 0–8 mph, 5% cloud cover | Botanical survey and wildlife survey |
| 12/29/2017 | Shannon Henke, Darcee Guttilla | 56–82°F, wind 0–10 mph, 30% cloud cover | Botanical survey and wildlife survey |
| 4/13/2018 | Shannon Henke, Darcee Guttilla | 55–72°F, wind 12 mph, clear | Botanical survey and wildlife survey |
| 5/18/2018 | Shannon Henke | 55–68°F, wind 12–24 mph, 50% cloud cover | Botanical survey |
| 6/1/2018 | Shannon Henke | 64–74°F, wind 13 mph, clear | Botanical survey |
| 6/12/2018 | LynneDee Althouse, Shannon Henke | 70–80°F, wind 0–2 mph, clear | Botanical survey |
| 7/3/2018 | Shannon Henke | 61°F, wind 5 mph, 10% cloud cover | Botanical survey |
| 6/14/2019 | Kyle Nessen, Mallory Patino, Darcee Guttilla, Shannon Henke, LynneDee Althouse | 55°F, wind 0–2 mph, 100% cloud cover | Botanical survey, oak tree inventory, bird point count |
| 8/29/2019 | Kyle Nessen, Charleen Rhodes | 60–77°F, wind 0–25 mph, 30% cloud cover | Oak tree inventory and botanical survey |
| 9/18/2019 | Kyle Nessen | 52–78°F, wind 8–14 mph, 25% cloud cover | Oak tree inventory and botanical Survey |
| 9/19/2019 | Kyle Nessen | 57–75°F, wind 6–24 mph, 100% cloud cover | Oak tree inventory and botanical survey |
| 4/15/2020 | Jason Dart, Greg Salas, Bret Robinson | 60–72°F, wind 1–5 mph, 0% cloud cover | Legless lizard, badger, and nesting bird surveys |
| 4/17/2020 | Will Knowlton | 60–70°F, wind 1–5 mph, 100% cloud cover | Nesting bird survey |
| 4/21/2020 | LynneDee Althouse, Sarah Termondt | 65–80°F, wind 0–5 mph, 25% cloud cover | Botanical survey and habitat mapping of 7-acre parcel |
| 4/24/20 | Dan Meade | 52–83°F, wind 8–14 mph, 25% cloud cover | Invertebrate survey |
| 5/6/2020 | Will Knowlton | 65–85°F, wind 1–10 mph, 10% cloud cover | Legless lizard, badger, and nesting bird surveys |
| 5/19/2020 | LynneDee Althouse, Sarah Termondt, Kyle Nessen, Colby Boggs (Rincon Consultants) | 65–85°F, wind 0–5 mph, 10% cloud cover | Botanical survey, Pismo clarkia population counts |
| 5/21/2020 | Dan Meade | 71°F, wind 0–21 mph, clear | Pismo clarkia pollinator survey |
| 5/26/2020 | Justin Purnell | 60–80°F, wind 5–8 mph, 35% cloud cover | Bat habitat assessment, acoustic monitoring set up, evening emergence survey |
| 5/27/2020 | Sarah Termondt. Kyle Nessen, Kyle Weichert (Rincon Consultants) | 70–85°F, wind 0–5 mph, 10% cloud cover | Botanical survey, Pismo clarkia SCP data collection |
| 6/3/2020 | LynneDee Althouse, Sarah Termondt, Aaron Harville (MBS Land Surveys), Colby Boggs (Rincon Consultants) | 82–90°F, wind 0–5 mph, 10% cloud cover | Pismo clarkia mapping with surveyor |
| 6/9/2020 | Sarah Termondt | 70–90°F, wind 0–5 mph, 10% cloud cover | Botanical survey |

| Survey Date | Biologist(s) | Weather Observations | Activities |
|---|---|---|---|
| 6/24/2020 | LynneDee Althouse | 75°F, wind 0–5 mph, clear | Pismo clarkia follow-up |
| 7/21/2020 | Bret Robinson | 70–80°F, wind 0–5 mph, clear | Reptile cover board inspection and raptor survey |
| 3/9/2021 | Kyle Nessen, Adam Searcy | 51–58°F, wind 3–11 mph, 35% cloud cover | Site assessment and survey for plant and animal species |
| 4/09/2021 | LynneDee Althouse | 65°F, gusty wind 10–15 mph, hazy | Pismo clarkia and California spineflower spot-check |
| 4/26/2021 | LynneDee Althouse | 60°F, breezy 10–15 mph, slightly cloudy | Pismo clarkia and California spineflower spot-check |
| 5/25/2021 | Kyle Nessen, Adam Searcy | 63–75°F, wind 4–14 mph, 40% cloud cover | Oak tree counting and Pismo clarkia population mapping |
| 5/27/2021 | Adam Searcy, Heather Schneider (Santa Barbara Botanic Garden) | 50–65°F, wind 2–10 mph, 35% cloud cover | Pismo clarkia tagging for seed collection |
| 6/7/2021 | Adam Searcy | 52–62°F, wind 1–10 mph, 60% cloud cover | Pismo clarkia census and botanical survey |
| 6/8/2021 | Adam Searcy | 55–65°F, wind 2–14 mph, 20% cloud cover | Pismo clarkia census and botanical survey |
| 6/16/2021 | Adam Searcy | 72–92°F, wind 2–8 mph, 35% cloud cover | Oak tree inventory |
| 6/17/2021 | Adam Searcy | 65–78°F, wind 1–8 mph, 25% cloud cover | Oak tree inventory |
| 6/18/2021 | Adam Searcy | 61–73°F, wind 2–8 mph, 15% cloud cover | Oak tree inventory |
| 6/21/2021 | Adam Searcy | 55–66°F, wind 2–9 mph, 45% cloud cover | Oak tree inventory |
| 6/22/2021 | Adam Searcy | 58–69°F, wind 1–10 mph, 35% cloud cover | Oak tree surveys |
| 7/2/2021 | Adam Searcy | 56–67°F, wind 1–9 mph, 40% cloud cover | Oak tree surveys |
| 7/12/2021 | Adam Searcy | 57–70°F, wind 2–8 mph, 30% cloud cover | Pismo clarkia seed collection |
| 1/20/2022 | Kyle Nessen, Zach Raposo | 56 °F, 0-5 mph, clear | Biological reconnaissance survey of North Frontage Road Extension Parcel, drone flight |

Note: All biologists are with Althouse and Meade unless otherwise indicated.

**Table 4.4-3. Special-Status Plant Species Observed or That Have Potential to Occur in the Project Area**

| Scientific Name | Common Name | Legal Status Federal/ State/CNPS | Blooming Period | Habitat Preference | Potential to Occur |
|---|---|---|---|---|---|
| *Arctostaphylos rudis* | Sand mesa manzanita | --/--/1B.2 | Nov–Feb | Chaparral. Sandy soils. Elevation: <1,000 feet. | **Present.** Suitable sandy chaparral habitat is present in the project area and species was observed during surveys. |
| *Agrostis hooveri* | Hoover's bent grass | --/--/1B.2 | Apr–Jul | Open chaparral, oak woodland. Dry sandy soils. Elevation: <1,970 feet. | **High.** Suitable habitat is present in the project area. CNDDB #8 (1988) located 3.8 miles west of project area. |
| *Calandrinia breweri* | Brewer's calandrinia | --/--/4.2 | Mar–Jun | Chaparral, coastal scrub. Disturbed sites, burns. Sandy to loamy soil. Elevation: <3,940 feet. | **Moderate.** Suitable habitat is present in the project area. CCH record (1948) located 9.5 miles to the north west. |
| *Ceanothus cuneatus* var. *fascicularis* | Sand buck brush | --/--/4.2 | Feb–Apr | Coastal chaparral. Sandy substrates. Elevation: <900 feet. | **Present.** Suitable habitat is present in the project area and species was observed during surveys. |
| *Ceanothus impressus* var. *nipomensis* | Nipomo Mesa ceanothus | --/--/1B.2 | Feb–Apr | Chaparral. Canyons, flats. Sandy substrates. Elevation: <650 feet. | **Present.** Suitable habitat is present in the project area and species was observed during surveys. |
| *Chorizanthe rectispina* | Straight-awned spineflower | --/--/1B.3 | Apr–Jul | Chaparral, cismontane woodland, coastal scrub. In disintegrating shale, often on granite. Elevation: 650–1,970 feet. | **Low.** Marginal suitable habitat is present in the project area. CNDDB #20 (2003) located 7.3 miles to the northwest. |
| *Clarkia speciosa* ssp. *immaculata* | Pismo clarkia | FE/SR/1B.1 | May–Jul | Woodland edges, chaparral, disturbed grassland. Openings in sandy soil. Elevation: < 330 feet | **Present.** Suitable habitat is present in the project area and species was observed during surveys. |
| *Delphinium parryi* ssp. *blochmaniae* | Dune larkspur | --/--/1B.2 | Apr–Jun | Coastal chaparral and dunes. Sandy soils. Elevation: <670 feet. | **High.** Suitable habitat is present in the project area. CNDDB #23 (1936) located 1.5 miles to the east. Multiple CNDDB occurrences within near vicinity. |
| *Erysimum suffrutescens* | Suffrutescent wallflower | --/--/4.2 | Jan–Aug | Stabilized coastal sand dunes, coastal scrub. Coastal dunes and bluffs. Elevation: <500 feet | **Low.** Project area is inland of species known range and marginal suitable habitat present in the project area. CCH Record #UCSB041306 (1988) located over 5 miles to the west. |
| *Horkelia cuneata* var. *puberula* | Mesa horkelia | --/--/1B.1 | Feb–July | Coastal chaparral, woodland. Dry, sandy or gravelly sites. Elevation: 230–2,850 feet. | **Present.** Suitable habitat is present in the project area and species was observed during surveys. |
| *Horkelia cuneata* var. *sericea* | Kellogg's horkelia | --/--/1B.1 | Apr–Sep | Coastal scrub and dunes, coniferous forest, chaparral. Old dunes, coastal sandhills, openings in sand. Elevation: <660 feet. | **High.** Suitable habitat is present in the project area. CNDDB #4 (1969) located 1.8 miles to the west. |

| Scientific Name | Common Name | Legal Status Federal/ State/CNPS | Blooming Period | Habitat Preference | Potential to Occur |
|---|---|---|---|---|---|
| *Monardella sinuata* ssp. *sinuata* | Southern curly-leaved monardella | --/--/1B.2 | Apr–Sep | Chaparral, woodland, coastal sage scrub and dunes. Sandy soils, coastal strand, dune. Elevation: <980 feet. | **High.** Suitable sandy chaparral and woodland habitats are present in the project area. CNDDB #28 (1948) located 2.7 miles to the west. |
| *Monardella undulata* ssp*. undulata* | San Luis Obispo monardella | --/--/1B.2 | May–Sep | Coastal scrub, stabilized dunes. Stabilized sandy soils. Elevation: <660 feet. | **High.** Suitable habitat (stabilized sandy soil) is present in the project area. A portion of CNDDB #37 (1979) occurs within the project area to the south. Additional CCH records in the near vicinity. |
| *Mucronea californica* | California spineflower | --/--/4.2 | Mar–Aug | Chaparral, woodland, coastal scrub, grassland. Sandy soil. Elevation: <3,280 feet. | **Present.** Suitable habitat is present in the project area and species was observed during surveys. |
| *Piperia michaelii* | Michael's rein orchid | --/--/4.2 | April–Aug | Coastal scrub, woodland, chaparral. Generally on dry sites. Elevation: <2,300 feet. | **Present.** Suitable habitat is present in the project area and species was observed during surveys. |
| *Prunus fasciculata* var. *punctata* | Sand almond | --/--/4.3 | Mar–Apr | Coastal scrub, chaparral, woodland. Sandy flats. Elevation: <660 feet. | **Present**. Suitable habitat is present in the project area and species was observed during surveys. |
| *Scrophularia atrata* | Black-flowered figwort | --/--/1B.2 | Mar–Jul | Coniferous forest, chaparral, coastal scrub, riparian scrub. Sand, calcium-diatom-rich soils, around swales. Elevation: <1,300 feet. | **High.** Suitable sandy coastal habitats are present in the project area. CNDDB #63 (2005) located 2.75 miles to the northwest. |

**General references:** Baldwin et al. 2012; all plant descriptions paraphrased from CNPS 2021b.

**Status Codes:** --= No status; **Federal:** FE = Federal Endangered; FT=Federal Threatened; **State:** SE=State Endangered; ST= State Threatened; SR= State Rare

**California Native Plant Society (CNPS):**
Rank 1B = rare, threatened, or endangered in California and elsewhere
Rank 2 = rare, threatened, or endangered in California, but more common elsewhere
Rank 3 = plants that about which more information is needed
Rank 4 = a watch list plants of limited distribution; CBR = Considered but Rejected

**Threat Code:**
_.1 = Seriously endangered I California (over 80% of occurrences threatened / high degree and immediacy of threat)
_.2 = Fairly endangered in California (20%–80% occurrences threatened)
_.3 = Not very endangered I California (<20% of occurrences threatened or no current threats known)

**Rationale Terms:**
Present: Species was or has been observed in the survey area.
High: Highly suitable habitat and CNDDB or CNPS occurrence records indicate the species is likely to occur in the project area or the immediate vicinity. High potential is related to presence of appropriate soil, aspect, slope, microsite conditions, and proximity to occupied habitats. Individuals may not have been observed during field surveys; however, the species likely occurs in or near the project area.
Moderate: Suitable habitat is present in the project area and CNDDB occurrences or surveys have recorded the species in the vicinity of the project area. Individuals were not observed during field surveys, but the species could be present, at least seasonally or as a transient.
Low: Marginally suitable habitat is present in the project area, and there are no occurrence records or other historical (i.e., 50 years or older) records in the vicinity of the project area. Individuals were not observed during surveys and are not expected to be present.
No Potential: Suitable habitat for the species is not present in the Property, the species is a perennial shrub or tree that was not observed during site surveys, and/or the species is not known to occur in the region.

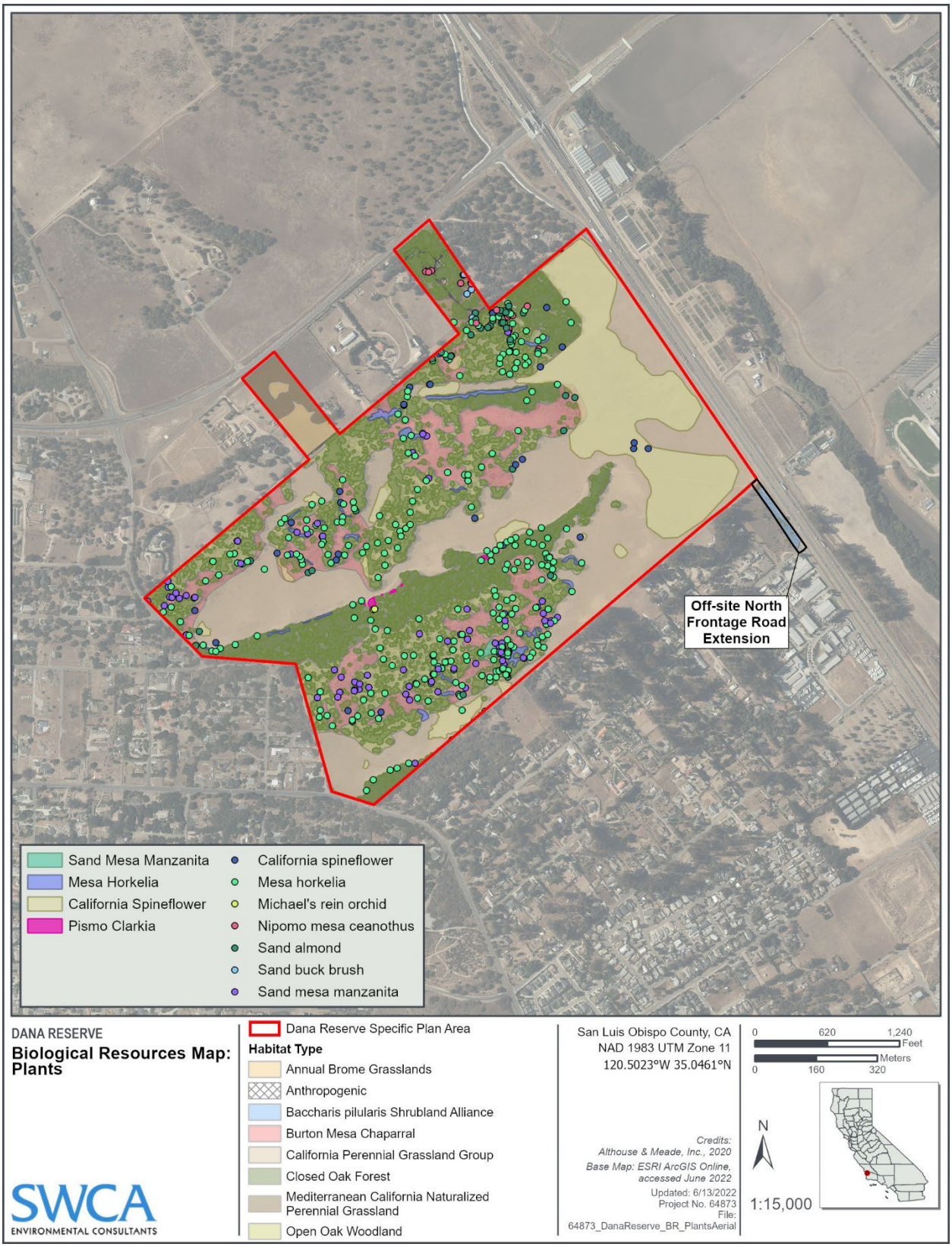


**Figure 4.4-3. Biological resources map: plants on aerial.**

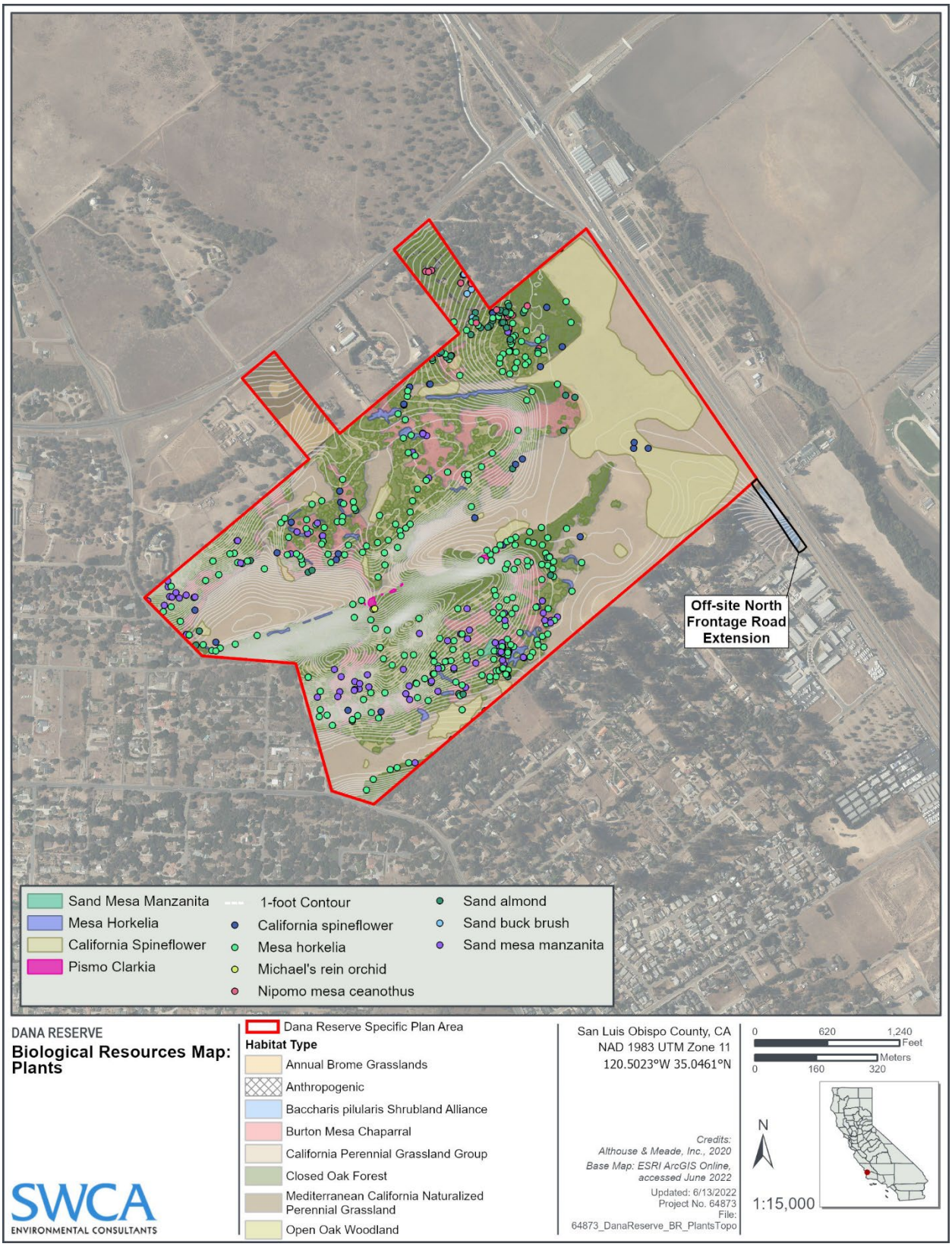


**Figure 4.4-4. Biological resources map: plants on topographic map.**

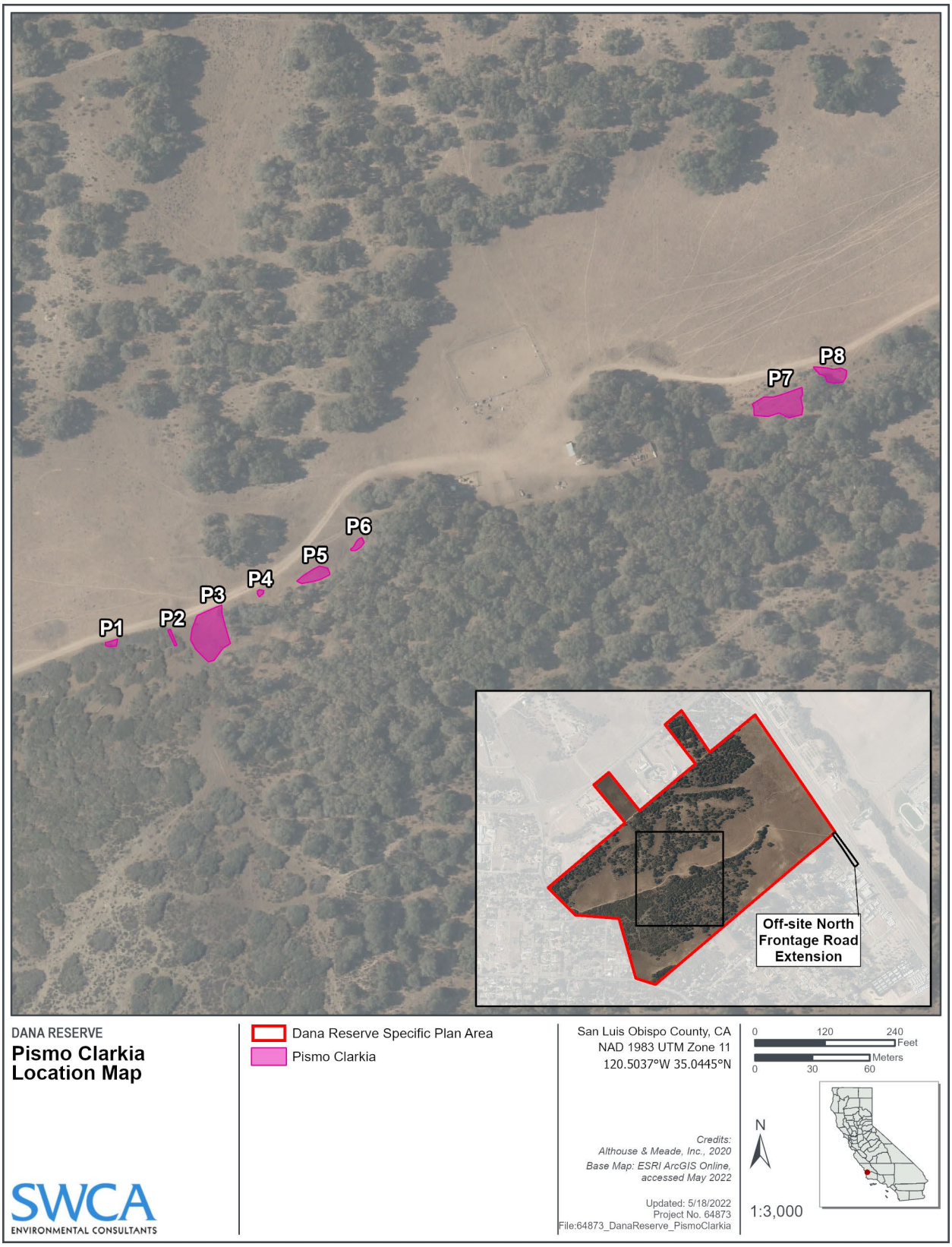


**Figure 4.4-5. Pismo clarkia detailed locations map.**

## Special-Status Plant Taxa Observed

### *State-Listed Plants*

#### PISMO CLARKIA

Pismo clarkia is listed as Endangered under the FESA, is listed as Rare by the State of California under the NPPA and is a CRPR 1B.1 subspecies endemic to southern San Luis Obispo County. It is known to occur on sandy soils in disturbed grassland, openings in chaparral, and edges of woodland habitats below 330 feet elevation. It is an annual herb that typically blooms between May and July. The closest known records range from approximately 1.4 to 1.9 miles west of the project area (CNDDB #10, #16, and #17) and are reported as possibly extirpated. The closest known record presumed to be extant is approximately 3.1 miles northwest of the project area (CNDDB #21). The sandy soils in grassland, chaparral, and woodland habitats in the project area are highly suitable for this taxon. A reference site was visited, and confirmed Pismo clarkia was in bloom on May 18, June 1, June 12, and July 3, 2018, at the nearby known occurrence in Arroyo Grande (CNDDB #8). Pismo clarkia was not detected in the project area during the 2017 and 2018 studies; however, Pismo clarkia was detected in the project area during the 2019 and 2020 surveys (see Figures 4.4-3 and 4.4-4; EIR Appendix E). The occurrence consists of eight micro-populations (patches) comprising 0.22 acre and occurs immediately south of a 0.25-mile section of the main dirt access road in the central portion of the project area (see Figure 4.4-5). The population was assessed in peak bloom on May 19, 2020, and 6,139 individuals were counted. Patch boundary extents were flagged by botanists and then recorded by licensed surveyor Aaron Harville (MBS Land Surveys; see Figure 4.4-5) on June 3, 2020.

### *California Rare Plant Rank 1B*

#### SAND MESA MANZANITA

Sand mesa manzanita is a CRPR 1B.2 species endemic to San Luis Obispo and Santa Barbara Counties. It is known to occur on sandy soils in maritime chaparral and coastal scrub habitats less than 1,250 feet elevation, and typically blooms between November and February. Sandy soil in the project area's chaparral and woodland habitats is highly suitable for this species. A portion of a known record (CNDDB #16) occurs in the project area. Within the project area, 324 sand mesa manzanitas were detected during the 2017 to 2020 surveys (see Figures 4.4-3 and 4.4-4; EIR Appendix E). Individuals are scattered across the project area and the majority are less than 2 feet tall. Stumps appear to have been previously burned or masticated and are regenerating from underground root burls.

#### NIPOMO MESA CEANOTHUS

Nipomo Mesa ceanothus is a CRPR 1B.2 variety endemic to Santa Barbara and San Luis Obispo Counties. It is known to occur in chaparral habitats on sandy soils below 660 feet elevation. It is an evergreen shrub that typically blooms between February and April. The sandy chaparral habitat in the project area is highly suitable for this taxon. Within the project area, 50 Nipomo Mesa ceanothus shrubs were detected during the 2017 to 2020 surveys (see Figures 4.4-3 and 4.4-4; EIR Appendix E). Individuals predominantly occur in the northeastern portion of the project area, and many are less than 4 feet tall.

#### MESA HORKELIA

Mesa horkelia is a CRPR 1B.1 variety endemic to the region from San Luis Obispo County to San Diego County. It occurs on sandy and gravelly substrates in coastal chaparral and woodland habitats between 230 and 2,800 feet elevation. It is a matted, perennial herb that typically blooms between February and

July. The closest known record is approximately 7.4 miles west of the project area (CNDDB #91). The sandy woodland and chaparral habitats in the project area are highly suitable for this variety. Approximately 7,553 mesa horkelia rosettes were detected across the project area during the 2017 to 2020 surveys, predominantly within or near coast live oak woodland. Plants were frequently encountered along the dripline of oak tree canopy (see Figures 4.4-3 and 4.4-4; EIR Appendix E).

## *California Rare Plant Rank 4*

### CALIFORNIA SPINEFLOWER

California spineflower is a CRPR 4.2 species that occurs from Monterey to San Diego Counties. It is an annual herb that grows in sandy soils in grassland, coastal scrub, woodland, and chaparral habitats below 3,280 feet elevation. It typically blooms between March and August. The sandy woodland, chaparral, and dune habitats in the project area are highly suitable for this species. California spineflower was abundant within the grassland habitat in the project area during the 2017 to 2020 surveys. The delicate plant was dispersed in a mosaic across approximately 42.6 acres (see Figures 4.4-3 and 4.4-4; EIR Appendix E). Distribution of these plants across the occupied habitat is patchy. Less than 15% of the absolute vegetative cover is California spineflower in occupied grassland habitat. This cover appears to vary significantly from year to year, depending on seasonal conditions and grazing intensity the previous year. The northeastern portion of the project area near US 101 supports the largest concentration of plants, with smaller patches scattered across the remainder of the project area. Patch densities were variable. Aerial review of historic CCH records within an eight-quadrangle search of the project area reveals development and agriculture have substantially reduced the local extent of California spineflower.

### SAND BUCK BRUSH

Sand buck brush is a CRPR 4.2 variety endemic to Santa Barbara and San Luis Obispo Counties. It is known to occur in coastal chaparral habitats on sandy soils below 900 feet elevation. It is an evergreen shrub that typically blooms between February and April. The sandy chaparral habitat in the project area is highly suitable for this taxon. Within the project area, 20 sand buck brush shrubs were detected during the 2017 to 2020 surveys (see Figures 4.4-3 and 4.4-4; EIR Appendix E). Individuals predominantly occur in the northeastern portion of the project area, and many are less than 4 feet tall. Sixteen CCH records exist within an eight-quadrangle search, with aerial review depicting two records likely extirpated due to development/agriculture and all others presumed extant.

### MICHAEL'S REIN ORCHID

Michael's rein orchid is a CRPR 4.2 variety endemic to the region from San Luis Obispo County to San Diego County. It occurs in dry sites within coastal scrub, woodland, and chaparral below 700 meters elevation. It is a perennial herb that typically blooms between April and August. The coast live oak and chaparral habitats in the project area are highly suitable for this species. Within the project area, seven Michael's rein orchid individuals were detected during the 2020 surveys. All individuals were located within 50 feet of Pismo clarkia Patch 3 along the edge of coast live oak woodland in the central portion of the project area (see Figures 4.4-3 and 4.4-4; EIR Appendix E).

### SAND ALMOND

Sand almond is a CRPR 4.3 variety endemic to San Luis Obispo and Santa Barbara Counties. It is known to occur in sandy habitats in maritime chaparral, coastal dune and scrub, and woodland habitats below 200 meters elevation. It is a deciduous shrub that typically blooms between March and April but was observed blooming in the project area in early June. The sandy woodland, chaparral, and dune habitats in the project area are highly suitable for this taxon. Sand almond was detected in the project area during

2017 to 2020 surveys. Across the project area, 141 sand almond plants were detected, primarily near the edges of the oak woodland habitat (see Figures 4.4-3 and 4.4-4). Ten CCH records are known within an eight-quadrangle search. Aerial review shows that two records in San Luis Obispo County are likely extirpated from development/agriculture.

#### 4.4.1.1.7 SPECIAL-STATUS WILDLIFE SPECIES

For the purposes of this section, special-status wildlife species are defined as the following:

- Wildlife that are listed or proposed for listing as threatened or endangered under the ESA (50 CFR 17.11 for listed animals and various *Federal Register* notices for proposed species).
- Wildlife that are candidates for possible future listing as threatened or endangered under the FESA.
- Wildlife that meet the definitions of rare or endangered species under CEQA (State CEQA Guidelines Section 15380).
- Wildlife that are listed or proposed for listing by the State of California as threatened and endangered under the CESA (14 CCR 670.5).
- Wildlife that are SSC to the CDFW.
- Wildlife that are fully protected in California (CFGC Sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).
- Birds that are BCC to the USFWS.

Althouse and Meade (2021) conducted a data search from the CNDDB (CDFW 2021a) on June 3, 2020. The data search area included the Oceano and Nipomo, California USGS 7.5-minute quadrangles and the six surrounding quadrangles—Arroyo Grande Northeast, Guadalupe, Pismo Beach, Point Sal, Santa Maria, and Tar Spring Ridge.

The search results determined that 47 special-status animal species are known to occur in the region (see EIR Appendix E). Of those 47 special-status animal species, 17 could potentially occur in the project area based on an analysis of their known ecological requirements and observed habitat conditions in the project area.

General wildlife surveys were conducted in winter 2017 and spring 2018. A bird point count survey was conducted on June 14, 2019, and nesting bird surveys were conducted on April 15, April 17, and May 6, 2020. Focused legless lizard and badger surveys were conducted on April 14 and May 6, 2020. Additional surveys for reptiles (cover board inspection) and raptors were conducted on July 21, 2020. A focused acoustic survey for bats was conducted on May 26, 2020, and a focused invertebrate survey was conducted on April 24, 2020. A list of all surveys conducted on the project area by Althouse and Meade is listed in Table 4.4-2.

Nine special-status animal species were detected on-site as a result of the focused surveys between 2017 and 2020. However, there are still appropriate habitat conditions for nine other special-status animal species that could still potentially occur in the project area. A discussion of each taxon, including their federal, state, and CDFW listing status; typical nesting or breeding period; habitat preference; potential for occurrence on-site; and detection of the species within the project area is provided in Table 4.4-3 (CDFW 2021a). Figure 4.4-6 shows mapped locations of sensitive animal species observed in the project area.

**Table 4.4-4. Special-Status Animal Species Detected or That Have Suitable Habitat within the Project Area**

| Scientific Name | Common Name | Legal Status Federal/ State/CDFW | Habitat Preference | Potential to Occur |
|---|---|---|---|---|
| ***Insects*** | | | | |
| *Bombus caliginosus* | Obscure bumble bee | --/--/SA | Open coastal grasslands and meadows. Food plant genera include *Baccharis*, *Cirsium*, *Lupinus*, *Lotus*, *Grindelia*, and *Phacelia*. | **Low.** Habitat and nectar sources are present in the project area. A focused sensitive invertebrate survey provided negative results for this species. |
| *Bombus occidentalis* | Western bumble bee | --/SCE/SA | Wide variety of natural, agricultural, urban, and rural habitats. Flower-rich meadows of forests and subalpine zones. | **Low.** Suitable habitat is available in the project area. Closest known historical occurrence (CNDDB #279) is located 14 miles northwest. A focused sensitive invertebrate survey provided negative results for this species. |
| *Danaus plexippus plexippus* | Monarch butterfly | FC/--/SA | Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby. | **Moderate.** Individual butterflies are likely to be present in the project area, but no overwintering aggregations were observed. Suitable habitat is not available in the project area, but the eucalyptus adjacent to the property may provide suitable overwintering habitat. The eucalyptus groves along the NCSD off-site water-related improvements along North Oakglen Avenue may also provide suitable overwintering habitat. |
| ***Reptiles*** | | | | |
| *Anniella pulchra* | Northern California legless lizard | --/--/SSC | Sandy or loose loamy soils under coastal scrub or oak trees. Soil moisture essential. | **High**. Suitable habitat is available in the project area. |
| *Emys marmorata* | Western Pond Turtle | --/--/SSC | Permanent or semi-permanent streams, ponds, lakes. | **High.** Suitable habitat is present in Nipomo Creek, which is part of the NCSD off-site water-related improvement area along East Tefft Street. |
| *Phrynosoma blainvillii* | Blainville's (coast) horned lizard | --/--/SSC | Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. | **Present.** Two observations; suitable habitat is available in the project area. This species was observed during focused surveys. |
| *Rana draytonii* | California red-legged frog | FT/--/SSC | Lowlands and foothills in or near sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11 to 20 weeks for larval development. | **Low.** Nipomo Creek and its tributaries provide suitable habitat for the species, which is part of the NCSD off-site water-related improvement area. However, there are no documented occurrences within the Nipomo Creek watershed. |
| *Thamnophis hammondii* | Two-striped gartersnake | --/--/SSC | Coastal California from Salinas to Baja, sea level to 7000 feet, aquatic, in or near permanent water, streams with rocky beds and riparian growth | **Low.** Nipomo Creek and its tributaries provide suitable habitat for the species, which is part of the NCSD off-site water-related improvement area. However, there are no documented occurrences within the Nipomo Creek watershed. |

| Scientific Name | Common Name | Legal Status Federal/ State/CDFW | Habitat Preference | Potential to Occur |
|---|---|---|---|---|
| ***Birds*** | | | | |
| *Accipiter cooperii* | Cooper's hawk | --/--/WL (nesting) | Oak woodland, riparian, open fields. Nests in dense trees, especially coast live oak. | **Present.** This species was observed during 2020 surveys foraging in the coast live oak woodland habitat. |
| *Accipiter striatus* | Sharp-shinned hawk | --/--/WL | Riparian, coniferous, and deciduous woodlands near water. | **Moderate.** Suitable prey (passerines) is available in the project area. |
| *Athene cunicularia* | Burrowing owl | --/--/SSC | Burrows in squirrel burrow complexes in open habitats with low vegetation. | **Low.** Suitable habitat (grazed grassland and squirrel burrows) available in the project area. The Specific Plan Area is located in the overwintering area of their range within California (California Wildlife Habitat Relationship [CWHR] System 2022), where they occur in low densities. While suitable habitat in the form of ground squirrel burrows and grazed perennial grassland is present in the project area, they are unlikely to occur. None were observed on the Specific Plan Area during any of the surveys. |
| *Baeolophus inornatus* | Oak titmouse | BCC/--/ WL (nesting) | Nests in cavities in oak woodland habitat. Non-migratory. | **Present.** Numerous species were observed during the 2017 to 2020 surveys. |
| *Elanus leucurus* | White-tailed kite | --/FP/-- | Nests in dense tree canopy near open foraging areas | **Present.** Suitable nesting and foraging habitat are available in the project area. This species was observed during surveys. |
| *Empidonax traillii extimus* | Southwestern willow flycatcher | FE/--/SSC | Breeding migrant in riparian woodlands in southern California. Prefers dense, multilayered riparian forests along rivers and streams with perennial flows. | **Low.** The project area is not located within the current documented range of this species. However, this species has been documented in the Santa Ynez River. Therefore, the presence of individuals cannot be dismissed, particularly in the riparian corridor of Nipomo Creek. |
| *Picoides nuttallii* | Nuttall's woodpecker | BCC/--/-- | Oak, riparian woodlands. | **Present.** Nuttall's woodpecker is a year-round resident of oak woodland habitat on-site and was observed during the 2017 to 2020 surveys. |
| *Spinus lawrencei* | Lawrence's goldfinch (Nesting) | BCC/--/SA | Arid and open woodlands within near vicinity of chaparral or other brushy areas, tall annual weed fields, and a water source, such as a stream, small lake, or farm pond. Live oaks (*Quercus* spp.) and blue oaks (*Q. douglasii*) are predominant trees where this species nests (Linsdale 1950; Coutlee 1968a as cited in Althouse and Meade 20212a) | **Low.** Marginally suitable nesting habitat is present in the oak woodland habitat on-site. This species is absent from Ebird records from nearby Nipomo Regional Park (2018-2020). The Ebird range distribution map shows the species' range in lower densities in coastal lowland areas. There are CNDDB records for this species, but not within the eight-quadrangle search. |

| Scientific Name | Common Name | Legal Status Federal/ State/CDFW | Habitat Preference | Potential to Occur |
|---|---|---|---|---|
| *Vireo bellii pusillus* | Least Bell's vireo | FE/SE/-- | Summer resident of southern California in low riparian in vicinity of water or in dry river bottoms; below 2,000 feet. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, coyote brush, and mesquite. | **Low.** The riparian corridor along Nipomo Creek could potentially provide suitable habitat for range-expanding individuals. The nearest known occurrence of this species is from Jim May Park in Santa Maria on July 28, 2019, approximately 13.35 miles south of the project area (eBird 2021). Therefore, the possible presence of individuals cannot be dismissed. |
| ***Mammals*** | | | | |
| *Antrozous pallidus* | Pallid bat | --/--/SSC | Rock crevices, caves, tree hollows, mines, old buildings, and bridges. | **Present.** Limited roosting habitat (no structures and few tree cavities) in the project area. Vocalizations detected during 2020 acoustic surveys |
| *Lasionycteris noctivagans* | Silver-haired bat | --/--/SSC | Coastal and montane forests, often feeds over water. Roosts in hollow trees, loose bark, woodpecker cavities, rarely in rocks. | **Present.** Suitable roosting and foraging habitat are available in the project area. Vocalizations detected during 2020 acoustic surveys. |
| *Lasiurus cinereus* | Hoary bat | --/--/SA | Forages in open habitats or habitat mosaics with trees. Roosts in dense foliage of medium to large trees. Feeds on moths. Requires water. | **Present.** Suitable habitat is available in the project area. Vocalizations detected during 2020 acoustic surveys |
| *Lasiurus blossevillii* | Western red bat | --/--/SSC | Roosts primarily in trees, from sea level up through mixed conifer forests. | **High.** Suitable habitat is available in the project area. Not detected during 2020 acoustic surveys. |
| *Myotis yumanensis* | Yuma myotis | --/--/SA | Caves, mines, buildings, tree cavities, rock crevices, or under bridges. Feeds near open water | **Present.** Suitable habitat is available in the project area. Vocalizations detected during 2020 acoustic surveys. |
| *Taxidea taxus* | American badger | --/--/SSC | Needs friable soils in open ground with abundant food source, such as California ground squirrel (*Otospermophilus beecheyi*). | **Present.** Several dens observed; suitable grassland habitat and ground squirrels in the project area. |

**General references: Unless otherwise noted all habitat and distribution data provided by the CNDDB.**

**Status Codes:** --= No status; **Federal:** FE = Federal Endangered; FT= Federal Threatened; FC= Federal Candidate; CH= Federal Critical Habitat; PCH= Proposed Federal Critical Habitat; MBTA= Protected by Federal Migratory Bird Treaty Act; BCC: USFWS Birds of Conservation Concern; **State:** SE= State Endangered; ST= State Threatened; SCT= State Candidate Threatened, SCE= State Candidate Endangered; **CDFW:** SSC= Species of Special Concern; FP= Fully Protected Species; SA= Not formally listed but included in CDFW Special Animals List; WL= Watch List

**Rationale Terms:**
Present: Species was or has been observed in the survey area.
High: Highly suitable habitat and CNDDB or CNPS occurrence records indicate the species is likely to occur in the project area or the immediate vicinity. High potential is related to presence of appropriate soil, aspect, slope, microsite conditions, and proximity to occupied habitats. Individuals may not have been observed during field surveys; however, the species likely occurs in or near the project area.
Moderate: Suitable habitat is present in the project area and CNDDB occurrences or surveys have recorded the species in the vicinity of the project area. Individuals were not observed during field surveys, but the species could be present, at least seasonally or as a transient.
Low: Marginally suitable habitat is present in the project area, and there are no occurrence records or other historical (i.e., 50 years or older) records in the vicinity of the project area. Individuals were not observed during surveys and are not expected to be present.
No Potential: Suitable habitat for the species is not present in the Property, the species is a perennial shrub or tree that was not observed during site surveys, and/or the species is not known to occur in the region.

**Figure 4.4-6. Biological resources map: animals.**

## Special-Status Animal Taxa Observed

### *Blainville's (Coast) Horned Lizard*

Blainville's (coast) horned lizard, a CDFW SSC, is distributed from northern Baja California through northern California, occurring in open areas of valley foothill hardwood, conifer, riparian, pine-cypress, juniper, and annual grassland habitats (CDFW 2007). Blainville's horned lizard needs friable sandy soil with rocks and logs essential for burrows and reproduction (CDFW 2007; Gerson 2011). Appropriate habitat for Blainville's horned lizard must include an abundance of the native harvester ant (*Pogonomyrmex* and *Messor* sp.). Non-native Argentine ants (*Linepithema humile*) are detrimental to Blainville's horned lizard food resources, as they outcompete the native harvester ant, and the lizard will not eat the Argentine ant (Gerson 2011). Very little data exists on the habitat requirement for reproduction of Blainville's horned lizard; however, it has been reported that in southern California, the egg-laying season is late May through June (CDFW 2016). The closest CNDDB occurrence of Blainville's horned lizard (CNDDB #675) is a 2008 record approximately 4.6 miles southeast of the project area on the south side of the Santa Maria River, 0.7 mile west of US 101; four adults were observed in sandy soils with coyote brush, willow, and mulefat. The project area has suitable sandy soils and habitat for Blainville's horned lizard. Two Blainville's horned lizards were observed in the project area in 2018 and 2020.

### *Cooper's Hawk*

Cooper's hawk (*Accipiter cooperii*), a CDFW Watch List species (for nesting occurrences only), occurs regularly in California during the winter months and during spring and fall migration (CDFW 2020a). It is generally regarded as a regular but uncommon nesting species in San Luis Obispo County (Hall et al. 1992). Cooper's hawk frequents oak and riparian woodland habitats, and increasingly urban areas, where it preys primarily on small birds (Rosenfield et al. 2020). One Cooper's hawk was observed foraging overhead during the 2020 site surveys.

### *Nuttall's Woodpecker*

Nuttall's woodpecker, a USFWS BCC (USFWS 2008), with a current range that is limited to California, extending from the lower elevations of the Cascade-Sierra Nevada crest to the coast and as far north as Humboldt County and as far south as San Diego County. Suitable habitats for Nuttall's woodpecker include riparian, deciduous, and oak woodland where it forages for invertebrates in the oak bark and takes cover in the leafy foliage and tree cavities. The breeding season is from late March to early July. As a primary cavity nester, Nuttall's woodpecker is important to other cavity nesting birds (Monahan and Koenig 2006). It excavates nesting cavities in the dead limbs of oak, cottonwood, willow, alder, and sycamore. Nuttall's woodpecker eats mostly insects but will also eat nuts, sap berries and poison-oak seeds (CDFW 2016). Nuttall's woodpecker is a year-round resident of oak woodland habitat on-site and was observed during the 2017 to 2020 surveys.

### *Oak Titmouse*

Oak titmouse is on the CDFW Watch List, is a USFWS BCC (USFWS 2008) due to loss of nesting habitat, and has a Global and State rank of 4 (apparently secure). Oak titmouse is an oak woodland obligate, nesting in cavities of oak trees. It is a common species in oak woodlands on the central coast but is tracked by CDFW due to statewide losses of oak woodland habitat. There are no CNDDB occurrence records within the eight-quadrangle search radius; however, oak titmouse is a year-round resident in the coast live oak woodland habitat on-site. Numerous oak titmice were observed during the 2017 to 2020 surveys. Preconstruction surveys are recommended prior to activities that affect oak trees.

### *Pallid Bat*

Pallid bat, a CDFW SSC with a Global rank of 5 (secure) and State rank of 3 (vulnerable), is a large, long-eared bat that occurs throughout the state and occupies a wide variety of habitats. Although most common in open, dry areas ideal for foraging with rocky outcrops for roosting, pallid bat is also found regularly in oak and pine woodlands where it roosts in caves, mines, rock crevices, hollow trees, and buildings (Nowak 1994). Bridges are also frequently used by pallid bat, often as night roosts between foraging periods (Pierson et al. 1996). There were no CNDDB records for the pallid bat in the eight-quadrangle search, which is likely due to their nocturnal activity patterns and requirement for focused surveys. Due to the presence of large coast live oak trees and sparsely vegetated habitats suitable for foraging, the pallid bat has a high potential to occur in the project area. A focused survey for bat roosts and species identification was conducted as part of this study. Pallid bats were observed visually and acoustically during the emergence survey.

### *Silver-Haired Bat*

Silver-haired bat, a CDFW SSC, is a forest-dwelling species generally concentrated in the northern half of the state. However, there are reports of this species in San Luis Obispo, Santa Barbara, and Ventura Counties. This species was detected acoustically at three locations on Vandenberg Air (now Space) Force Base in 1997 and 1998 (Pierson et al. 2002). There were no CNDDB records for the silver-haired bat in the eight-quadrangle search. Silver-haired bat roosts almost exclusively in trees, using woodpecker hollows and flaking bark. It forages above the canopy, in clearings, and in riparian corridors along water courses. Oak woodlands provide suitable roosting habitat and open fields provide suitable foraging habitat. Silver-haired bats were confirmed present during 2020 nighttime acoustic surveys.

### *Hoary Bat*

Hoary bat, a Special Animal tracked by CDFW, is widely distributed throughout most of California, though it is uncommon in southeastern deserts. Roosting habitat is primarily woodlands and forests, and it forages for moths in open areas and along habitat edges (CDFW 2016). Hoary bat roosts mainly in dense foliage of medium to large deciduous or coniferous trees, near the ends of branches, typically in trees at the edge of a clearing. Roosting has also been documented in caves, under rock ledges, and in tree hollows (Bolster 2005). There were no CNDDB records for hoary bat in the eight-quadrangle search, which is likely due to their nocturnal activity patterns and requirement for focused surveys. Suitable roosting habitat is present in oak woodlands and open areas provide suitable foraging habitat. Hoary bats were confirmed present during 2020 nighttime acoustic surveys.

### *Yuma Myotis*

Yuma myotis, a Special Animal tracked by CDFW, is a small bat widely distributed throughout western North America. This species of bat is most commonly associated with manmade structures. Crevices are preferred roost areas including those found in cliffs, buildings and bridges, but they will also roost in trees (Bogan et al. 2005). Yuma myotis is most closely associated with water for foraging compared to any other bat species. There were no CNDDB records for the Yuma myotis in the eight-quadrangle search, but it has been recorded at seven localities within San Luis Obispo County (Pierson et al. 2002). Oak woodlands on-site provide suitable roosting habitat and foraging aquatic resources occur in the vicinity of the project area. Yuma myotis were observed during 2020 nighttime acoustic surveys.

### *American Badger*

American badger, a CDFW SSC with a widespread range across the state (Brehme et al. 2015; CDFW 2016), is a permanent but uncommon resident in all parts of California, except for forested regions of the

far northwestern corner, and is more abundant in dry, open areas of most shrub and forest habitats (CDFW 2021a). It requires friable soil to dig burrows for cover and breeding. The main food source for the species is fossorial rodents, mainly ground squirrels and pocket gophers (CDFW 2016). The breeding season for badgers is in summer and early fall, and females give birth to litters usually in March and April (CDFW 2016). The closest reported CNDDB occurrence of American badger (CNDDB #391) is located approximately 5.1 miles from the project area, where an adult badger was observed at a den in the Oceano Dunes State Vehicular Recreation Area. Eight badger dens were documented in the project area during the 2018 and 2020 surveys (see Figure 4.4-6). During the 2020 surveys, two wildlife cameras placed along game trails from April 15 to May 6, 2020, failed to record American badgers on either camera. Nevertheless, due to the presence of suitable habitat with friable soils, and observations of badger dens on-site, American badger presence is presumed confirmed.

## Special-Status Animal Taxa with Potential Habitat Present but Not Observed

### *Monarch Butterfly*

Monarch butterfly (*Danaus plexippus*) is a candidate species for protection under the FESA and listed as a CDFW Special Animal. It migrates in the fall to wintering locations along the coast of central and southern California and mainland Mexico. Monarch butterfly aggregates in eucalyptus, Monterey pine (*Pinus radiata*), Monterey cypress (*Cupressus macrocarpa*), and less commonly oak trees (CDFW 2021a). The Nipomo Mesa is largely under-surveyed for monarch butterfly aggregation sites because most of the land is privately owned. There are 21 CNDDB occurrences of monarch butterfly aggregation sites in the eight-quadrangle search radius (CDFW 2021a). Two of the records (CNDDB #320 and #399) list the entire Oceano quadrangle, where the Specific Plan Area is located, as an aggregation site because the records contain suppressed sensitive locational data; as of 2014, both aggregation sites are presumed extant. The next nearest aggregation site is a 1983 record (CNDDB #129) of a eucalyptus grove, located 2.2 miles west of the project area, believed to be extirpated by development and gradual reduction of the grove since 1994. A line of eucalyptus trees south and outside of the project area contains marginal habitat for aggregating monarch butterfly (Althouse and Meade 2022a), but this site is not documented as an aggregation site.

### *Northern California Legless Lizard*

Northern California legless lizard, a CDFW SSC, occurs from Contra Costa County to Santa Barbara County and includes the subspecies formerly treated as *A. pulchra nigra* and *A. pulchra pulchra*, an invalid designation (Pearse and Pogson 2000). It inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Adapted to subterranean life, the legless lizard thrives near native coastal shrubs that produce an abundance of leaf litter and have strong roots systems (Kuhnz et al. 2005). Areas of exotic vegetation and open grassland do not provide suitable habitat for the silvery legless lizard since these plant communities support smaller populations of insect prey and offer little protection from higher ground temperatures and soil desiccation (Jennings and Hayes 1994; Slobodchikoff and Doyen 1977). Ten CNDDB records for northern California legless lizard were found in the eight-quadrangle search radius. The closest reported occurrence of northern California legless lizard (CNDDB #183) is located approximately 0.9 mile northwest of the project area where two individuals were collected from the vicinity of Misty Glen Place at Willow Road in 1985 and 1986. Chaparral and coast live oak woodland habitats in the project area are very likely to support northern California legless lizard. No northern California legless lizards were encountered during 2020 focused surveys despite intensive raking effort, and none were detected as of July 21, 2020 (Althouse and Meade 2022a).

### *Sharp-Shinned Hawk*

Sharp-shinned hawk (*Accipiter striatus*), a CDFW Watch List species (for nesting occurrences only), frequents open oak and riparian woodland habitats. It is a regular fall and winter migrant in San Luis Obispo County that seldom remains in the area through the nesting season. Sharp-shinned hawk prefers to nest in dense, closed canopy forests and is unlikely to nest on-site but may forage for passerines in habitats found on-site. The nearest reported occurrence of nesting sharp-shinned hawk (CNDDB #9) is a 2003 record, approximately 2.4 miles southwest of the project area. No sharp-shinned hawks were not observed in the project area during surveys between 2017 and 2020 (Althouse and Meade 2022a).

### *Burrowing Owl*

Burrowing owl (*Athene cunicularia*), a CDFW SCC, is a small, rare owl that occupies abandoned mammal holes in the ground, most notably those of the California ground squirrel (*Otospermophilus beecheyi*). In California, the burrowing owl is a year-round resident in the Carrizo Plain, Central Valley, Imperial Valley, and San Francisco Bay region. In the winter months, burrowing owl individuals from other western populations will augment the year-round Californian populations (Shuford and Gardali 2008). The breeding season is generally March through August. Suitable habitat types for the burrowing owl are dry, open annual or perennial grasslands and deserts with an abundance of burrows (CDFW 2020a, 2014). More specifically, the owl is found in coastal prairie, coastal scrub, great basin, Mojavean and Sonoran Desert scrub, and great basin, valley, and foothill grassland habitats (CDFW 2020a). The burrowing owl may also inhabit badger and fox dens and manmade holes, such as pipes and culverts. Rarely, it has been known to dig its own burrow in softer soil types (Coulombe 1971; Gervais et al. 2008 as cited in Althouse and Meade 2022a). Burrows with high horizontal visibility and low vegetation coverage are preferred, but burrows with dense vegetation with high perch sites will be used (Green and Anthony 1989). Orthoptera are the main food source for the owl, but it also consumes other insects, as well as amphibians, carrion, small mammals, reptiles, and birds (Gervais et al. 2008; York et al. 2002; CDFW 2016). The closest of the four reported occurrences of burrowing owl (CNDDB #1803) is approximately 7.5 miles southwest of the project area. The 2009 observation was an adult burrowing owl occupying a ground squirrel burrow in an open field surrounded by commercial and agricultural development west of Santa Maria. Due to presence of ground squirrel burrows and grazed perennial grassland in the project area, the site could support burrowing owls. Burrowing owls were not observed in the project area.

### *White-Tailed Kite*

White-tailed kite (*Elanus leucurus*), a CDFW Fully Protected species, occurs throughout California. It is known to forage and nest in certain areas of California in fluctuating numbers (Lehman 2018; CDFW 2016). White-tailed kite nests primarily in evergreen trees, especially coast live oaks, near meadows, marshes, farmland or grasslands where they forage on small animals, especially voles (*Microtus californicus*) (Dunk 1995). Communal nocturnal roosts sites, which may shift in location, are often used from early fall to early winter. The closest reported occurrence of nesting white-tailed kite (CNDDB #169) is approximately 15.2 miles northeast of the project area. The 2017 record is a nesting pair in an oak tree, which is in a riparian open space corridor located in a residential development that is also adjacent to vineyards and pastureland. One white-tailed kite was observed on the property during a site survey on August 29, 2019 (Althouse and Meade 2022a).

### *Lawrence's Goldfinch*

Lawrence's goldfinch (*Spinus lawrencei*), a CDFW Special Animal tracked by the CNDDB, nests in oak habitats in the mountain areas of northern and eastern San Luis Obispo County and elsewhere in California. Flocks of Lawrence's goldfinch tend to be highly mobile, moving to seasonal food sources.

Marginally suitable nesting habitat is present in the oak woodland habitat on-site. The closest verified occurrence (i.e., with a photo) in eBird is from the Cypress Ridge Golf Course Pavilion approximately 4 miles northwest of the project area (eBird 2022). There is an unverified eBird record immediately south of the project area off Cory Way (eBird 2022). The eBird range distribution map shows the species' range in lower densities in coastal lowland areas. There are CNDDB records for this species, but not within the eight-quadrangle search.

#### *Western Red Bat*

Western red bat, a CDFW SSC, roosting habitat includes forests and woodlands from lowlands up through mixed conifer forests of mountains, and foraging habitat includes grasslands, shrublands, open woodlands and forests, and croplands, but not deserts (CDFW 2021a). Western red bat in California is strongly associated with riparian habitats, particularly mature stands of cottonwood/sycamore in the Central Valley and lower reaches of the large rivers that drain the Sierra Nevada (Pierson et al. 2006). There were no CNDDB records for western red bat in the eight-quadrangle search, which is likely due to their nocturnal activity patterns and requirement for focused surveys, rather than absence. No western red bats were detected during 2020 nighttime acoustic surveys.

### *4.4.1.2 North Frontage Road Extension Parcel*

The North Frontage Road Extension Parcel (APN 091-325-022) is an undeveloped parcel approximately 4.91 acres in size at the southeast corner of the Dana Reserve. This parcel is not owned by the project applicant (and owner of the Dana Reserve), and it is not a part of the proposed DRSP area. While the parcel itself is not part of the Specific Plan, there is an existing 40-foot-wide County ROW easement extending north–south fronting through the parcel within which a roadway extension will be constructed. The North Frontage Road Extension Parcel is surrounded by four single-family residential lots to the west, Sandydale Drive and the North Frontage Road northern terminus to the south, US 101 to the east, and undeveloped Dana Reserve to the north. A reconnaissance-level biological survey was conducted by Althouse and Meade biologists on January 20, 2022 (Althouse and Meade 2022b).

#### 4.4.1.2.1 SOILS

The Soil Survey of San Luis Obispo County, California, Coastal Part (USDA 1984) identifies the soil type on the North Frontage Road connection parcel to be the same as the Specific Plan Area: Oceano sand, 0 to 9 percent slopes (see Figure 4.4-1).

#### 4.4.1.2.2 HABITAT TYPES

The North Frontage Road Extension Parcel is comprised of two habitat types: coyote brush scrub and non-native perennial grassland (see Figure 4.4-2). Each habitat accounts for approximately half the parcel, with coyote brush scrub occupying 55% and non-native perennial grassland occupying 45%. Neither is considered a sensitive community by CDFW (2022).

**Table 4.4-5. Habitat Types on the North Frontage Road Extension Parcel**

| Habitat Type | Global/State Rank | Location | Area (Acres.) |
|---|---|---|---|
| Mediterranean California naturalized annual and perennial grassland group | N/A | North Frontage Road Extension Parcel | 2.23 |
| Coyote Brush Scrub (*Baccharis pilularis* shrubland alliance) | N/A | North Frontage Road Extension Parcel | 2.68 |
| **Total** | | | **4.91** |

### Coyote Brush Scrub (*Baccharis pilularis* shrubland alliance)

Coyote brush scrub occupies the eastern half of the project area where shrub or tree species are conspicuously present (see Figure 4.4-2). Coyote brush accounts for over 70% of the relative shrub canopy, with bush lupine and deer weed appearing in low numbers. Because of the strong presence of coyote brush, the area was mapped as *Baccharis pilularis* shrubland alliance, as described in *A Manual of California Vegetation, 2nd Edition* (Sawyer et al. 2009; CNPS 2021a). In addition, isolated individuals of mature eucalyptus trees are found throughout this habitat type. The understory is dominated by non-native grasses and forbs, such as ripgut brome and filaree species *(Erodium* spp.). Telegraph weed, a native forb that co-occurs with other weedy species, is also common.

Several individual arroyo willows (*Salix lasiolepis*) occur within the coyote brush scrub. Willow trees primarily occur as isolated trees, but a semi-continuous canopy forms along the eastern edge of the parcel. When considered in the context of the habitat, willow cover did not exceed 5% absolute cover, thus not meeting the minimum relative or absolute cover criteria to be mapped as a separate *Salix lasiolepis* Shrubland Alliance area (CNPS 2021a). Willows are phreatophytes, meaning they have a deep root system that taps into the underground water table (Robinson 1958). It is likely the willows on-site are supported by occasional moist conditions associated with a swale and a nearby storm culvert. No other wetland indicator species were present in the understory or vicinity of the willow canopy.

### Mediterranean California naturalized annual and perennial grassland group

Non-native perennial grassland is found throughout the western half of the project area and is characterized by a near monoculture of veldt grass. Over 90% of the vegetative cover within this habitat type is veldt grass, with only the occasional coyote brush or bush lupine occurring within the shrub layer. A row of eucalyptus trees lines the boundary between the project area and Dana Reserve. Telegraph weed is the only other prominent herbaceous species within this habitat type. Non-native perennial grassland is considered a semi-natural stand and has not been formally described in *A Manual of California Vegetation, 2nd Edition* (Sawyer et al. 2009; CNPS 2021a). Therefore, this habitat type is mapped as Mediterranean California naturalized annual and perennial grassland group according to the U.S. National Vegetation Classification (USNVC; USNVC 2021). No special-status plants or animals were detected in non-native perennial grassland during the January 2022 botanical survey (Althouse and Meade 2022b).

## 4.4.1.2.3 POTENTIAL WETLANDS AND JURISDICTIONAL WATERS

No features from the National Wetlands Inventory (NWI) (USFWS 2022a) or blue-line streams from the USGS National Hydrography Dataset (NHD) (USGS 2022) occur across the Specific Plan Area. Similarly, there is no evidence from aerial imagery of potentially jurisdictional wetlands or waters on the North Frontage Road Extension Parcel. The land appears to have last been heavily disturbed in 2005. Subsequently, a small patch of willows has developed in a swale next to the access road. Evidence of wetlands was not observed in the soil or associated understory vegetation (Althouse and Meade 2022b). The site's undisturbed soil contained permeable, single-grained sand with many fine roots dissipating at depth, and no hydric soil indicators were observed throughout the parcel. However, the current access road endured deep compaction from past disturbance and potentially led to occasional ponding and eventual runoff to the adjacent US 101 stormwater swale and culvert (Althouse and Meade 2022b). No jurisdictional wetlands or waters of the United States or waters of the state were mapped on the parcel.

## 4.4.1.2.4 SENSITIVE NATURAL COMMUNITIES

No sensitive natural communities occur on the North Frontage Road Extension Parcel.

#### 4.4.1.2.5 SPECIAL-STATUS PLANT SPECIES

Due to the adjacency of the North Frontage Road Extension Parcel to the Specific Plan Area, maritime climate and sandy soil conditions, the parcel potentially provides suitable habitat to the same special-status plant species that were determined to occur in the Specific Plan Area. Particular attention during the January 20, 2022, site visit was given to identify special-status species that were detected on the adjacent Dana Reserve throughout the 2017 to 2020 surveys. Those species included eight special-status plant taxa: sand mesa manzanita, Nipomo Mesa ceanothus, California spineflower, sand buck brush, sand almond, Rein's orchid, Pismo clarkia, and mesa horkelia. None of these species were detected within this parcel. Spring botanical surveys are needed to confirm the absence of two annual species: California spineflower and Pismo clarkia. The dense veldt grass and lack of coast live oak trees make it highly unlikely that Pismo clarkia will be present on site. California spineflower was not detected as standing dead from previous years but could occur in sandy disturbed areas.

#### 4.4.1.2.6 SPECIAL-STATUS WILDLIFE SPECIES

Due to the adjacency of the North Frontage Road Extension Parcel to the Specific Plan Area, the CNDDB search conducted for the Specific Plan Area applies to the extension parcel. The eucalyptus trees provide potential nesting habitat for sensitive raptors species and roosting monarch butterflies. The chaparral vegetation provides suitable nesting habitat for birds covered under the federal Migratory Bird Treaty Act (MBTA). Given the friable soils on-site, the parcel could potentially provide suitable habitat for northern California legless lizards and American badgers. Given the adjacency of the property, and similarity of habitat conditions, it is assumed that the species observed on the Specific Plan Area could potentially occur on the extension parcel.

Surveys for signs of nesting birds or badger dens were conducted on January 20, 2022. No indicators of special-status animals were present within the project area. Please refer to Sections 4.4.1.1.5, *Sensitive Natural Communities*, and 4.4.1.1.6, *Special-Status Plant Species*, for a full discussion of potential special-status species.

### *4.4.1.3 Off-Site Improvements*

Buildout of the Specific Plan Area would require a number of off-site transportation-, water-, and wastewater-related improvements. These off-site areas are described in further detail in Chapter 2, *Project Description* (see Figures 2-4 through 2-7). New structures, such as the additional water storage tanks, have undergone separate environmental review. The remaining infrastructure improvements involve either the extension or upsizing of water or sewer pipelines.

The primary water system improvement starts with an extension (new pipe) that runs from Sandydale Drive, under US 101, to North Oakglen Avenue. From there, the extension will run along North Oakglen Avenue to where it intersects with East Tefft Street. There it will connect to an existing water line that runs east along East Tefft Street to the Foothill water tank site. This existing water line, running along East Tefft Street, will be upsized from a 10-inch to a 16-inch DIP (see Figure 2-5). To the extent possible, improvements will occur within existing paved roadways.

The primary wastewater system improvements include either an extension or upsizing of the sewer main pipe within North and South Frontage Roads between the Specific Plan Area and the existing NCSD Southland WWTF.

#### 4.4.1.3.1 SOILS

The Soil Survey of San Luis Obispo County, California, Coastal Part (USDA 1984) identifies the soil type along North and South Frontage Roads (i.e., the main wastewater system improvement area) to be the same as the Specific Plan Area: Oceano sand, 0 to 9 percent slopes.

The USDA Soil Survey (USDA 1984) identifies six soil types within the water system improvement area. Oceano sand, 0 to 9 percent slopes occurs along North Oakglen Avenue and East Tefft Street in the areas west of Nipomo Creek. Nipomo Creek is mapped as Oceano sand, 9 to 30 percent slopes. The remainder of the soil types along East Tefft Street include Marimel silty clay loam, drained; Cropley clay, 2 to 9 percent slopes; Santa Lucia very shaly clay loam, 9 to 15 percent slopes; Diablo and Cibo clays, 9 to 15 percent slopes; and Diablo clay, 5 to 9 percent slopes (USDA 1984).

#### 4.4.1.3.2 HABITAT TYPES

The wastewater system improvement area primarily consists of the developed areas along North and South Frontage Roads. Roadside vegetation consists of ruderal vegetation (predominantly along the eastern side of the road adjacent to US 101) and/or landscaped vegetation (predominantly along the western side of the road adjacent to commercial or residential structures).

The water system improvement areas primarily consist of paved asphalt along North Oakglen Avenue and East Tefft Street. Roadside vegetation along North Oakglen Avenue predominantly consists of ruderal vegetation, with a grove of eucalyptus trees, oak trees, and landscaped vegetation adjacent to the residential areas. North Oakglen Avenue runs parallel to the riparian corridor of Nipomo Creek. There is one area where the riparian vegetation of Nipomo Creek abuts North Oakglen Road to the east (Figure 4.4-7). Roadside vegetation along East Tefft Street consists of ruderal vegetation in the agricultural areas, landscaped vegetation along the residential areas, and riparian vegetation where it crosses over Nipomo Creek and its tributaries.

#### 4.4.1.3.3 POTENTIAL WETLANDS AND JURISDICTIONAL WATERS

The wastewater system improvement area does not traverse any USGS NHD blue-line streams, or any wetland habitat mapped in the NWI (USGS 2022 and USFWS 2022a). There are four stream crossings along the water system improvement area: Nipomo Creek and a tributary of Nipomo Creek, that crosses under East Tefft Street three times (see Figure 4.4-7; USGS 2022). In addition, North Oakglen Avenue parallels Nipomo Creek. Nipomo Creek and its corresponding riparian corridor are mapped as a freshwater forested/shrub wetland (USFWS 2022a). In some areas, the edge of the riparian canopy appears to abut the edge of North Oakglen Avenue on the eastern side (see Figure 4.4-7). A wetland delineation should be conducted along this area to determine the extent of CDFW and Regional Water Quality Control Board (RWQCB) jurisdictional areas to avoid potential impacts.

#### 4.4.1.3.4 SENSITIVE NATURAL COMMUNITIES

Surveys were not conducted for the off-site water and wastewater improvement areas. However, given the disturbed nature of habitat along the wastewater improvement alignment, it is inferred that no sensitive natural communities occur within this area.

The waterline improvement area runs parallel to the riparian habitat of Nipomo Creek and crosses over Nipomo Creek and a tributary to the creek three times. Both Nipomo Creek and the upper creek crossing are mapped as freshwater forested/shrub wetland. While not technically considered sensitive natural communities, based on the presence of mapped riparian habitat, the presence of sensitive natural communities could not be ruled out without additional surveys.

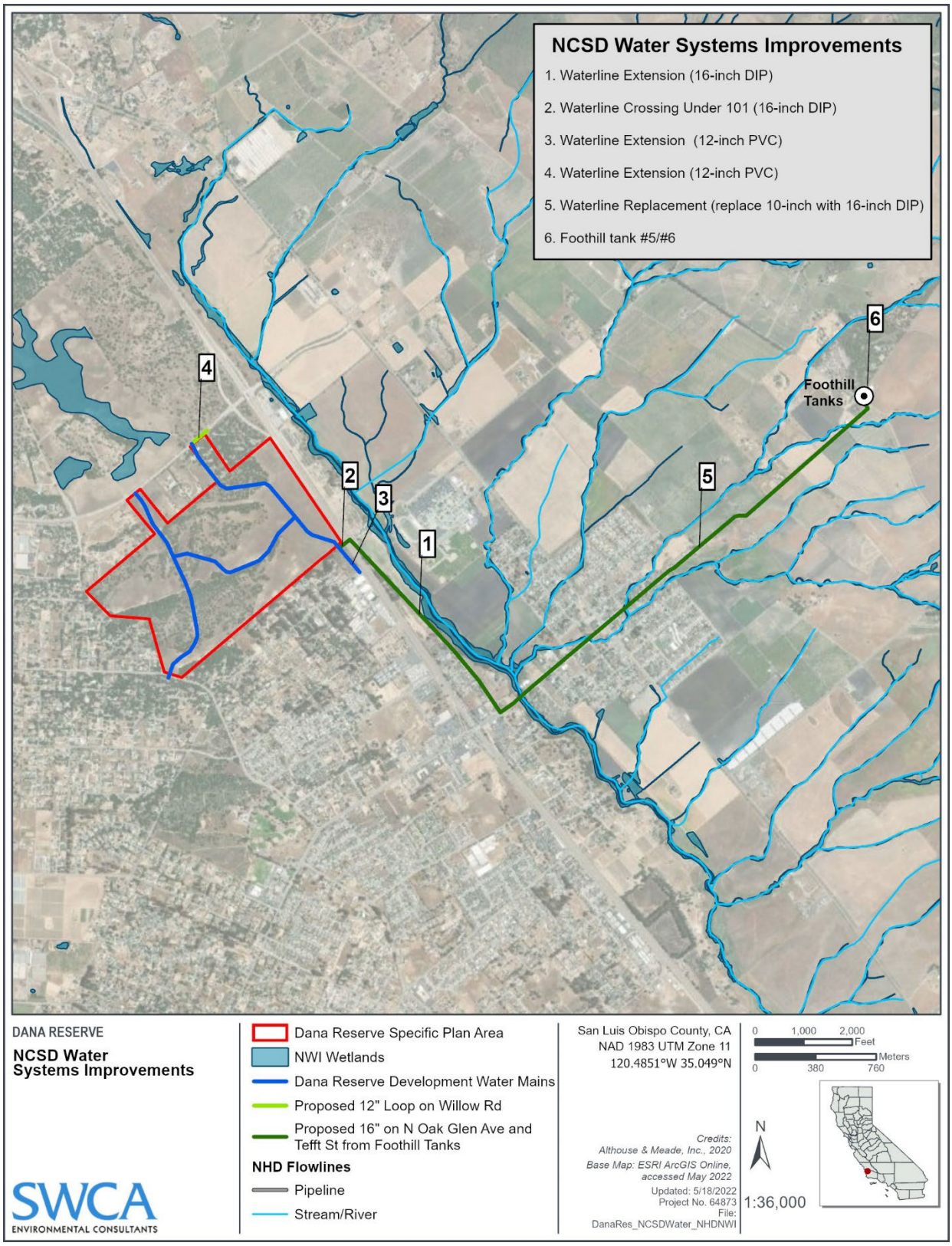


**Figure 4.4-7. NCSD water system improvements and NHD and NWI features.**

#### 4.4.1.3.5 SPECIAL-STATUS PLANT SPECIES

Given the disturbed nature of the non-paved areas along North and South Frontage Roads, it is assumed that the wastewater system improvement area does not contain suitable habitat for special-status plant species. Similarly, based on the disturbed nature of the roadside vegetation along East Tefft Street, coupled with the lack of sandy soils, which is a key micro-habitat component for several of the special-status plant species in the area, it is assumed that the water system improvement area does not contain suitable habitat for special-status plant species. However, no formal surveys were conducted for either area.

#### 4.4.1.3.6 SPECIAL-STATUS WILDLIFE SPECIES

The analysis of special-status wildlife species for the water and wastewater improvements areas is based on the CNDDB query conducted for the Specific Plan Area, a separate search of the USFWS Information for Planning and Consultation (IPaC) online screening tool (USFWS 2022b) for the waterline improvement area, and the CEQA analyses conducted for the Foothill Water Tank Project (SWCA 2022a) and the Blacklake Sewer System Consolidation Project (SWCA 2022b).

In general, most of the proposed wastewater extension areas lack significant biological resources, particularly in the highly urbanized areas. However, even the ruderal and landscaped vegetation can provide suitable habitat for nesting birds. In addition, several larger trees, including a few planted coast live oak trees, pine trees, and eucalyptus trees, occur along the alignment that could provide potential habitat for nesting raptors.

The alignment of the proposed waterline extension area runs through more rural, agricultural, and natural areas. It parallels Nipomo Creek along North Oakglen Avenue, which is lined with coast live oak trees and large eucalyptus trees. The eucalyptus trees could potentially provide suitable habitat for monarch butterflies. The riparian corridor along Nipomo Creek provides excellent nesting bird habitat, including nesting habitat for special-status raptors, such as sharp-shinned hawk, Cooper's hawk, and white-tailed kite.

The Nipomo Creek riparian corridor could also potentially provide habitat for southwestern willow flycatcher (*Empidonax trailli extimus*) and least Bell's vireo (*Vireo bellii pusillus*). The width of the corridor and proximity to urban activities may decrease the overall value of the site to provide nesting habitat. Southwestern willow flycatcher and Least Bell's vireo are both federally and state endangered species that require riparian areas to breed.

Least Bell's vireo typically inhabits structurally diverse woodlands along watercourses, including cottonwood-willow woodlands/forests, oak woodlands, and mule fat scrub. Historically, the species was abundant in lowland riparian habitat, ranging from coastal southern California through the Sacramento and San Joaquin Valleys, but now populations are mostly confined to eight counties south of Santa Barbara, with the majority of birds occurring in San Diego County. The nearest known occurrence of least Bell's vireo is from Jim May Park in Santa Maria on July 28, 2019, approximately 13.35 miles south of the NCSD off-site improvement areas (eBird 2021). The last confirmed breeding pair of this species in San Luis Obispo County was along the Salinas River near Bradley in 1983 (Roberson 2002).

The southwestern willow flycatcher requires dense riparian habitats (cottonwood/willow and tamarisk vegetation) for nesting. Whether the work area will extend into the riparian corridor is still to be determined. There are currently no known occurrences of southwestern flycatcher in San Luis Obispo County. The nearest occurrence is from within the Santa Ynez River (eBird 2021). Nesting pairs of both southwestern willow flycatcher and least Bell's vireo are considered unlikely but cannot be ruled out due to the presence of suitable riparian habitat.

The three special-status species tied to aquatic habitat that have the potential to occur in Nipomo Creek and its tributaries are California red-legged frog (*Rana draytonii*), western pond turtle (*Emys marmorata*), and two-striped gartersnake (*Thamnophis hammondii*). California red-legged frog is a federally threatened species and CDFW SSC (USFWS 2002; CDFW 2022). There are no CNDDB occurrences within the Nipomo Creek watershed; however, the majority of the area is private property and has likely not been surveyed. The closest known CNDDB occurrence for California red-legged frog (CNDDB #147) is from Los Berros Creek approximately 3.6 miles west of the NCSD Foothill Water Tank property (CDFW 2021a). There is also an occurrence (CNDDB #527) located 4.5 miles south of the NCSD Foothill Water Tank property in the Upper Santa Maria River Watershed, which is labeled as being in the Nipomo Creek watershed in the CNDDB record. Whether or not Nipomo Creek at the crossing of East Tefft Street provides suitable breeding habitat for red-legged frog has not been determined, but it and its tributaries do provide suitable aquatic dispersal habitat for California red-legged frog and there are likely undocumented populations in farm ponds throughout the watershed. Nevertheless, the potential for California red-legged frog to occur in the project area is low.

Western pond turtle is a CDFW SSC (CDFW 2022). The closest CNDDB occurrence (CNDDB #1174) is approximately 6.5 miles west of Nipomo Creek, with considerable barriers to dispersal (e.g., State Route 1 and US 101), however, the CNDDB underrepresents the distribution of this species, and they could potentially occur in Nipomo Creek, especially if there are deeper pool habitat areas. The potential for western pond turtle to occur in the project area is low.

Two-striped gartersnake, a CDFW SSC, is among the most aquatic of the gartersnakes and generally found in or near water sources in oak woodland, willow, coastal sage scrub, and chaparral, often in rocky areas. The NCSD off-site improvement areas are within the range of the species, but there are no CNDDB records nearby. The closest records (CNDDB #100 and #103) are 10 miles west within the Guadalupe-Nipomo Dunes preserve and 16 miles east at the confluence of Pine Canyon Creek and the Cuyama River. Given the proximity of the Specific Plan Area to urban areas, the potential for two-striped gartersnake to occur in the project area is low.

## 4.4.2 Regulatory Setting

### *4.4.2.1 Federal*

#### 4.4.2.1.1 ENDANGERED SPECIES ACT

The FESA of 1973 provides the legal framework for the listing and protection of species (and their habitats) identified as being endangered or threatened with extinction. “Critical Habitat” is a term within the FESA designed to guide actions by federal agencies and is defined as “an area occupied by a species listed as threatened or endangered within which are found physical or geographical features essential to the conservation of the species, or an area not currently occupied by the species which is itself essential to the conservation of the species.” Actions that jeopardize endangered or threatened species and/or critical habitat are considered a “take” under FESA. Take under federal definition means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

Projects that would result in take of any federally listed endangered or threatened species, or critical habitats, are required to consult with the USFWS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan [HCP]) of the FESA, depending on the involvement by the federal government in permitting and/or funding of the project. The FESA does not protect plants unless there is a federal nexus. Plants may not be removed from lands under federal jurisdiction, and activities with a federal nexus have the consultation requirement described above (16 United States Code [USC] 1536 – Interagency Cooperation).

#### 4.4.2.1.2 MIGRATORY BIRD TREATY ACT

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

#### 4.4.2.1.3 CLEAN WATER ACT

The federal Clean Water Act (CWA) of 1972 provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters. Section 401 requires that an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the United States, must obtain a state certification that the discharge complies with other provisions of CWA. The RWQCBs administer the certification program in California. Section 404 establishes U.S. Army Corps of Engineers (USACE) jurisdiction over fill materials in essentially all waterbodies, including wetlands. All federal agencies are to avoid impacts to wetlands whenever there is a practicable alternative. Section 404 established a permit program administered by the USACE regulating the discharge of dredged or fill material into waters of the United States, including wetlands. Section 404 guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

### *4.4.2.2 State*

#### 4.4.2.2.1 CALIFORNIA ENDANGERED SPECIES ACT

The CESA of 1970, like the FESA, contains a process for listing of species and regulating potential impacts to listed species. State threatened and endangered species include both plants and wildlife, but do not include invertebrates. The designation "rare species" applies only to California native plants. State threatened and endangered plant species are regulated largely under the Native Plant Preservation Act (NPPA) of 1977 in conjunction with the CESA. State threatened and endangered animal species are legally protected against take. The CESA authorizes the CDFW to enter into a memorandum of agreement for take of listed species to issue an Incidental Take Permit (ITP) for a state-listed threatened and endangered species only if specific criteria are met. Section 2080 of the CESA prohibits the take of species listed as threatened or endangered pursuant to the act. Section 2081 allows the CDFW to authorize take prohibited under Section 2080 provided that: (1) the taking is incidental to an otherwise lawful activity; (2) the taking will be minimized and fully mitigated; (3) the applicant ensures adequate funding for minimization and mitigation; and (4) the authorization will not jeopardize the continued existence of the listed species.

#### 4.4.2.2.2 CALIFORNIA FISH AND GAME CODE

Section 3511 of the CFGC includes provisions to protect Fully Protected species, such as: (1) prohibiting take or possession "at any time" of the species listed in the statute, with few exceptions; (2) stating that "no provision of this code or any other law shall be construed to authorize the issuance of permits or license" to "take" the species; and (3) stating that no previously issued permits or licenses for take of the species "shall have any force or effect" for authorizing take or possession. The CDFW is unable to authorize incidental take of Fully Protected species when activities are proposed in areas inhabited by those species. Sections 3503 and 3503.5 of the CFGC state that it is unlawful to take, possess, or destroy the nest or eggs of any bird, with occasional exceptions. In addition, Section 3513 states that it is unlawful to take or possess any migratory bird as designated in the MBTA or any part of such migratory birds

except as provided by rules and regulations under provisions of the MBTA. The CDFW also manages the NPPA (Fish and Game Code Section 1900, et seq.), which was enacted to identify, designate, and protect rare plants. In accordance with CDFW guidelines, CNPS CRPR 1B list plants are considered "rare" under the CESA and are evaluated in CEQA documents.

Fully Protected species may not be taken or possessed without a permit from the California Fish and Game Commission and/or CDFW. Information on these species can be found within Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the CFGC.

Section 1602 of the CFGC requires any person, state or local government agency, or public utility proposing a project that may affect a river, stream, or lake to notify the CDFW before beginning the project. If activities will result in the diversion or obstruction of the natural flow of a stream; substantially alter its bed, channel, or bank; impact riparian vegetation; or adversely affect existing fish and wildlife resources, a Streambed Alteration Agreement (SAA) is required. An SAA lists the CDFW conditions of approval relative to the proposed project and serves as an agreement between an applicant and the CDFW for a term of not more than 5 years (for standard agreements) for the performance of activities subject to this section. Implementation of the proposed project may require a Section 1602 SAA for any impacts within the banks of drainages and extending to the outer edge of riparian vegetation (whichever is greater) if these areas are determined to be jurisdictional by the CDFW.

#### 4.4.2.2.3 CALIFORNIA SENATE BILL 1334: OAK WOODLANDS CONSERVATION

Under SB 1334, county governments are responsible for conserving oak woodlands within their jurisdiction. During the CEQA review process, SB 1334 requires county governments to determine if a proposed project would result in the conversion of oak woodland. If the County determines that the proposed project would result in the conversion of oak woodland, the County is mandated to require implementation of specified mitigation as outlined in an oak woodland management plan. In San Luis Obispo County, oak woodlands are defined as areas containing greater than 10% oak canopy cover. The County oak management plan defines conversion as cutting or removing 10% or more of the oak woodland canopy or removing more than 10 oak trees. The proposed project would result in the conversion of oak woodland; therefore, it is subject to mitigation as mandated by SB 1334 and the County oak management plan. SB 1334 only allows for 50% of the mitigation through replanting and the remainder of the mitigation must be through conservation.

#### 4.4.2.2.4 PORTER-COLOGNE WATER QUALITY CONTROL ACT

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) serves as the primary water quality law in California and addresses two primary functions: water quality control planning and waste discharge regulation. The various RWQCBs are charged with protecting all waters of California, defined as "any surface water or groundwater, including saline waters, within the boundaries of the State." This encompasses all waters of the state, including those not under federal jurisdiction. The Porter-Cologne Act defines "waters of the state" very broadly, with no physical descriptors, and no interstate commerce limitation. In regulating discharges of dredged or fill material, therefore, the RWQCB jurisdiction is more broad than federal jurisdiction. The discharge of dredged or fill material may constitute a discharge of waste that could affect the quality of waters of the state.

If there is no CWA Section 404/401 nexus (such as in instances where waters of the state that are not considered waters of the United States could be impacted), compliance with the Porter-Cologne Act for impacts to waters of the state could be regulated by the RWQCB through the Waste Discharge Requirement (WDR) program, which could require obtaining a WDR permit instead of CWA Section 404/401 permits. If the project does not qualify for an existing General Order WDR, in many situations,

the new dredge/fill procedures would be followed to obtain an Individual WDR, which can be an extensive process.

## *4.4.2.3 Local*

### 4.4.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Conservation and Open Space Element

The COSE focuses on conservation and protection of the county's unique natural resources while balancing the needs of the natural and build environment. The Biological Resources chapter of the COSE includes the goals and policies intended to sustain healthy ecosystems, preserve biodiversity, restore degraded habitats, and protect diverse landscapes.

### 4.4.2.3.2 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

#### Oak Woodland Ordinance

Chapter 22.58 of the LUO establishes the Oak Woodland Ordinance, which applies to inland portions of the unincorporated areas of San Luis Obispo County. Under this ordinance a Minor Use Permit is required to remove between 1 and 3 acres of oak woodland habitat over a 10-year period, and a Conditional Use Permit (CUP) is required to remove more than 3 acres over a 10-year period. This ordinance does not apply to the removal of individual trees unless they are heritage oaks which are defined in LUO Section 22.58.030 as oak trees with a diameter at breast height (DBH) of at least 48 inches and that are separated from all stands and woodlands by at least 500 feet. This ordinance does not apply to the establishment of residential land uses that otherwise require a ministerial (non-discretionary) land use permit. The ordinance notes:

> Residential development may be subject to discretionary approval as required by other standards of this Code (Title 22, Land Use Ordinance) or through an application for a land division pursuant to Title 21, Real Property Division Ordinance, of the County Code. Discretionary land use permits, and land division applications are subject to the California Environmental Quality Act (CEQA), where potential impacts associated with tree removal may be evaluated and mitigated.

The ordinance further provides that, where a CUP is required because more than 3 acres of oak woodland would be removed over a 10-year period, an "oak woodland management plan" shall be developed and approved as part of the CUP. The ordinance states:

> "Oak Woodland Management Plan" means a plan prepared that provides for the long-term conservation and maintenance of the oak woodland, including but not limited to programs for the maintenance, regeneration and enhancement of the woodland, and the associated woodland habitat and monitoring programs to ensure the objectives of the plan are continuing to be met.

In the absence of a CUP and Oak Woodland Management Plan, the ordinance states that clear-cutting of an Oak Woodland shall not exceed 5% of a site's total Oak Woodland Canopy. A CUP allows for clear-cutting with mitigation and an Oak Woodland Management Plan. LUO Section 22.62.060 - Conditional Use Permits states:

Action on a Conditional Use Permit is discretionary and may include: approval based on the standards of this Title; approval with conditions; or disapproval, based on conflict with the provisions of this code, or information in the staff report or public hearing testimony.

## Section 22.98.072(H)(8)

The Land Use Category Standards for the South County Sub-area, Residential Rural (RR), Dana Ranch [aka Dana Reserve] are outlined in LUO Section 22.98.072 (H)(8). This section states:

8. Cañada Ranch property - Specific Plan requirement. A Specific Plan shall be prepared for the Cañada Ranch property shown in Figure 98-40 under the guidance of the County upon the application and funding by the property owner(s) prior to the approval of land division applications, although a clustered land division proposed in compliance with the Residential Rural category, Section 22.22.140, and other applicable provisions of this Title, may be approved without Specific Plan preparation. The Specific Plan shall be prepared in compliance with Government Code Section 65450 to plan for the following:
    a. Types of uses. The concept of a Specific Plan is for uses in the following priority for acreage, scale and intensity: This ordinance requires a Specific Plan that would include:
        (1) Open space uses within the oak woodlands;
        (2) Industrial park(s) that will generate "basic" employment for the Nipomo and south county area;
        (3) Commercial service parks that do not conflict with downtown and community shopping commercial uses within Nipomo; (1) (2)
        (4) Retail uses to serve the daily shopping needs of employees and residents of the site in compliance with purpose and character statements for neighborhood shopping areas in Framework for Planning - Inland Area;
        (5) Commercial retail uses that are in compliance with purpose and character statements in Framework for Planning - Inland Area for highway-oriented retail;
        (6) Residential areas to contain a mix of housing unit types, a portion of which should be affordable to average employee incomes on the site, timing to be concurrent with or following establishment and operation of nonresidential uses, the timing to be determined by a market feasibility study.
    b. Oak habitat preservation. Designation of the existing oak forest habitat for open space preservation, where limited recreational and open space uses may be allowed.
    c. Pedestrian-oriented site planning. Location of workplaces, shopping, services, civic buildings and residences in close proximity to each other to facilitate walking and alternative transportation to the private vehicle.
    d. Architecture and landscaping. Guidelines for architecture and landscaping that respond to the rural character of the area.

e. Resource, facility and services needs. Extent of necessary public, or private where applicable, needs including, but not limited to, safety, health, waste management and water supply.

#### 4.4.2.3.3 NIPOMO COMMUNITY PARK MASTER PLAN FINAL PROGRAM EIR BR/MM-10(C), OAK TREE PROTECTION GUIDELINES

*Nipomo Community Park Master Plan Final Program EIR* BR/mm-10(c), Oak Tree Protection Guidelines (SWCA 2012), describes typical County guidelines to protect oak trees retained within 50 feet of impact areas:

1. A qualified arborist shall determine the critical root zone for each retained tree on a case-by-case basis, based upon tree species, age, and size. This area is generally defined as 1.0 to 1.5 times the distance from the tree base of the average measurement taken from the tree base to the edge of the canopy/dripline. At a minimum, the critical root zone shall be the distance from the trunk to the drip line of the tree.
2. All trees to remain within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface. The project arborist shall approve any work within the root protection zone.
3. Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plants for up to seven years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).
4. The County shall minimize trimming of oak trees to remain on-site. Removal of larger lower branches should be minimized to: 1) avoid making tree top heavy and more susceptible to "blow-overs," 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain wildlife habitat values associated with the lower branches, 4) retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers), and 5) retain the natural shape of the tree. The amount of trimming (roots or canopy) done in any one season shall be limited as much as possible to reduce tree stress/shock (10% or less is best, 25% maximum). If trimming is necessary, the applicant shall use a certified arborist when removing limbs. Unless a hazardous or unsafe situation exists, major trimming shall be done only during the summer months.

### *4.4.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Biological Resources*

Table 4.4-6 lists applicable state, regional, and local land use policies and regulations pertaining to biological resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented

in Section 4.4.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.4-6 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.4.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.4-6. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| ***General Plan Safety Element*** | | |
| **Policy S-30 Hazardous Trees.** Reduce the danger to people and property from trees that are weakened and susceptible to falling or limb loss during storms. | The intent of this policy is to reduce hazards associated with hazardous trees. | **Potentially Consistent.** The project would result in the removal of 3,943 oak trees within the Specific Plan Area and would have the potential to impact additional trees to remain on-site. Mitigation Measure BIO/mm-17.1 has been identified to require preparation of an on-site tree protection plan for trees to be retained. This measure includes a post-construction tree inspection to be conducted by the project arborist prior to the occupancy of each project phase and identifies protection measures for newly planted/mitigation oak trees on-site. Implementation of this measure would protect the health of trees on-site and minimize future hazardous tree conditions. If hazardous tree conditions were to develop on-site, the project Master Homeowner's Association (HOA) and/or the affected neighborhood HOA would be responsible for securing a hazardous tree removal permit and addressing the issue. Therefore, with implementation of Mitigation Measure BIO/mm-17.1, the project would be potentially consistent with this policy. |
| ***Conservation and Open Space Element*** | | |
| **Goal BR 1** Native habitat and biodiversity will be protected, restored, and enhanced. | The intent of this policy is to protect, restore, and enhance native habitat and biodiversity in the County. | **Potentially Inconsistent.** The project would result in significant impacts to special-status plant species and sensitive natural communities that would constitute a net loss of species and habitat diversity in the county. The applicant would be required to mitigate for the loss of California spineflower, sand buck brush, and sand almond at a 1:1 mitigation ratio in BIO/mm-4.1. However, it is reasonable to assume that a portion of replanted plants would not successfully establish, and therefore would constitute a net loss for these species.<br>Of the 3,943 oak trees to be removed, the mitigation only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the County. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy BR 1.1 Protect sensitive biological resources.** Protect sensitive biological resources such as, wetlands, migratory species of the Pacific flyway, and wildlife movement corridors through:<br>1. environmental review of proposed development applications, including consideration of cumulative impacts;<br>2. participation in comprehensive habitat management programs with other local and resource agencies; and,<br>**3.** acquisition and management of open space lands that provide for permanent protection of important natural habitats. | The intent of this policy is to protect wetlands, migratory species of the Pacific flyway, and wildlife movement corridors. | **Potentially Consistent.** The proposed development will not disrupt known major wildlife movement corridors. BIO/mm-16.1 through BIO/mm-16.3 would prevent impacts to wetlands and other aquatic habitat from the installation of off-site water improvements. There are no other wetland habitats on the Specific Plan Area. |
| **Policy BR 1.2 Limit development impacts.** Regulate and minimize proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, coastal and riparian habitats, and wildlife habitat and movement corridors as necessary to ensure the continued health and survival of these species and protection of sensitive areas. | The intent of this policy is to protect essential habitat for special-status species, sensitive natural communities, wetlands, coastal and riparian habitats, and wildlife habitat and movement corridors. | **Potentially Inconsistent.** The proposed development will require mitigation for impacts to special-status species through the preservation and restoration of off-site occupied habitat areas (BIO/mm-2.1 through BIO/mm-4.2 and BIO/mm-15.1). However, suitable off-site habitat areas may not exist; therefore, the impact could potentially prevent the continued health and survival of species such as Nipomo Mesa ceanothus or mesa horkelia. In addition, the 1:1 mitigation ratio in BIO/mm-3.1 would constitute a net loss for the species. The proposed development will not disrupt known major wildlife movement corridors. BIO/mm-16.1 through BIO/mm-16.3 would prevent impacts to wetlands and other aquatic habitat from the installation of off-site water improvements. There are no other wetland or riparian habitats in the project area. |
| **Policy BR 1.3 Environmental Review.** Require environmental review of development applications pursuant to CEQA and County procedures to assess the impact of proposed development on native species and habitat diversity, particularly special-status species, sensitive natural communities, wetlands, and important wildlife nursery areas and movement corridors. | The intent of this policy is to protect sensitive resources by ensuring adequate environmental review of development applications. | **Potentially Consistent.** The DRSP and all related entitlements, as well as future development proposed within the DRSP, and all future required off-site improvements have been analyzed in this EIR. The DRSP EIR is intended to expedite the processing of future projects that are consistent with the DRSP and consistent with the analysis and findings of this EIR.<br>If, when considering subsequent development proposals, the County determines that a proposed development would be consistent with the uses described herein and would not result in new or more severe significant environmental effects or require additional mitigation, the County can approve the project without additional environmental review (California Government Code Section 65457 and State CEQA Guidelines Section 15182). However, if there are significant changes proposed that are not consistent with the approved DRSP or the type and level of development analyzed in this EIR that the County concludes may result in new significant environmental impacts, additional environmental review would be required consistent with the requirements of the State CEQA Guidelines Section 15162. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy BR 1.4 No Net Loss.** Require that development projects are approved with conditions and mitigation measures to ensure the protection of sensitive resources and to achieve "no net loss" of sensitive habitat acreage, values, and function. Give highest priority to avoidance of sensitive habitat. When avoidance is not feasible, require provision of replacement habitat onsite through restoration and/or habitat creation. When onsite mitigation is not feasible, provide for offsite mitigation that reflects no net loss. | The intent of this policy is to achieve "no net loss" of sensitive habitat acreage, values, and function. | **Potentially Inconsistent.** The project has significant impacts to special-status plant species and sensitive natural communities that would constitute a net loss of species and habitat diversity in the County. The 1:1 mitigation ratio in BIO/mm-4.1 for California spineflower, sand buck brush, and sand almond would constitute a net loss for these species. Of the 3,943 oak trees to be removed, Mitigation Measure BIO/mm-17.2 only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the County. |
| **Policy BR 1.9 Preserve Ecotones.** Require that proposed discretionary development protects and enhances ecotones, or natural transitions between habitat types because of their importance to vegetation and wildlife. Ecotones of particular concern include those along the margins of riparian corridors, baylands and marshlands, vernal pools, and woodlands and forests where they transition to grasslands and other habitat types. | The intent of this policy is to protect and enhance ecotones, or natural transitions between habitat types. | **Potentially Inconsistent.** It is currently unknown whether it would be feasible to locate and preserve coast live oak woodland within the range of Burton Mesa chaparral, as required by mitigation measure BIO/mm 13.1, because that combination of habitats is not a common occurrence. It is within this unique transitional area where certain special-status plant species thrive. Similar ecotones will be preserved on the Dana Ridge Mitigation Site, but it does not preserve the same habitat types or support the same woodland species. |
| **Policy BR 1.11 Protect wildlife nursery areas and movement corridors.** Identify, protect, and enable the management of connected habitat areas for wildlife movement. Features of particular importance to wildlife for movement may include, but are not limited to, riparian corridors, shorelines of the coast and bay, and ridgelines. Identification and designation of wildlife corridors will not interfere with agricultural uses on private lands. | The intent of this policy is to protect wildlife nursery areas and movement corridors. | **Potentially Consistent.** The project site contains no significant wildlife movement corridors or nursery areas. Therefore, there will be no significant impacts to these resources. |
| **Policy BR 1.12** Development Impacts to Corridors. Ensure that important corridors for wildlife movement and dispersal are protected as a condition of discretionary permits. Provide linkages and corridors as needed to connect sensitive habitat areas such as woodlands, forests, and wetlands.<br>**Implementation Strategy BR 1.12.1**. Identify and protect wildlife corridors. Require all discretionary development applications in rural areas, including land divisions, to identify and protect wildlife corridors, and avoid disturbance of identified key wildlife corridors as the primary method of protection.<br>**Implementation Strategy BR 1.12.2**. Mitigate impacts to wildlife corridors. If avoidance is not feasible, re-establish and/or restore important wildlife corridors that may have been damaged or disrupted. | The intent of this policy is to protect and mitigate for impacts to important wildlife corridors. | **Potentially Consistent.** The project site contains no significant wildlife movement corridors or nursery areas. Therefore, there will be no significant impacts to these resources. |
| **Policy BR 1.13 Maintain safe wildlife movement.** Maintain and enhance existing stream channels and riparian corridors to provide for wildlife movement at roadway crossings. | The intent of this policy is to maintain wildlife movement corridors. | **Potentially Consistent.** The project site contains no significant wildlife movement corridors. Therefore, there will be no significant impacts to these resources. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Policy BR 1.14 Wildlife and roadways**. Include the need for wildlife movement in designing and expanding major roadways and stream crossings. | The intent of this policy is to provide for wildlife movement across roadways and stream crossings. | **Potentially Consistent.** The project site contains no significant wildlife movement corridors. Therefore, there will be no significant impacts to these resources. |
| **Policy BR 1.15 Restrict disturbance in sensitive habitat during nesting season.** Avoid impacts to sensitive riparian corridors, wetlands, and coastal areas to protect bird-nesting activities.<br>**Implementation Strategy BR 1.15.1**. Identify setbacks from bird nesting areas. Design land divisions and development with adequate setbacks from sensitive habitat areas that are occupied during the nesting season to protect bird nesting, rearing, and fledging activities.<br>**Implementation Strategy BR 1.15.2**. Preconstruction surveys for bird nesting areas Require preconstruction surveys, using established protocols, where development is proposed in sensitive habitat areas during the nesting season in order to protect nests in active use. | The intent of this policy is to protect nesting birds. | **Potentially Consistent.** Through the implementation of Mitigation Measure BIO/mm-7.1 to avoid nesting birds, the project will be consistent with this policy. |
| **Goal BR 2** Threatened, rare, endangered, and sensitive species will be protected. | The intent of this policy is to protect threatened, rare, endangered, and sensitive species. | **Potentially Consistent.** Populations of threatened, rare, and endangered species shall be protected through the implementation of mitigation measures to preserve occupied habitat areas. |
| **Policy BR 2.1**Coordinate with Trustee Agencies. The County will consult with trustee and other relevant state and federal agencies during environmental review when special-status species, sensitive natural communities, marine resources, or wetlands may be affected.<br>**Implementation Strategy BR 2.1.1**. Coordination with trustees during discretionary review. During review of discretionary development applications, coordinate with relevant trustee agencies and require evidence of compliance with any necessary permits from federal and state agencies prior to issuance of grading or building permits. | The intent of this policy is to ensure the relevant federal and state agencies are consulted during environmental review when special-status species, sensitive natural communities, marine resources, or wetlands may be affected. | **Potentially Consistent.** Mitigation measures require the project applicant to obtain all necessary approvals from USACE, CDFW, and RWQCB prior to issuance of the grading permit. |
| **Policy BR 2.2** Promote Early Consultation with Other Agencies. Require applicants to consult with all agencies with review and/or permit authority for projects in areas supporting wetlands and special-status species at the earliest opportunity.<br>**Implementation Strategy BR 2.2.1**. Promote pre-application activities. Inform applicants during pre-application review or other pre-submittal activities about other agencies that may have jurisdiction, and the policies and standards of those agencies that may regulate proposed development activities. | The intent of this policy is to promote early consultation with the appropriate federal and state agencies. | **Potentially Consistent.** Mitigation measures require the project applicant to obtain all necessary approvals from USACE, CDFW, and RWQCB prior to issuance of the grading permit. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Policy BR 2.4** Species Recovery Programs. Support recovery programs for endangered and threatened species.<br>**Implementation Strategy BR 2.4.1**. Require consistency with recovery plans. Require that applications for discretionary land use projects and land divisions located in the habitat for endangered or threatened species be consistent with applicable recovery plans. | The intent of this policy is to support recovery programs for endangered and threatened species. | **Potentially Consistent.** Mitigation measures will require mitigation for impacts to state-listed Pismo Clarkia and any other federally or state-listed species potentially affected by the proposed project. |
| **Policy BR 2.6 Development impacts to listed species.** Ensure that potential adverse impacts to threatened, rare, and endangered species from development are avoided or minimized through project siting and design. Ensure that proposed development avoids significant disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species. When avoidance is not feasible, require no net loss of sensitive natural plant communities and critical habitat areas.<br>**Implementation Strategy BR 2.6.1.** Use of biological resource surveys. Require applications for discretionary projects and land divisions to provide a biological resource survey performed by a qualified biologist when needed to address special-status animal and plant species and their associated habitats.<br>**Implementation Strategy BR 2.6.2.** Use of habitat preservation ratio. Where avoidance, restoration, or replacement of habitat of special status species is not feasible, require preservation and/or enhancement of similar habitat at a minimum 2:1 ratio to avoid significant cumulative loss of valuable habitats and to achieve no net loss of habitat value.<br>**Implementation Strategy BR 2.6.3.** Use of easements to protect habitat. Obtain easements or dedications to protect habitat, especially where it is connected to other large areas of unique or sensitive habitat. Natural open space areas in development projects should be contiguous to natural areas adjacent to the site wherever possible.<br>**Implementation Strategy BR 2.6.4.** Use of habitat banking or TDC program. As an alternative to onsite mitigation and habitat protection, consider participation in an established habitat banking or Transfer of Development Credit (TDC) program if the project meets the criteria of the program.<br>**Implementation Strategy BR 2.6.5.** Habitat banking program. Evaluate the development of a habitat-banking program to mitigate the effects of development on unique or sensitive habitat. | The intent of this policy is to ensure potential adverse effects to sensitive species are avoided through project siting and design. | **Potentially Inconsistent.** Consistent with County COSE Policy BR 2.6.3 and SB 1334, the proposed project would create a conservation easement to permanently preserve habitat at Dana Ridge. The 1:1 mitigation ratio specified in BIO/mm-4.1 is inconsistent with County COSE Policy BR 2.6 and constitutes a net loss for California spineflower, sand buck brush, and sand almond. In addition, there is a lack of information about the cultural requirements to successfully propagate California spineflower at a large scale, and sand almond propagation is very difficult. Because of the feasibility of successfully implementing this mitigation, residual impacts would be significant and unavoidable. Thus, the project would be potentially inconsistent with this policy. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Policy BR 2.7 Fire suppression and sensitive plants and habitats.** Balance the need for fire suppression and/or vegetation (fuel) management with the need to protect sensitive biological resources. Where possible, design land divisions and development so that fuel-breaks, vegetation, or fuel modification areas that are needed to reduce fire hazards do not disrupt special-status plant communities or critical habitat for special status animal species. Fuel-breaks and vegetation or fuel modification areas shall be located on the development side of required setbacks from sensitive features and shall be in addition to the required setbacks. | The intent of this policy is to balance the need for fire suppression and/or vegetation (fuel) management with the need to protect sensitive biological resources. | **Potentially Consistent.** Burton Mesa chaparral is a fire-dependent ecosystem. Through the requirement of off-site habitat preservation, the project is mitigating potential impacts to the sensitive natural community while minimizing fire risk around dense urban area. Mitigation measures also require adequate fire breaks between oak forest conservation areas and urban development. |
| **Policy BR 2.8 Invasive plant species.** Promote and support efforts to reduce the effects of noxious weeds on natural habitats. The County will work with local resource and land management agencies to develop a comprehensive approach to controlling the spread of non-native invasive species and reducing their extent on both public and private land. | The intent of this policy is to minimize the spread of invasive plant species. | **Potentially Consistent.** The landscape architect shall provide a signed statement on the landscape plans that the planting plan does not include any plant that occurs on the California Exotic Pest Plant Council and the California Invasive Plant Council (Cal-IPC) Lists 1, 2, and 4. Plants considered invasive by the California Exotic Pest Plant Council and the Cal-IPC shall not be used on-site. |
| **Policy BR 2.9 Promote the use of native plant species.** Landscaping for proposed development will use a variety of native or compatible non-native, non-invasive plant species as part of project landscaping to improve wildlife habitat values. | The intent of this policy is to promote the use of native plant species. | **Potentially Consistent.** On-site planting plans require the use of plants typical of Nipomo Mesa native oak woodlands in open space planting palettes (Mitigation Measure BIO/mm-17.2). |
| **Goal BR 3** Maintain the acreage of native woodlands, forests, and trees at 2008 levels. | The intent of this policy is to maintain the acreage of native woodlands, forests, and trees at 2008 levels. | **Potentially Inconsistent.** Of the 3,943 oak trees to be removed, the mitigation only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the county. |
| **Policy BR 3.1 Native tree protection.** Protect native and biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats to the maximum extent feasible. | The intent of this policy is to protect native and biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats. | **Potentially Inconsistent.** The project has significant unavoidable impacts to oak woodlands that would constitute a significant loss in the biological value of oak woodlands in the county. |
| **Policy BR 3.2 Protection of native trees in new development.** Require proposed discretionary development and land divisions to avoid damage to native trees (e.g., Monterey Pines, oaks) through setbacks, clustering, or other appropriate measures. When avoidance is not feasible, require mitigation measures.<br>**Implementation Strategy BR 3.2.1.** Tree replacement in new development. If avoidance of damage to native specimen trees is not feasible in discretionary land use permits and land divisions, require mitigation measures such as tree replacement using native stock at specified ratios, replanting plans, reseeding disturbed open areas with native, drought, and fire resistant species. A long-term monitoring plan will also be required. | The intent of this policy is to protect native trees. | **Potentially Inconsistent.** Of the 3,943 oak trees to be removed, the mitigation requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the county. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Policy BR 3.3 Oak Woodland Preservation.** Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat.<br>**Implementation Strategy BR 3.3.1.** Implement Oak Woodlands Preservation Act. Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) through the review of proposed discretionary development by maintaining the integrity and diversity of oak woodlands, chaparral communities, and other significant vegetation. | The intent of this policy is to maintain the integrity and diversity of oak woodlands, chaparral communities, and other significant vegetation in the county. | **Potentially Inconsistent.** In order to maintain the diversity of oak woodlands in the county, per County COSE Policy BR 3.3.1, mitigation for coast live oak woodlands should occur adjacent to the conservation/ restoration of Burton Mesa chaparral. However, it is currently unknown whether it would be feasible to locate and preserve coast live oak woodland within the range of Burton Mesa chaparral, as required by Mitigation Measure BIO/mm 13.1, because that combination of habitats is not a common occurrence. Therefore, due to the potential infeasibility of mitigation, residual impacts would be significant and unavoidable. |
| **Policy BR 3.5 Non-native trees.** Protect healthy and non-hazardous, non-native trees (e.g., eucalyptus groves) and forests that provide raptor nesting or roosting sites or support colonies of monarch butterflies. | The intent of this policy is to protect raptor nesting or roosting sites or support colonies of monarch butterflies. | **Potentially Consistent.** The project will not impact the eucalyptus grove located adjacent to the property. Mitigation measures are in place to prevent impacts to nesting raptors and roosting colonies of monarch butterflies. |
| **Policy BR 4.1 Protect stream resources.** Protect streams and riparian vegetation to preserve water quality and flood control functions and associated fish and wildlife habitat. | The intent of this policy is to protect stream resources. | **Potentially Consistent.** Mitigation Measure BIO/mm 16.1 will require the applicant to conduct a wetland delineation and obtain appropriate federal and state permits to avoid and minimize impacts to Nipomo Creek and its tributaries. |
| **Policy BR 4.2 Minimize impacts from development.** Minimize the impacts of public and private development on streams and associated riparian vegetation due to construction, grading, resource extraction, and development near streams. | The intent of this policy is to protect streams and associated riparian vegetation from development activities. | **Potentially Consistent.** Mitigation Measure BIO/mm 16.1 will require the applicant to conduct a wetland delineation and obtain appropriate federal and state permits to avoid and minimize impacts to Nipomo Creek and its tributaries. |
| **Policy BR 4.7 Contamination from pesticides.** Contamination from the use of commercial, residential, and public application of pesticides and herbicides into all inland and coastal waters, including but not limited to rivers, streams, wetlands, and intertidal areas shall be eliminated. | The intent of this policy is to prevent contamination of waters from the application of pesticides and herbicides. | **Potentially Consistent.** The applicant shall be required to prepare a Stormwater Pollution Prevention Plan (SWPPP), prepare a Spill Prevention and Contingency Plan, and identify best management practices (BMPs) when working within 50 feet of Nipomo Creek or any other creek or wetland area (Mitigation Measure BIO/mm 16.3). |
| **Policy BR 5.1 Protect wetlands.** Require development to avoid wetlands and provide upland buffers. | The intent of this policy is to avoid impacts to wetlands and provide upland buffers. | **Potentially Consistent.** Mitigation Measure BIO/mm-16.1 will require the applicant to conduct a wetland delineation and obtain appropriate federal and state permits to avoid and minimize impacts to Nipomo Creek and its tributaries. |
| **Policy BR 5.2 No net loss.** Ensure that all public and private projects avoid impacts to wetlands if feasible. If avoidance is not feasible, ensure no net loss of wetlands, consistent with state and federal regulations and this Element. | The intent of this policy is to avoid impacts to wetlands. | **Potentially Consistent.** Mitigation measure BIO/mm-16.1 will require the applicant to conduct a wetland delineation and obtain appropriate federal and state permits to avoid and minimize impacts to Nipomo Creek and its tributaries. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Policy OS 1.1 Future open space protection.** Continue to identify and protect open space resources with the following characteristics:<br>Recreation areas<br>Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities, significant marine resources<br>Archaeological, cultural, and historical resources<br>Scenic areas<br>Hazard areas<br>Rural character | The intent of this policy is to protect and preserve a diversity of resources within protected open space areas. | **Potentially Consistent.** Project mitigation will require the applicant to preserve open space that contains sensitive Burton Mesa chaparral and oak woodland habitats that contain populations of special-status species. |
| **Policy OS 2.1 Open Space management to protect, sustain, and restore.** Manage open space resources on public lands to protect, sustain, and, where necessary, restore the resources. Encourage such management strategies on private lands. | The intent of this policy is to properly manage open space resources on public lands to protect, sustain, and, where necessary, restore the resources. | **Potentially Consistent.** Project mitigation will require the applicant to preserve open space that contains sensitive Burton Mesa chaparral and oak woodland habitats that contain populations of special-status species. Significant restoration of Burton Mesa chaparral, oak trees, and populations of special-status plant species will occur on dedicated open space lands. |
| ***Framework for Planning (Inland)*** | | |
| **Principle 1:** Preserve open space, scenic natural beauty, and natural resources. Conserve energy resources. Protect agricultural land and resources. | The intent of this policy is to preserve open space, scenic natural beauty, and natural resources. | **Potentially Consistent.** The project will protect the densest area of oaks on the property in an attempt to preserve the scenic natural beauty of the area. |
| **Policy 3.** Preserve and sustain important water resources, watersheds and riparian habitats. | The intent of this policy is to preserve and sustain important water resources, watersheds, and riparian habitats. | **Potentially Consistent.** No riparian areas will be impacted by the construction of the main project. Mitigation Measure BIO/mm-16.1 will require the applicant to conduct a wetland delineation and obtain appropriate federal and state permits to avoid and minimize impacts to Nipomo Creek and its tributaries. |
| ***SLOCOG 2019 Regional Transportation Plan (RTP)*** | | |
| **Policy Objective 6.4.** Conserve and protect natural, sensitive, and agricultural resources. | The intent of this policy is to maintain and preserve open space areas throughout the region. | **Potentially Consistent.** The project will protect the densest area of oaks on the property. Project mitigation will require the applicant to preserve open space that contains sensitive Burton Mesa chaparral and oak woodland habitats that contain populations of special-status species. |
| ***County of San Luis Obispo Inland Land Use Ordinance (Title 22)*** | | |
| **22.98.072(H)(1)(e) Landscaping.** Retain and incorporate existing vegetation as much as feasible into the subdivision design. Plant California native trees within the dedicated road right-of-way where feasible and in the front setback area in staggered, natural-appearing patterns to buffer views from the public road. Eucalyptus trees may be removed unless benefits from visual character and monarch butterfly | The intent of this policy is to maintain and preserve existing vegetation and plant native species in dedicated ROW areas where feasible. | **Potentially Consistent.** The project will protect the densest area of oaks on the property. Native oaks will be included in the landscape planting plan for streets and recreational open spaces and plantings palettes shall include plants typical of Nipomo Mesa native oak woodlands (Mitigation Measure BIO/mm-17.2). |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| habitat warrant further protection. Where eucalyptus trees are removed, replace with California native trees, retaining older, more mature eucalyptus trees where possible. | | |
| ***SLOLAFCO Policies and Procedures*** | | |
| **General Policies** | | |
| 8. The Commission will recognize and preserve clearly defined, long-term agricultural and open space areas established by the County or other jurisdictions to preserve critical environmental areas and to bolster local economies (CKH 56001). This may be accomplished using agricultural easements, open space easements, conservation easements, or other mechanisms, that preserve agricultural or open space lands in perpetuity. | The intent of this policy is to establish open space areas through the use of easements or other mechanisms that preserve open space lands in perpetuity. | **Potentially Consistent.** Lands used to satisfy mitigation requirements for impacts to sensitive biological resources shall be protected in perpetuity through the use of a conservation easement. |

## 4.4.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on biological resources if the effects exceed the significance criteria described below:

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 Wildlife 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 Wildlife or U.S. 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.

Each of these thresholds is discussed under Section 4.4.5, *Project-Specific Impacts and Mitigation Measures*.

As discussed in the IS/NOP, the County determined the proposed project would not conflict with the provisions of an adopted HCP, Natural Community Conservation Plan, or other approved local, regional, or state HCP. Therefore, issues related to the following thresholds of significance are not discussed further in the EIR:

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.

See EIR Appendix B, *Notice of Preparation for the Draft Environmental Impact Report and Comment Letters*, for more information.

## 4.4.4 Impact Assessment and Methodology

The impact assessment focuses on identifying potential impacts associated with implementation of the project and is based on the site's existing conditions, the regulatory setting, and the project description. The emphasis is on determining the potential effects of the project on federal, state, and locally regulated species and habitats on the project site. Adverse impacts could occur if the project could result in temporary or permanent modification of sensitive communities or habitats occupied by special-status species, or directly affect special-status species. The impact assessment is based on the results of technical studies prepared for the project (Althouse and Meade 2022a) (see EIR Appendix E).

## 4.4.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT 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 WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE?

### Specific Plan Area

#### *BIO Impact 1: The project could directly or indirectly impact special-status plant and wildlife species. Impacts would be significant and unavoidable (Class I).*

The project would impact approximately 266.5 acres, including 21.7 acres of coast live oak forest, 75.3 acres of coast live oak woodland, 35.0 acres of Burton Mesa chaparral, 125.0 acres of California perennial grassland, 3.2 acres of annual brome grassland, and 5.1 acres of Mediterranean California naturalized perennial grassland (Table 4.4-7; Figure 4.4-8). Approximately 17 acres of coast live oak woodland and forest plus 1 acre of Burton Mesa chaparral would be preserved on-site in a biological open space easement.

**Table 4.4-7. Direct Habitat Impacts from Project**

| Habitat Type (State Rank) | Impact (acres) | Preserved (acres) | Total (acres) |
|---|---|---|---|
| Coast live oak forest (GNR) | 21.7 | 17.0 | 38.7 |
| Coast live oak woodland (S3) | 75.3 | 3.0 | 78.3 |
| Burton Mesa chaparral (S1) | 35.0 | 0.9 | 36.0 |
| California perennial grassland group | 125.0 | 1.0 | 126 |
| Mediterranean California naturalized perennial grassland group | 5.1 | 0 | 5.1 |
| Annual brome grassland alliance | 3.2 | 0 | 3.2 |
| Anthropogenic | 1.2 | 0 | 1.2 |
| **Total** | **266.5** | **21.9** | **288.5** |

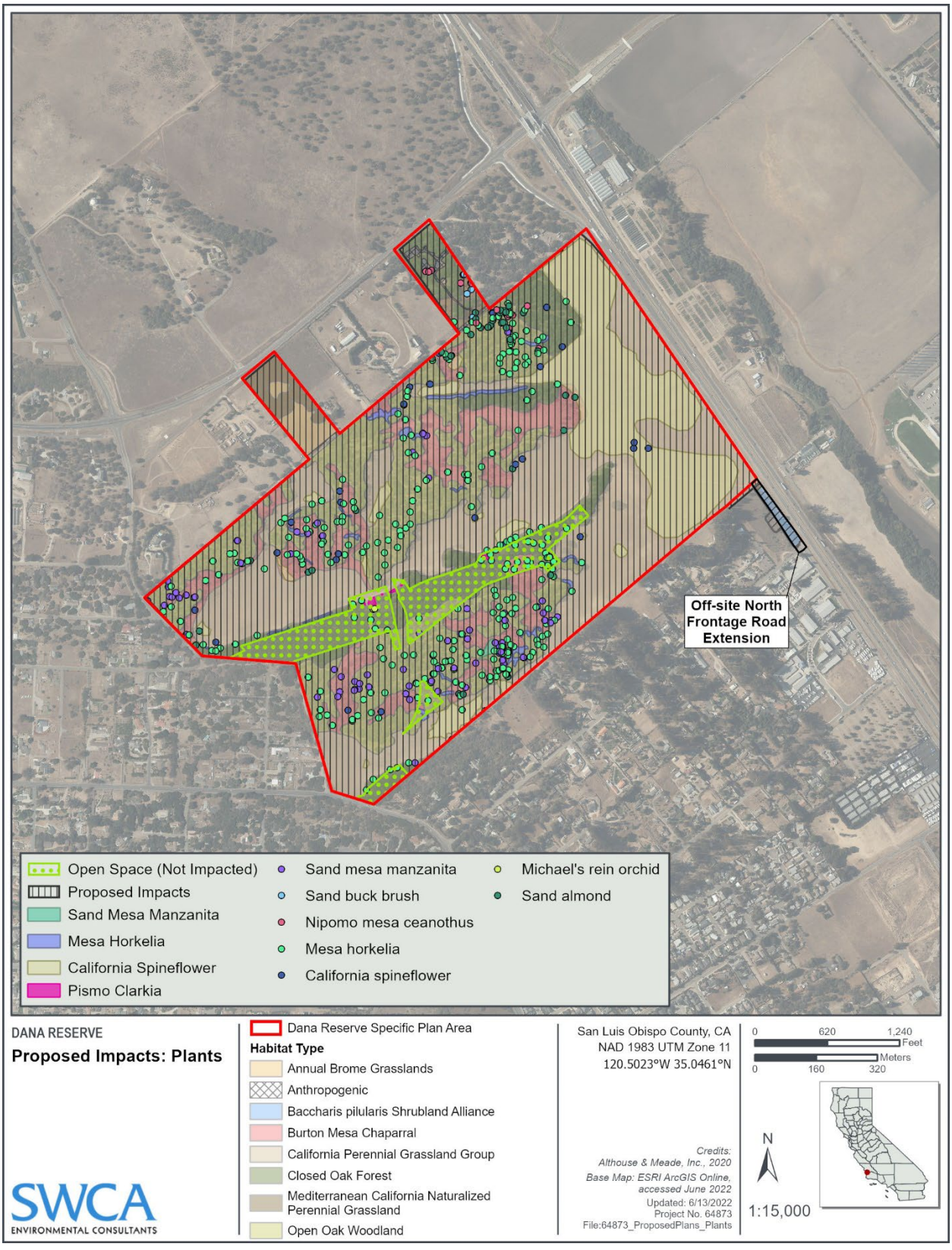


**Figure 4.4-8. Proposed impacts: plants.**

The proposed project site has the potential to support the special-status plant and wildlife species listed in Section 4.4.1, *Existing Conditions*. Project activities, including tree removal, grading, demolition, utility installation, paving, etc., could result in impacts to special-status species and their habitat. Direct impacts could include trampling, being exposed to predation, being collected, being entombed, and loss of habitat. Indirect impacts could include stress and loss of reproductive success among relocated individuals, excessive noise resulting in site or nest abandonment, increased human activity resulting in changes to wildlife movement and behaviors, increased vehicle use of the area exacerbating road kills, or introduction of invasive plant species that could change habitat conditions to open space preserved on site. Therefore, impacts would be *significant and unavoidable*.

| **BIO Impact 1 (Class I)** | |
|---|---|
| The project could directly or indirectly impact special-status plant and wildlife species. | |
| ***Mitigation Measures*** | |
| *BIO/mm-1.1* | ***Environmental Monitor.*** *Prior to permit issuance for any future development within the project area, the applicant shall retain an environmental monitor for all measures requiring environmental mitigation. The monitor shall be responsible for:*<br>*1. ensuring that procedures for verifying compliance with environmental mitigations are implemented;*<br>*2. establishing lines of communication and reporting methods;*<br>*3. conducting compliance reporting;*<br>*4. conducting construction crew training regarding environmentally sensitive areas and protected species;*<br>*5. maintaining authority to stop work; and*<br>*6. outlining actions to be taken in the event of non-compliance.*<br>*Monitoring shall be conducted full time during the initial disturbances (site clearing) and be reduced to monthly following initial disturbances.* |
| *BIO/mm-1.2* | ***Worker Environmental Training Program.*** *Prior to implementation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend a training to facilitate worker environmental awareness. The Worker Environmental Training shall be conducted by a County-approved qualified biologist to help workers recognize special-status plants and animals to be protected in the project area. The training program shall include:*<br>*1. Identification of relevant sensitive species and habitats.*<br>*2. Description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and avoidance measures required to reduce impacts to biological resources within the work area.*<br>*3. Consequences for non-compliance.*<br>*4. Fact sheet with information covered in training for distribution to all contractors and other personnel involved with construction of the project.*<br>*5. Web-link to maps showing locations of special-status taxa on-site, and literature and photographs or illustrations of sensitive plants, animals, and habitats.*<br>*6. Documentation of each employee's participation in trainings and information presented.*<br>*7. Annual renewal training for the duration of the project.*<br>*The contractor shall set aside time for the project biologist to provide the Worker Environmental Training for all contractor's and subcontractor's employees that will be on-site regarding resource protection. Topics will include regulatory framework and best practices to avoid and minimize impacts to protected plants, protected animals, and their habitats. Approximately 30 minutes shall be allocated for training. Each group of new personnel or individuals shall be provided with an environmental briefing by the project biologist. This training may be virtual.* |

| **BIO Impact 1 (Class I)** | |
|---|---|
| | *During morning safety briefings, the project biologist may provide updates related to environmental conditions affected by scheduled actions.*<br><br>*Contractor's and subcontractor's employees will be given a pocket-sized booklet by the project biologist in digital and/or paper format summarizing the Worker Environmental Training. The booklet prepared by the project biologist will include points of contact and protocol regarding emergencies and protected resource matters. Contractor's and subcontractor's employees shall be familiar with the information in the booklet and shall follow all rules and directions in the booklet while performing work for the project. Contractor's and subcontractor's employees shall always have a copy of the booklet while on the project site.* |
| *BIO/mm-1.3* | ***Cover Excavations.*** *During construction, all trenches, holes, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope and 2 or more feet deep shall be covered when workers or equipment are not actively working in the excavation. If any such excavations remain uncovered, they shall have an escape ramp of earth or a non-slip material with a 1:1 (45 degree) slope or flatter. All excavated areas shall be inspected for wildlife before backfilling.* |
| *BIO/mm-1.4* | ***Biodegradable Erosion Control.*** *During construction, use erosion control products made of natural fiber (biodegradable) to prevent wildlife from getting ensnared or strangled by monofilament, coir rolls, erosion control mats or blankets, straw or fiber wattles, or similar erosion control products.* |
| *BIO/mm-1.5* | ***Public Education Program.*** *In support of the mitigation measures listed above, public education shall be provided to homeowners, commercial facility owners, and investors regarding protected plants, protected animals, and their habitat. A colorful booklet shall be distributed to homeowners, commercial owners, and occupants. Information in the booklet shall also be made available as an interactive website provided to the County and the Homeowners' Association(s). Information shall include descriptions of sensitive plant and animal habitats impacted, protected, and mitigations implemented. Diagnostic information for sensitive plant and animal taxa and their habitats shall be provided in a reader-friendly format. Booklet and website text shall be prepared by technical experts and produced in cooperation with professional graphic artists and publication specialists.* |
| *BIO/mm-1.6* | ***Prohibition of Invasive Plants.*** *The landscape architect shall provide a signed statement on the landscape plans that the planting plan does not include any plant that occurs on the California Exotic Pest Plant Council and the California Invasive Plant Council (Cal-IPC) Lists 1, 2, and 4. Plants considered to be invasive by the California Exotic Pest Plant Council and the Cal-IPC shall not be used on-site.* |
| ***Residual Impacts*** | |
| *Implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6 will help minimize the direct and indirect impacts to special-status plants and wildlife and their habitats during construction, but without additional avoidance, minimization, and mitigation measures, impacts would still be considered significant. Additional species-specific analysis and additional mitigation measures are discussed below. For some species and habitats, feasible mitigation may not be possible; therefore, residual impacts would be significant and unavoidable (Class I), as discussed in further detail below.* | |

## *Special-Status Plants*

Eight special-status plant taxa were observed on the property in four of the six habitat types on-site. One federally endangered, state rare, and CRPR 1B.1 plant taxon—Pismo clarkia—was identified during site surveys. Other sensitive plant taxa include one other CRPR 1B.1 (mesa horkelia), two CRPR 1B.2 (sand mesa manzanita and Nipomo Mesa ceanothus), three CRPR 4.2 (Michael's rein orchid, California spineflower, and sand buck brush), and one CRPR 4.3 (sand almond). Impacts to sensitive plant taxa and corresponding mitigation ratios to mitigate for those impacts are summarized in Table 4.4-8. Impacts to each special-status plant species is discussed separately in the following paragraphs.

### *BIO Impact 2: The project could directly and indirectly impact Pismo clarkia. Impacts would be significant but mitigable (Class II).*

Pismo clarkia (federally endangered, state rare, CRPR 1B.1) is a taxon listed as endangered under the FESA, listed as rare by the State of California under the NPPA, and is a CRPR 1B.1 (seriously threatened in California). Thirty-seven individuals (0.02 acre) counted in May 2020 within Patch 5 will be directly impacted by arterial road "Collector B" (Figures 4.4-8 and 4.4-9). The proposed development's open space includes all remaining habitat occupied by Pismo clarkia (0.2 acre, 6,100 individuals; Table 4.4-8; Figure 4.4-9). Within the proposed open space, the Pismo clarkia population is located on the northernmost edge of the coast live oak woodland habitat that is proposed for on-site preservation. The immediate adjacency of the remaining population to project construction and future residential land use may result in indirect impacts. Potential indirect impacts could include trampling of plants by pedestrians, compaction of soil, alteration of hydrology, disruption of pollinator network, herbicide usage, and non-native plant introduction. The remaining population areas fall within the designated fire fuel management area, which extends 100 feet past any structure. Significant annual vegetation disturbance for fire prevention will occur in the areas surrounding the remaining populations. This will exacerbate threats from invasive species and may make it hard to maintain avoided populations. This taxon is a Federal and State-Listed plant that is seriously threatened in California. Direct and indirect impacts to Pismo clarkia are considered significant and mitigation is required to reduce project impacts.

The project applicant must obtain all necessary approvals and concurrence with the CDFW for the take of a state-listed plant. Mitigation shall be required to reduce project impacts through the permanent conservation of habitat occupied by Pismo clarkia and expansion of Pismo clarkia extent to mitigate for direct impacts. Additional on-site avoidance measures for Pismo clarkia include habitat protection, worker training, fencing, biological monitoring, weed management, and avoidance of mowing/grazing during the plant's annual growing season (February–July).

Although Pismo clarkia is also federally listed, there is currently no federal nexus for consulting with the USFWS. If the project would impact a federally jurisdictional water, require federal funding, or otherwise require consultation with the USFWS for take of a federally listed wildlife species, a Biological Opinion or HCP for take of Pismo clarkia would likely be required prior to implementation of the project.

No net loss of Pismo clarkia on-site is proposed for unavoidable impacts. This unavoidable impact to 0.02 acre of occupied Pismo clarkia habitat will be mitigated at a 3:1 ratio with on-site restoration and habitat enhancement to expand the extent of Pismo clarkia present in preserved open space. Mitigation Measures BIO/mm-2.1 through BIO/mm-2.3 are consistent with County COSE Policies BR 2.6.2 and BR 2.6.3 (Development Impacts to Listed Species), which include the use of a habitat preservation ratio of a minimum of 2:1 to avoid significant cumulative loss of valuable habitats and obtaining easements to protect habitat.

**Table 4.4-8. Proposed Plan Impacts to Sensitive Plant Species**

| Sensitive Plant Species | Rarity | Impact (approximate count) | Impact Acres* | Preserved (approximate count) | Preserved Acres | Total (approximate count) | Percent Impact | Preservation Ratio of Occupied Habitat | Restoration Ratio of Unoccupied Suitable Habitat** |
|---|---|---|---|---|---|---|---|---|---|
| California spineflower | 4.2 | varies | 42.6 | 0 | 0 | varies | 100% | N/A | 1:1 |
| Mesa horkelia | 1B.1 | 6907 | N/A | 556 | N/A | 7463 | 93% | 1:1 | 2:1 |
| Michael's rein orchid | 4.2 | 0 | N/A | 7 | N/A | 7 | 0% | N/A | N/A |
| Nipomo Mesa ceanothus | 1B.2 | 50 | N/A | 0 | N/A | 50 | 100% | 1:1 | 2:1 |
| Pismo clarkia | FE/CR - 1B.1 | 37 | 0.02 | 6102 | 0.2 | 6139 | 1% | 3:1 | 3:1 |
| Sand almond | 4.3 | 155 | N/A | 1 | N/A | 156 | 99% | N/A | 1:1 |
| Sand buck brush | 4.2 | 21 | N/A | 0 | N/A | 21 | 100% | N/A | 1:1 |
| Sand mesa manzanita | 1B.2 | 324 | N/A | 1 | N/A | 325 | 100% | 1:1 | 2:1 |

* Acreage provided for taxa that were mapped using spatial polygons

** Mitigation proposed for any impacts to over 10% of CRPR 4 population.

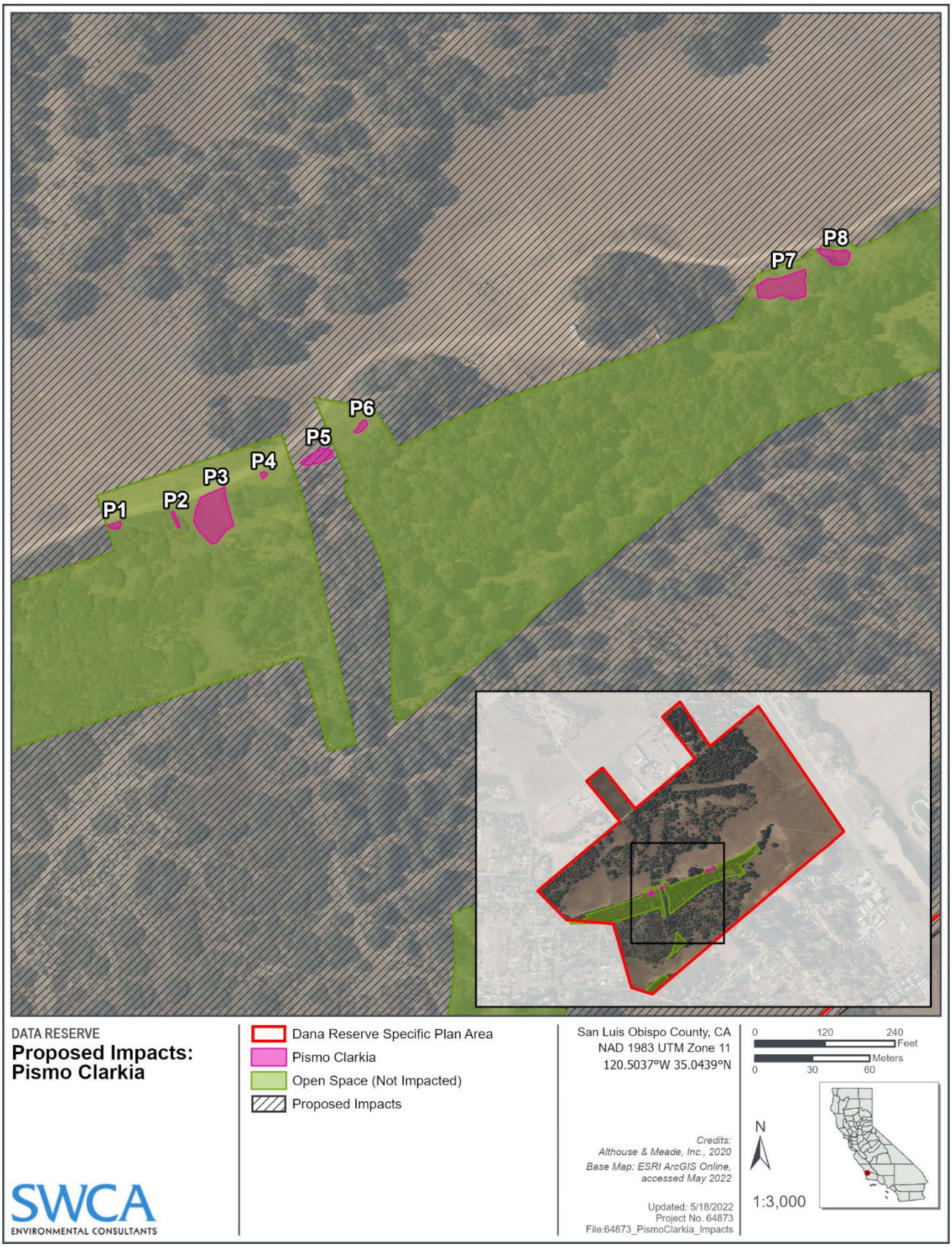


**Figure 4.4-9. Proposed impacts: Pismo clarkia.**

| **BIO Impact 2 (Class II)** | |
|---|---|
| The project could directly and indirectly impact Pismo clarkia. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6.* | |
| *BIO/mm-2.1* | ***Incidental Take Permit.*** *Prior to any ground or vegetation disturbance that would impact Pismo clarkia (e.g., nearby tree removal, grading), the project applicant shall obtain all necessary approvals from the California Department of Fish and Wildlife. Concurrence shall be provided by the California Department of Fish and Wildlife that the project would result in take of a state-listed species and that an Incidental Take Permit, Conservation Easement, and Habitat Management Plan are required prior to disturbance under California Fish and Game Code Section 2081. A conservation easement over the Pismo clarkia habitat will include the California Department of Fish and Wildlife as a third-party beneficiary and may also include the County.* |
| *BIO/mm-2.2* | ***Avoidance.*** *Pismo clarkia patches identified on-site during 2019 and 2020 surveys shall be avoided to the maximum extent practicable.*<br><br>*Immediately prior to construction, appropriately timed surveys will be conducted by a qualified biologist to determine the extent of the distribution of plants during the construction year. The extant population boundaries mapped in 2019 and 2020, plus any expansions observed during surveys conducted in the year of construction, will be flagged by a qualified biologist.* |
| *BIO/mm-2.3* | ***Mitigation.*** *Impacts to Pismo clarkia shall be mitigated at a 3:1 ratio of reoccupied habitat to occupied habitat impacted. The population extent and number of plants impacted will be equal to or will not exceed 0.02 acre and/or 40 individuals when seasonal climate conditions are similar to 2020 climate conditions. Additional surveys shall be conducted in 2022 and in the year immediately prior to construction to determine population size and the extent of impacts. In years less favorable than 2020 (appropriately timed and sufficient rainfall and temperature), the areal extent will remain the same.*<br><br>*Impacts to individual Pismo clarkia plants will occur after seed collection. On-site seed collection of remaining populations used to reestablish additional populations shall be limited to no more than 10% of each remaining patch. The topsoil of impacted patches will be collected prior to site grading in order to preserve the seed bank. Topsoil will be relocated to suitable unoccupied habitat areas to promote the expansion of occupied habitat.*<br><br>*Using seeds collected from the impacted population and preserved populations on-site, additional patches of the plant shall be reestablished at a 3:1 ratio along appropriate boundaries of preserved oak woodland habitat areas.*<br><br>*A protective conservation easement shall be placed over on-site habitats that contain occupied and unoccupied habitat suitable for Pismo clarkia.*<br><br>*Genetic analysis will be conducted to determine the similarity or difference between the population of Pismo clarkia on the Dana Reserve with at least two other populations in the Arroyo Grande region. This research and findings will be submitted to a peer reviewed journal and be part of the public record during the mitigation monitoring period.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6 and BIO/mm-2.1 through BIO/mm-2.3, potential impacts to Pismo clarkia and their habitat would be less than significant with mitigation (Class II).* | |

### *BIO Impact 3: The project could directly and indirectly impact mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita. Impacts would be less than significant with mitigation (Class II).*

Plant taxa ranked CRPR 1B are considered rare, threatened, or endangered in California and elsewhere, although they may not be federally or state listed. Mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita (all CRPR 1B taxa) are all plant taxa that are highly endemic to the central coast of California. These three taxa are scattered around and within approximately 150 acres of coast live oak and Burton Mesa chaparral habitats in the project area. Of these 150 acres, 129 acres will be permanently impacted by the project. Based on County COSE Policy BR 2.6, where avoidance is not feasible, listed taxa require preservation and/or enhancement of similar habitat at a minimum 2:1 ratio to avoid significant cumulative loss and to achieve a no net loss of habitat value, and habitat shall be placed under a protective easement. However, due to endemism of these taxa, to prevent the elimination of these species during the temporal loss they will incur during the mitigation and monitoring period, preservation of established populations is proposed at a 1:1 ratio in addition to restoration/reestablishment at a 2:1 ratio to achieve the County's "no net loss" policy.

Mitigation measures under BIO Impact 3 include habitat preservation and restoration on appropriate conserved property(ies) that includes mitigation for various sensitive plant and animal species on the same parcel (stacked mitigation). For example, a property with suitable habitat for mesa horkelia may also provide opportunities to support legless lizards and sand buck brush. Suitable habitat for mitigation of Burton Mesa chaparral and coast live oak woodland (BIO Impact 13 and BIO Impact 14) should also contain sandy habitat suitable for mitigation of constituent plant taxa represented within the Specific Plan Area.

Mesa horkelia is ranked CRPR 1B.1 (seriously threatened) and is endemic to California's central and south coast region (CNPS 2021b). The Global rank of the species is secure, but this variety is critically imperiled. CNPS states that many historical occurrences are extirpated and information is needed on the current status of each occurrence. The species is primarily threatened by habitat conversion. It intergrades with other subspecies and populations, representing the true *puberula* variety is declining.

Proposed development would directly impact approximately 92% of mesa horkelia (approximately 7,000 plants) and preserve the remaining 7% located in scattered patches within the 21.9-acre proposed open space easement (approximately 500 plants). In addition, project construction and operation may indirectly impact the remaining 7% due to an increase in human use of the open space. Potential indirect impacts could include trampling of plants by pedestrians, compaction of soil, alteration of hydrology, disruption of pollinator network, herbicide usage, and non-native plant introduction. Direct and indirect impacts would be considered significant without mitigation.

Nipomo Mesa ceanothus is ranked CRPR 1B.2 (moderately threatened in California) and is endemic to San Luis Obispo County, only occurring in four USGS 7.5-minute quadrangles (Arroyo Grande NE, Nipomo, Oceano, and Pismo Beach) (CNPS 2021b). The Global rank of the species is vulnerable, but the variety is imperiled. This taxon was added to CRPR 1B.2 in June 2019 (CNPS 2021b). Proposed development would impact all of the Nipomo Mesa ceanothus plants in the project area (approximately 50 individuals). Due to the highly endemic nature of this taxon, the loss of habitat by the proposed project could potentially jeopardize the continued viability of this varietal. Without significant habitat preservation and mitigation, impacts to Nipomo Mesa ceanothus would be considered significant.

Sand mesa manzanita is ranked CRPR 1B.2 (moderately threatened in California) and is endemic to San Luis Obispo and Santa Barbara Counties. The Global and State rank of the species is imperiled. CNPS states that this manzanita is severely reduced on the Nipomo Mesa as a result of habitat conversion but is

more widespread on Burton Mesa in Santa Barbara County. It is threatened by habitat development, agriculture, road construction and maintenance, and oil extraction.

Proposed development would directly impact all but one sand mesa manzanita on the property (approximately 323 individuals). The single remaining sand mesa manzanita occurs within the proposed 21.9-acre open space area. Project construction and operation may result in indirect impacts to this individual. Indirect impacts may include an increase in human use of the open space, alteration of hydrology, light availability, dust, disruption of pollinator network, herbicide usage, and non-native species introduction. The loss of 323 individuals along with 129 acres of suitable habitat areas would be considered significant without mitigation.

| **BIO Impact 3 (Class II)** | |
|---|---|
| The project could directly and indirectly impact mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm 14.1, and BIO/mm 15.1.* | |
| *BIO/mm-3.1* | ***Mitigation for Plants Ranked 1B (Rare or Endangered) by the California Native Plant Society.*** *Due to the highly endemic nature of the plant taxa being impacted and the loss of a significant portion of occupied habitat within their limited range, mitigation to offset impacts shall include a combination of preservation of existing populations either on- or off-site at a 1:1 ratio of individuals impacted to individuals preserved and the restoration of suitable habitat at a 2:1 ratio of individuals impacted to individuals restored. Prior to issuance of the grading permit, the applicant shall secure appropriate habitat with known populations of mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita and enough suitable habitat to reestablish 14,000 mesa horkelia, 100 Nipomo Mesa ceanothus, and 626 sand mesa manzanita.*<br><br>*The applicant shall also prepare and begin implementation of a Habitat Mitigation and Monitoring Plan to preserve and expand patches of mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita on- and off-site. The Habitat Mitigation and Monitoring Plan shall be prepared by a qualified individual acceptable to the Director of Planning and Building and shall conform to California Native Plant Society mitigation guidelines (California Native Plant Society 1998). Habitat Mitigation and Monitoring Plan implementation must demonstrate a trajectory toward successful mitigation (i.e., meeting annual performance criteria) prior to occupancy of the last phase. To meet the County of San Luis Obispo's policy of No Net Loss, any enhanced and/or created habitat would need to confirm establishment of individuals and suitable/occupied habitat such that there is no net loss. Maintenance, monitoring, and reporting to the County of San Luis Obispo would be required until the enhanced/created habitat has successfully established individuals at the required 2:1 ratio.*<br><br>*Measures within the Habitat Mitigation and Monitoring Plan shall include salvaging plant and seed material from impacted populations, habitat protection, herbicide avoidance, fencing, and propagation of pollinator plants appropriate to support native bees associated with pollination of these plants.*<br><br>*Prior to grading, plant and seed material shall be salvaged and used to enhance or establish populations in protected habitat areas. This should include the excavation and relocation of the root burls of sand mesa manzanita where practical since they are known resprout from burls as well as from seed. The Habitat Mitigation and Monitoring Plan shall also establish a mitigation receptor site for the long term storage of salvaged material.*<br><br>*In addition to direct habitat preservation, the applicant may also fund Public Benefit restoration efforts on conserved land to be implemented and monitored by organizations such as The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, or Cambria Land Trust. The fee would be used to pay for mitigation planting, maintenance, and long-term monitoring in* |

| **BIO Impact 3 (Class II)** |
|---|
| *perpetuity. Material salvaged on-site should be incorporated into these mitigation planting efforts where possible.*<br><br>*Measures to protect and expand mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita within protected oak woodland shall also be incorporated in the On-Site Oak Woodland Habitat Protection and Management Plan.* |
| ***Residual Impacts*** |
| *All three CRPR 1B taxa are highly endemic to the Central Coast, with Nipomo Mesa ceanothus only being known to occur in four USGS 7.5-minute quadrangles in southern San Luis Obispo County. The conversion of over 129 acres of occupied and suitable habitat within their limited range could potentially threaten the continued viability of these species. Based on a cursory assessment of remaining habitat areas within the range of the Nipomo Mesa ceanothus, there may not be a comparable block of occupied or suitable unoccupied habitat to preserve. Therefore, it is imperative to preserve an existing population of each species at a 1:1 ratio along with enough suitable unoccupied habitat to reestablish populations prior to issuance of the grading permit. Preservation of an existing population will offset the temporal loss incurred until the reestablishment component of the mitigation can be successfully implemented. This is imperative because it is not always possible to successfully reestablish rare plants (CNPS 1998). This combination of mitigation requirements will first prevent the extinction of the species and second allow reestablishment of populations to provide for a no net loss. With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6 and BIO/mm-3.1, which includes preservation of occupied habitat, and Mitigation Measures BIO/mm-14.1 and BIO/mm-15.1 for Burton Mesa chaparral and coast live oak woodland, direct and indirect impacts to mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita would be reduced to less than significant with mitigation (Class II).* |

## *BIO Impact 4: The project could directly and indirectly impact CRPR 4 and Watch List plant species, including California spineflower, sand buck brush, and sand almond. Impacts would be significant and unavoidable (Class I).*

Plant taxa ranked CRPR 4 are on a watch list, as they have limited distribution. Plants ranked CRPR 4.2 are moderately threatened in California and CRPR 4.3 are not very threatened. While CNPS cannot call these plants “rare” from a statewide perspective, they are uncommon enough that their status should be monitored regularly.

Should the degree of endangerment or rarity of a CRPR 4 plant change, CNPS will transfer it to a more appropriate list. Very few of the plants constituting CRPR 4 meet the definitions of Section 1901, Chapter 10 (NPPA) or Sections 2062 and 2067 (CESA) of the CFGC, and few, if any, are eligible for state listing. Nevertheless, many of them are significant locally, and CNPS recommends that CRPR 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA. This may be particularly appropriate for the type locality of a CRPR 4 plant, for populations at the periphery of a species' range, or in areas where the taxon is especially uncommon or has sustained heavy losses, or for populations exhibiting unusual morphology or occurring on unusual substrates. Populations of CRPR 4 plants on-site occur on the unusual substrate: Oceano sand.

For consistency in determining significance to CRPR 4 special-status plant species, where direct impacts cannot be avoided through redesign, the *Jack Ranch San Luis Obispo Agricultural Cluster Project Final EIR* (County of San Luis Obispo 2018) provides an example for this project. Project impacts affecting more than 10% of the population within the project area would be mitigated off-site at a minimum ratio of 1:1. The mitigation ratio applies to plant count and occupied habitat (at least one plant preserved/protected for every one plant impacted, and 1 acre preserved/protected for each occupied acre impacted) up to the significance threshold. This ratio is consistent with the Jack Ranch Final EIR, but still constitutes a net loss for the species; therefore, it is inconsistent with County COSE Policy BR 2.6.

California spineflower is ranked CRPR 4.2, which is considered to have a limited distribution and is vulnerable to habitat loss. The species' Global and State rank is "vulnerable." CNPS states that the plant is rare in southern California, but many of the herbarium records are old and may be extirpated. The species is threatened by aggregate mining, vehicles, flood control modification, urbanization, water percolation projects, and the spread of non-native plants.

Proposed development would permanently impact all California spineflower occurrences on the property (42.6 acres; approximately 807,500 individuals). Impacts to 100% of the California spineflower on-site exceed the 10% threshold described above and would potentially compromise a large portion of the known regional population. Due to the lack of information about the cultural requirements to successfully propagate this annual plant at a large scale, this impact may not be mitigable.

Sand buck brush is ranked CRPR 4.2, a taxon with limited distribution known only from San Luis Obispo and Santa Barbara Counties. The species' Global and State rank is "apparently secure." CNPS states that it is threatened by non-native plants but is also threatened by habitat development and agriculture. The proposed development could permanently impact all known sand buck brush plants on the property (20 individuals). Impacts to 100% of sand buck brush exceed the 10% threshold. Sand buck brush can be propagated and integrated into the landscape planting plan associated with coast live oak planting on-site and/or in off-site mitigation areas.

Sand almond is ranked CRPR 4.3, which is considered to have a limited distribution known only from San Luis Obispo and Santa Barbara Counties. Proposed development could permanently impact all sand almond occurrences on the property (141 individuals). Impacts to 100% of sand almond exceed the 10% threshold. Sand almond propagation is very difficult per Dave Fross of Native Sons Wholesale Nursery (personal communication to Althouse and Meade, October 9, 2019). A concerted effort can be made toward propagation and cultivation of this taxon within appropriate conserved habitat; however, it may not be successful, making this impact potentially unmitigable.

Michael's rein orchid is ranked CRPR 4.2, is a taxon with limited distribution, and is moderately threatened in California. The proposed development's open space includes the locations of all Michael's rein orchid plants observed in the project area (seven individuals). No direct impacts to this species are proposed in the project design. All individuals of Michael's rein orchid are located directly south of Pismo clarkia Patch 3 and within a few feet north of a side road/trail that stems west from project component "Collector B" (see Figures 4.4-8 and 4.4-9). Potential indirect impacts could include trampling of plants by pedestrians, compaction of soil, alteration of hydrology, disruption of pollinator network, herbicide usage, and non-native plant introduction. Impacts to this taxon are avoidable and plants may be preserved on-site.

Ten additional sensitive plant taxa were determined to have potential to occur in the project area. Surveys conducted during appropriate bloom times yielded negative results. Therefore, no impacts are proposed, and no species-specific mitigation measures are recommended.

| **BIO Impact 4 (Class I)** |
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| The project could directly and indirectly impact CRPR 4 and Watch List plant species, including California spineflower, sand buck brush, and sand almond. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm 14.1, and BIO/mm 15.1.* |

| **BIO Impact 4 (Class I)** | |
|---|---|
| *BIO/mm-4.1* | ***Mitigation for Plants Ranked CRPR 4 (Limited Distribution – Watch List) by the California Native Plant Society.*** *Restoration and/or enhancement of 45 acres of conserved sandy habitat suitable for California spineflower, sand buck brush, and sand almond shall occur to mitigate for impacts at a 1:1 ratio above the 10% impact threshold. Prior to issuance of the grading permit, a plan to conserve and/or restore off-site habitat for California spineflower, sand buck brush, and sand almond shall be prepared. The plan shall be prepared by a qualified individual acceptable to the Director of Planning and Building and approved prior to implementation. The plan shall include purchase for conservation of land containing impacted species and/or restoration of approximately 45 acres of grassland habitat with high microsite suitability for California spineflower, sand buck brush, and sand almond. The plan shall conform to California Native Plant Society guidelines for mitigation (California Native Plant Society 1998). The applicant may fund Public Benefit restoration efforts on conserved land to be implemented and monitored by organizations such as The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, or Cambria Land Trust. The funds would be used to pay for mitigation planting, maintenance, and long-term monitoring in perpetuity.*<br><br>*Sand buck brush and sand almond shall be planted at a ratio over 1:1 to achieve a no-net loss after 5 years. California spineflower shall be seeded in grassland habitat managed by mowing or grazing in a manner than supports spineflower reproduction in normal rainfall years. Plant material shall be derived from sources on the Nipomo Mesa.*<br><br>*Habitat protection and long-term maintenance shall be funded by an endowment sufficient to monitor and maintain habitat appropriate to attempt reestablishment or expansion of California spineflower on the restoration site.* |
| *BIO/mm-4.2* | ***Michael's Rein Orchid.*** *Measures to avoid and protect Michael's rein orchid in on-site oak woodland areas proposed for protection shall be incorporated into an on-site Habitat Mitigation and Monitoring Plan. Since all observed individuals of Michael's rein orchid are located directly south of Pismo clarkia Patch 3, this species shall incidentally benefit from being included in Mitigation Measure BIO/mm 2.3. Construction workers and biological monitors shall also be made aware of and instructed to avoid this orchid during monitoring for Pismo clarkia (Mitigation Measures BIO/mm-2.1 and BIO-mm/2.2).* |
| ***Residual Impacts*** | |
| *Implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-4.1, BIO/mm-4.2, BIO/mm 14.1, and BIO/mm 15.1 would reduce impacts to CRPR 4 and Watch List plant species, including California spineflower, sand buck brush, and sand almond. The 1:1 mitigation ratio is inconsistent with County COSE Policy BR 2.6 and constitutes a net loss for the species. In addition, there is a lack of information about the cultural requirements to successfully propagate California spineflower at a large scale and sand almond propagation is very difficult. Because of the infeasibility of successfully implementing this mitigation, residual impacts would be significant and unavoidable (Class I).* | |

## *Special-Status Wildlife*

Ten special-status animal species were detected in the project area during biological surveys. Nesting and special-status birds (Cooper's hawk, oak titmouse, white-tailed kite, and Nuttall's woodpecker) were detected throughout coast live oak woodland during site surveys. Blainville's horned lizard was detected in open canopy coast live oak woodland. American badger dens were found in grassland habitat on-site. Four of the seven bat species observed on-site are CDFW SSC or Special Animals (pallid bat, silver-haired bat, hoary bat, and Yuma myotis). The project is likely to adversely affect special-status species. These impacts are discussed below by taxonomic group along with mitigation measures. Construction best practices to protect wildlife are included in Mitigation Measure BIO/mm 1.1 through BIO/mm-1.5.

Figure 4.4-10 illustrates the locations of impacts to wildlife resources from the project.

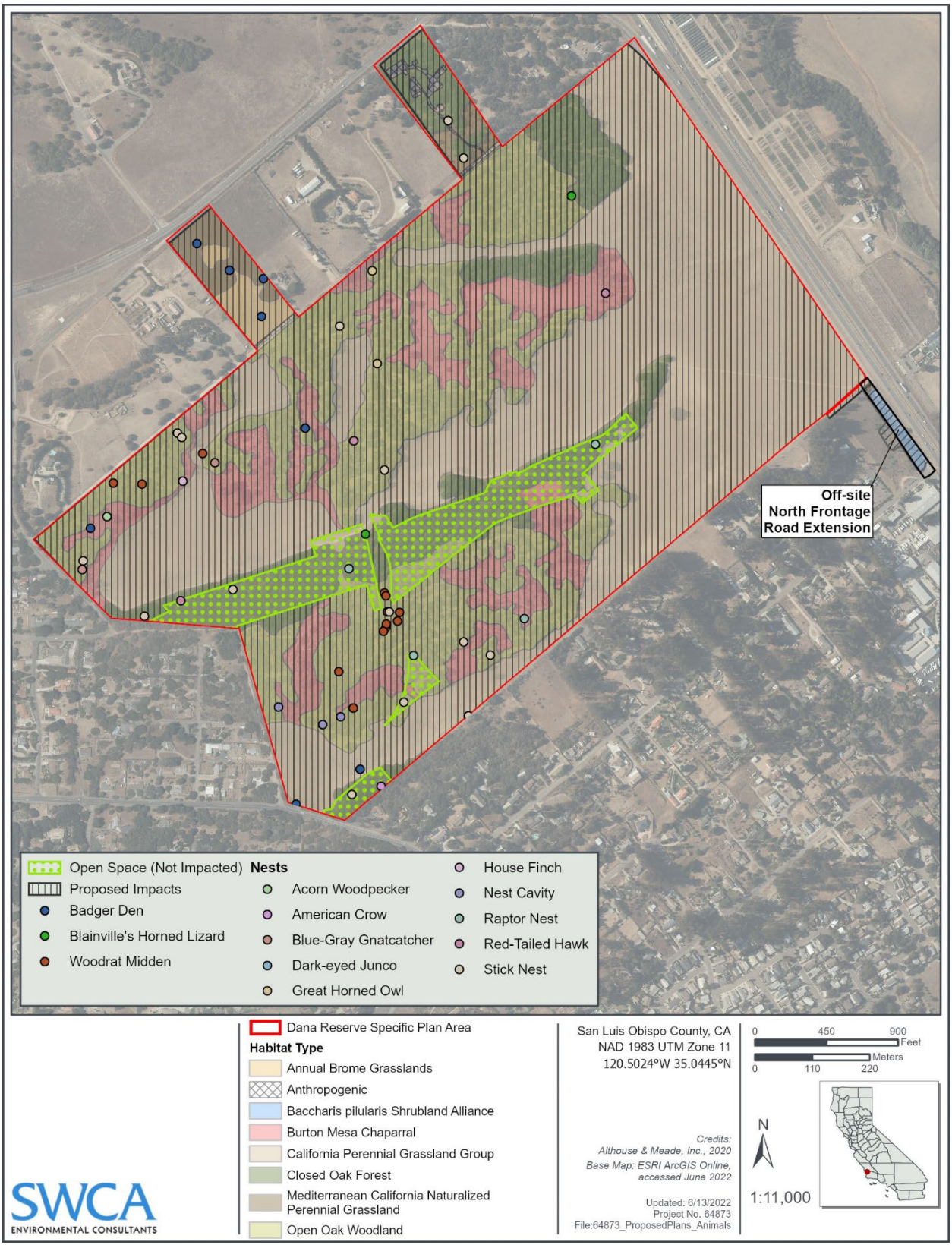


**Figure 4.4-10. Proposed impacts: animals.**

### *BIO Impact 5: The project could indirectly impact monarch butterflies. Impacts would be less than significant with mitigation (Class II).*

The line of eucalyptus trees south and outside of the Specific Plan Area contains marginal habitat for aggregating monarch butterflies. The Specific Plan Area is not documented as harboring an aggregation of monarch butterflies, but the Nipomo Mesa is largely under-surveyed for monarch butterfly aggregations because most of the land is privately owned. Monarch butterflies require specific microclimatic conditions to survive the winter and are sensitive to any habitat modifications to their overwintering sites. If monarch butterflies were overwintering in the eucalyptus grove adjacent to the Specific Plan Area during construction, they could be indirectly impacted by construction noise and dust. Mitigation Measure BIO/mm-5.1 has been included below to ensure that monarch butterflies will not be impacted during construction activities.

| **BIO Impact 5 (Class II)** | |
|---|---|
| The project could indirectly impact monarch butterflies. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6.* | |
| *BIO/mm-5.1* | ***Monarch Butterfly Preconstruction Survey.*** *Site disturbance and construction activity adjacent to suitable monarch butterfly overwintering habitat shall be avoided during the monarch butterflies' fall and winter migration (late October through February) to the greatest extent feasible. If tree or vegetation removal or site disturbance is necessary during the monarch butterflies' fall and winter migration, a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees on the site for overwintering. If monarch butterflies are detected, development will be postponed until after the overwintering period or until a qualified biologist determines monarch butterflies are no longer utilizing the trees on site for overwintering.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6 and BIO/mm-5.1, impacts to monarch butterflies would be less than significant with mitigation (Class II).* | |

### *BIO Impact 6: The project could directly and indirectly impact northern California legless lizards and Blainville's horned lizards. Impacts would be less than significant with mitigation (Class II).*

Northern California legless lizard likely occurs in the project area's sandy soils, particularly in oak woodland habitat. Although surveys during 2020 did not detect legless lizards, their population numbers may be low. Project activities such as grading and other excavation could result in direct impacts, loss of habitat, and mortality. Direct and indirect impacts to northern California legless lizard would be *significant*.

Appropriate habitat for Blainville's (coast) horned lizard was identified on the property and two Blainville's horned lizards were observed during May 2018 and spring 2020 surveys on the edge of coast live oak woodland habitat. Loss of over 88% of suitable habitat would adversely affect this species. In addition, project activities such as grading and other excavation work would potentially result in direct impacts, habitat loss, and mortality. Indirect impacts related to development and resulting occupancy include pet depredation and introduction of invasive Argentine ants that outcompete native ants, the main

food resource for Blainville's horned lizard. Direct and indirect impacts to Blainville's horned lizard would be *significant*.

| **BIO Impact 6 (Class II)** | |
|---|---|
| The proposed could directly and indirectly impact northern California legless lizards and Blainville's horned lizards. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4.* | |
| *BIO/mm-6.1* | ***Special-Status Reptiles Protection and Relocation.*** *Prior to issuance of the grading permit, the project applicant shall develop a Special-status Reptile Relocation Plan for northern California legless lizard and Blainville's (coast) horned lizard. The goal of the relocation plan is to establish guidelines and protocols for relocating special-status reptiles out of harm's way. The relocation plan shall include an overview of prior surveys for the species, figures of known and potential habitat areas, timing of relocation efforts, and details regarding capture and relocation methods. Additionally, the relocation plan shall identify and characterize suitable on-site relocation sites for each species. The following details shall be specifically incorporated and expanded upon in the relocation plan:*<br>1. *Relocation surveys for special-status reptiles shall be conducted during appropriate times of year when the species are active and can be located. Subject to expert refinement in the relocation plan, legless lizard cover board and raking surveys shall be conducted between January and July. Because legless lizards are not expected to move back into work areas after relocation, these surveys can be done well in advance of earthwork. Horned lizard surveys shall be conducted on warm days in April through August, immediately prior to commencement of earthwork. The relocation plan shall require a minimum of three surveys conducted during the time of year/day when each species is most likely to be observed.*<br>2. *Relocation surveys for legless lizards shall utilize a combination of cover boards and soil raking to find lizards in suitable habitat areas prior to commencement of earthwork activities. Relocation surveys for horned lizards shall be completed by pedestrian transects on warm days utilizing narrow spacing to visually search for lizards on the surface of the soil. Special-status reptiles shall be captured by hand, stored in suitable wildlife relocation bins, and immediately relocated to approved habitat.*<br>3. *The relocation plan shall identify suitable legless lizard relocation habitat as any sandy soil area with suitable leaf litter under shrub or oak tree canopy. For horned lizard, suitable relocation habitat shall be identified as that which has friable soils, a detectable prey source, and sandy barrens for burrowing and basking.*<br>4. *The Special-Status Reptile Relocation Plan shall be submitted to the County of San Luis Obispo and California Department of Fish and Wildlife for approval no less than 60 days prior to any ground-disturbing activities within potentially occupied habitat.*<br>5. *A qualified biologist shall be present during ground-disturbing activities immediately adjacent to or within habitat that supports special-status reptiles.*<br>6. *Clearance surveys for special-status reptiles shall be conducted by a qualified biologist prior to the initiation of ground-disturbing construction each day, especially along the interface between open space and construction areas.*<br>7. *Results of the surveys and relocation efforts shall be provided to the County of San Luis Obispo and California Department of Fish and Wildlife in the annual mitigation status report. Collection and relocation of animals shall only occur with the necessary scientific collection and handling permits.* |

| **BIO Impact 6 (Class II)** |
|---|
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-6.1, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4, impacts to northern California legless lizard and Blainville's horned lizard would be less than significant with mitigation (Class II).* |

## *BIO Impact 7: The project could directly and indirectly impact special-status birds, raptors, and nesting birds. Impacts would be less than significant with mitigation (Class II).*

Special-status birds and raptors, such as Cooper's hawk, oak titmouse, white-tailed kite, and Nuttall's woodpecker, may be adversely affected by the loss of nesting and foraging habitat in oak and chaparral habitats. Loss of grassland habitat could adversely affect foraging raptors and ground nesting birds. Incremental habitat loss on a regional scale may adversely affect special-status birds. These impacts would require mitigation as recommended to protect habitat off-site (see Mitigation Measures BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4).

The proposed development will affect common and special-status nesting birds by removing coast live oak woodland, perennial grassland, and Burton Mesa chaparral. Loss of coast live oak woodland particularly affects cavity nesting species, such as woodpeckers, wrens, northern flicker (*Colaptes auratus*), and oak titmouse, as well as canopy nesting species, such as raptors, Hutton's vireo (*Vireo huttoni*), California scrub-jay (*Aphelocoma californica*), chestnut-backed chickadee (*Poecile rufescens*), western bluebird (*Sialia mexicana*), and tree swallow (*Tachycineta bicolor*). Two USFWS BCC identified in the project area could be adversely affected from oak woodland removal: Nuttall's woodpecker and oak titmouse. The potential for habitat removal to adversely affect nesting birds can be reduced.

Migratory non-game native bird species are protected by international treaty under the MBTA (50 CFR Section 10.13). Sections 3503, 3503.5, and 3513 of the CFGC prohibit take (as defined therein) of all native birds and their active nests, including raptors and other migratory non-game birds (as listed under the federal MBTA). The following recommendations are intended to reduce potential impacts to nesting birds to a *less-than-significant level*.

| **BIO Impact 7 (Class II)** | |
|---|---|
| The project could directly and indirectly impact special-status birds, raptors, and nesting birds. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4.* | |
| *BIO/mm-7.1* | ***Nesting Bird Preconstruction Survey and Nest Avoidance.*** *Within 1 week prior to ground-disturbing activities, if work occurs between February 1 and September 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may begin. If nesting birds are located, no construction activities shall occur within 100 feet of nests or within 500 feet of raptors until chicks have fledged. The project biologist may recommend a buffer decrease depending on site conditions (such as line-of-sight to the nest) and the birds' level of tolerance for construction activities. The biologist shall collect data on the birds' baseline behavior and their tolerance to disturbance by observing the birds at the nest prior to construction activities. If the birds are incubating, the biologist shall record how long they stay in the nest. If nestlings are present, the biologist shall record how frequently adults deliver food and* |

| **BIO Impact 7 (Class II)** |
|---|
| *visit the nest. The biologist shall also record the birds' reaction to the biologist and how close the biologist can get to the nest before the birds' behavior is altered or they show signs of stress or disturbance. The biologist shall set the reduced buffer distance based on these data. Nesting bird buffers may be reduced up to 50 feet, while raptor nest buffers may be reduced up to 250 feet. If nest buffers are reduced, the biologist shall monitor any construction activities that take place within 100 feet of nesting birds and 500 feet of raptor nests. If nesting birds show any signs of disturbance, including changes in behavior, significantly reducing frequency of nests visits, or refusal to visit the nest, the biologist will stop work and increase the nest buffer.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-7.1, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4, impacts to nesting birds would be less than significant with mitigation (Class II).* |

## *Special-Status Mammals*

Loss of approximately 93% of available habitat on the property will adversely affect American badger, woodrat, sensitive bat species, and numerous common species, such as coyote (*Canis latrans*), black-tailed jackrabbit (*Lepus californicus*), and California ground squirrel through loss of available denning/roosting sites, reduction in prey base, loss of protective cover, predation by domestic animals (dogs and cats), increased vehicle traffic, and increased night light and noise. Direct impacts may be reduced with mitigation. Loss of habitat could adversely affect special-status mammals. Incremental habitat loss on a regional scale may adversely affect special-status mammals. These impacts would require mitigation as recommended to protect habitat off-site (see Mitigation Measures BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4).

### *BIO Impact 8: Project activities, including tree removal, have the potential to impact special-status bat species and roosting bats. Impacts would be less than significant with mitigation (Class II).*

Four CDFW SSC/Special Animal bat species occur in the project area: pallid bat, silver-haired bat, hoary bat, and Yuma myotis. Two common bat species, California myotis and Mexican free-tailed bats, occur in the project area. These bats are known to roost in buildings, caves, rock outcrops, tree hollows, tree cavities, and tree canopies. There are a few structures with appropriate day roosting habitat on the northeast 7-acre parcel of the project area and suitable trees and snags with cavities are present. Significant impacts to special-status bats and maternal bat colonies can be avoided.

Roosting bats and/or maternal bat colonies may be present in trees and snags with appropriate cavities or loose bark. The breeding season for bats is from April to October. Project activities, including building/structure demolition, tree removal, grading, and other excavation work, could result in take of bat species or disturbance of bat roosts.

| **BIO Impact 8 (Class II)** |
|---|
| Project activities, including tree removal, have the potential to impact special-status bat species and roosting bats. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4.* |

| **BIO Impact 8 (Class II)** | |
|---|---|
| *BIO/mm-8.1* | ***Bat Preconstruction Surveys and Passive Relocation.*** *Within 30 days of construction between April and September, structures and trees or snags to be removed or pruned that are greater than 20 inches diameter at breast height shall be inspected for bats. If a bat roost is found, the qualified biologist shall implement passive relocation measures, such as installation of one-way valves. Bat maternity colonies may not be disturbed.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-8.1, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4, impacts to bats would be less than significant with mitigation (Class II).* | |

## *BIO Impact 9: The proposed project could directly impact American badger. Impacts would be less than significant with mitigation (Class II).*

American badger occurs in the project area. Project activities, including grading and other excavation work, could result in impacts to American badger adults or young or disturbance of natal dens and abandonment by adult badgers. During the winter, badgers do not truly hibernate but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year.

| **BIO Impact 9 (Class II)** | |
|---|---|
| The proposed project could directly impact American badger. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4.* | |
| *BIO/mm-9.1* | ***Badger Den Preconstruction Survey and Relocation.*** *Preconstruction surveys shall be conducted within 30 days of beginning work on the site to identify if badgers are using proposed work areas. Survey results shall be submitted to the County with monthly construction update reports.*<br><br>*If suitable American badger dens are identified within the disturbance footprint, den openings shall be monitored with tracking medium or an infrared camera for 3 consecutive nights to determine current use. If the den is not in use, the den shall be excavated and collapsed to ensure that no animals are present during construction. If the den is occupied during the non-maternity period and avoidance is not feasible, badgers may be relocated by first incrementally blocking the den over a 3-day period, followed by slowly excavating the den (either by hand or with mechanized equipment under the direct supervision of a qualified biologist, removing no more than 4 inches at a time) before or after the rearing season (February 15–June 30). Passive relocation of American badgers shall be conducted under the direction of a qualified biologist.*<br><br>*If the preconstruction survey finds potential badger dens, the dens shall be inspected by the project biologist to determine whether they are occupied. If a potential badger den is too long to completely inspect from the entrance, a fiber optic scope may be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent reuse of dens during construction. If badgers occupy active dens in proposed work areas between February and July, nursing young may be present.*<br><br>*To avoid disturbance and the possibility of direct impacts to adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, American badger dens determined to be occupied during the breeding season (February 15–June 30) shall be flagged. Between February and July, no grading or ground-disturbing activities shall* |

| **BIO Impact 9 (Class II)** |
|---|
| *occur within 100 feet of active badger dens to protect adults and nursing young. Buffers may be modified by the qualified biologist, provided the badgers are protected, and buffers only removed after the qualified biologist determines that the den is no longer in use.*<br><br>*If a potential den is located outside of the disturbance footprint but within 500 feet of ground-disturbing activities (including staging areas), dens shall be avoided by installation of highly visible orange construction fencing a minimum of 100 feet from the den, designating the area an Environmentally Sensitive Area. Fencing shall be installed in a manner that allows badgers to move through the fencing at-will. No equipment, vehicles, or personnel shall be permitted within Environmentally Sensitive Areas without clear permission from a qualified biologist.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, and BIO/mm-18.4, impacts to American badger would be less than significant with mitigation (Class II).* |

## Off-Site Improvements

### *North Frontage Road Extension Parcel*

### *BIO Impact 10: The development of the North Frontage Road Extension Parcel could directly or indirectly impact special-status plant and wildlife species. Impacts would be less than significant with mitigation incorporated (Class II).*

All temporary and permanent impacts of the proposed improvements will occur on the eastern edge of the North Frontage Road Extension Parcel within APN 091-325-022 and the Caltrans ROW. Permanent impacts include a 0.86-acre area, which accounts for an expanded width of the access road and the extension of an existing culvert to the US 101 southbound culvert. There will be an additional 0.64 acre of land temporarily impacted, including an approximate 0.18-acre temporary retention basin. Table 4.4-9 displays the temporary and permanent impacts by habitat type. Within the other habitat types, 0.14 acre of willow canopy exists, of which 0.12 acre will be permanently impacted.

**Table 4.4-9. Habitat Impacts from the Project to the North Frontage Road Extension Parcel**

| Habitat Type (State Rank) | Impact (acres) | Preserved (acres) | Total (acres) |
|---|---|---|---|
| Mediterranean California naturalized perennial grassland group | 0.81 | 0.590 | 1.4 |
| Coyote brush scrub | 0.05 | 0.05 | 0.10 |
| **Total** | **0.86** | **0.64** | **1.5** |

Due to the adjacency of the North Frontage Road Extension Parcel to the Specific Plan Area, maritime climate, and sandy soil conditions, the parcel potentially provides suitable habitat to the same special-status species. Project activities, including tree removal, grading, demolition, utility installation, paving, etc., could result in impacts to special-status species and their habitat. Direct impacts could include trampling, being exposed to predation, being collected, being entombed, and loss of habitat. Indirect impacts could include stress and loss of reproductive success among relocated individuals, excessive noise resulting in site or nest abandonment, increased human activity resulting in changes to wildlife

movement and behaviors, increased vehicle use of the area exacerbating road kills, or introduction of invasive plant species that could change habitat conditions to open space preserved on-site.

Impacts to special-status species that may occur on the North Frontage Road Extension Parcel shall be mitigated for by following the same mitigation measures outlined above for the Specific Plan Area. With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-9.1, impacts will be *less than significant with mitigation*.

| **BIO Impact 10 (Class II)** |
|---|
| The development of the North Frontage Road Extension Parcel could directly or indirectly impact special-status plant and wildlife species. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and 4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, and BIO/mm-9.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and 4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, and BIO/mm-9.1, potential impacts to special-status plant and wildlife species would be less than significant with mitigation (Class II).* |

## *Off-Site Improvements*

Based on the analysis of special-status wildlife species, the following special-status wildlife species may be directly or indirectly impacted by the construction of the off-site transportation, water, and wastewater improvements:

- Monarch butterfly
- Sharp-shinned hawk
- Cooper's hawk
- White-tailed kite
- Nesting birds
- Southwestern willow flycatcher
- Least Bell's vireo
- California red-legged frog
- Western pond turtle
- Two-striped gartersnake

Impacts to these species shall be mitigated for by following the same mitigation measures outlined above for the Specific Plan Area and some additional species-specific measures. These impacts and measures are further detailed below.

### *BIO Impact 11: Off-site transportation, water, and wastewater improvements could directly or indirectly impact monarch butterfly, sharp-shinned hawk, Cooper's hawk, white-tailed kite, and other nesting birds. Impacts would be less than significant with mitigation (Class II).*

Impacts to monarch butterfly, sharp-shinned hawk, Cooper's hawk, white-tailed kite, and other nesting birds shall be mitigated for by following the same mitigation measures outlined above for the Specific Plan Area. With the application of mitigation measures BIO/mm 1 through BIO/mm-1.6, BIO/mm-2.1

through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and 4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, and BIO/mm-12.1, impacts will be *less than significant with mitigation*.

| **BIO Impact 11 (Class II)** |
|---|
| Off-site transportation, water, and wastewater improvements could directly or indirectly impact monarch butterfly, sharp-shinned hawk, Cooper's hawk, white-tailed kite, and other nesting birds. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm 1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and 4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, and BIO/mm-12.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm 1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and 4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, and BIO/mm-12.1, potential impacts to special-status wildlife species would be less than significant (Class II).* |

### *BIO Impact 12: Off-site NCSD water improvements could directly or indirectly impact California red-legged frog, western pond turtle, and two-striped gartersnake. Impacts would be less than significant with mitigation incorporated (Class II).*

Potentially suitable breeding, foraging, and aquatic dispersal habitat is present for California red-legged frog within the riparian habitat of Nipomo Creek and the other streams along the waterline alignment. If this species is present during construction activities, the proposed project could result in direct impacts to this species in the form of injury or mortality resulting from the use and movement of construction equipment and workers within suitable riparian habitat. Potential indirect impacts to this species could also occur during construction activities in the form of temporary habitat modification resulting from ground-disturbing activities for the placement of project infrastructure. Long-term operational impacts to this species would not occur as a result of the proposed project. Implementation of mitigation measures provided below would avoid and/or minimize potential construction-related impacts to this species if present within the project area.

Western pond turtle and two-striped gartersnake have the potential to occur within and adjacent to Nipomo Creek and its tributaries within the project area. If present during construction activities, the project could result in direct and indirect impacts to these species. Implementation of mitigation measures would ensure that potential construction impacts to these species, if present when construction activities commence, would be *less than significant*. The project would not result in long-term operational impacts to these species.

| **BIO Impact 12 (Class II)** |
|---|
| Off-site NCSD water improvements could directly or indirectly impact California red-legged frog, western pond turtle, and two-striped gartersnake. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6.* |

| **BIO Impact 12 (Class II)** | |
|---|---|
| *BIO/mm-12.1* | ***California Red-Legged Frog, Western Pond Turtle, and Two-Striped Gartersnake Surveys and Relocation.*** *All work areas within 100 feet of known California red-legged frog habitat shall be surveyed by a qualified biologist each day prior to the initiation of construction activities. As necessary, the qualified biologist shall physically relocate semiaquatic, special-status species (e.g., western pond turtle, two-striped gartersnake, etc.) and common semi-aquatic species (e.g., western toad, Pacific chorus frog, etc.) to suitable habitat areas located outside the construction zone(s). Exact procedures and protocols for relocation of the special-status species shall be based upon pre-project consultation with the California Department of Fish and Wildlife. In the event a California red-legged frog is identified in a work area, all work shall cease until the California red-legged frog has safely vacated the work area. At no time shall any California red-legged frog be relocated and/or affected by project operations without prior approval from the U.S. Fish and Wildlife Service.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6 and BIO/mm-12.1, potential impacts to California red-legged frog, western pond turtle, and two-striped gartersnake would be less than significant (Class II).* | |

## *BIO Impact 13: Off-site NCSD water improvements could directly or indirectly impact least Bell's vireo and southwestern willow flycatcher. Impacts would be less than significant with mitigation incorporated (Class II).*

Although unlikely, least Bell's vireo and southwestern willow flycatcher have the potential to occur within the riparian corridor of Nipomo Creek; therefore, presence is inferred. The project would not require tree or significant vegetation removal and would not result in impacts to known nest sites. Therefore, direct impacts to potential nesting habitat would not occur as a result of the proposed project. Indirect impacts to least Bell's vireo and southwestern willow flycatcher, if present, could occur during the installation of the waterline extension in the form of noise pollution and construction activities. Mitigation Measure BIO/mm-13.1 is included, in conjunction with BIO/mm-7.1, to ensure that potential indirect impacts to least Bell's vireo and southwestern willow flycatcher would be *less than significant*.

| **BIO Impact 13 (Class II)** | |
|---|---|
| Off-site NCSD water improvements could indirectly impact least Bell's vireo and southwestern willow flycatcher. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6 and BIO/mm-7.1.* | |
| *BIO/mm-13.1* | ***Nesting Bird Surveys.*** *If construction activities are proposed during the typical nesting bird season (February 1–September 15), a nesting bird survey will be conducted by qualified biologists no more than 2 weeks prior to the start of construction to determine presence/absence of nesting birds within the project area and immediate vicinity (within 100 feet of the Nipomo Creek corridor). The County of San Luis Obispo will be notified if federally listed nesting bird species are observed during the surveys and Nipomo Community Services District will be responsible for facilitating coordination with the U.S. Fish and Wildlife Service, if necessary, to determine an appropriate avoidance strategy. Likewise, coordination with the California Department of Fish and Wildlife will be facilitated by the Nipomo Community Services District if necessary to devise a suitable avoidance plan for state-listed nesting bird species.* |

| **BIO Impact 13 (Class II)** |
|---|
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-7.1, and BIO/mm-13.1, potential impacts to least Bell's vireo and southwestern willow flycatcher would be less than significant (Class II).* |

## WOULD THE PROJECT 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 WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE?

### Specific Plan Area

### *BIO Impact 14: The project will directly impact Burton Mesa chaparral. Impacts would be significant and unavoidable (Class I).*

Approximately 36 acres of the 288-acre project area (12.5%) is Burton Mesa chaparral (*Arctostaphylos [purissima*, *rudis]* Shrubland Special Stands). This habitat has been subjected to periodic mowing since at least the 1930s and is currently in poor condition, with less than 2% cover of constituent species (i.e., sand mesa manzanita). However, with the recent cessation of those land management practices, plants are beginning to regenerate from underground root burls. The proposed development would remove 35 acres (approximately 97%) and preserve 1 acre (approximately 3%) of this habitat on-site. The Burton Mesa chaparral regularly integrates with the coast live oak woodland and transitions into California perennial grassland. This diverse habitat matrix supports a unique assemblage of plant species, including six special-status plants: mesa horkelia, sand mesa manzanita, California spineflower, Nipomo Mesa ceanothus, sand buck brush, and sand almond. The Burton Mesa chaparral alliance has a Global/State rank of G1/S1 and is considered critically imperiled. Therefore, loss of almost all (approximately 97%) Burton Mesa chaparral habitat would be significant, and mitigation is necessary to reduce project impacts.

Under the current project design, on-site mitigation opportunities are limited. In addition, Burton Mesa chaparral is a fire prone and fire dependent natural community, achieving its highest species diversity following fires (CDFG 2007). Unfortunately, incorporating fire, in the form of controlled burns, as a habitat management tool to maintain species diversity is challenging in an urban setting. Given this management constraint, off-site conservation of Burton Mesa chaparral would be the best option to offset significant impacts. However, due to the limited range of this vegetation type and the limited availability of off-site mitigation parcels, implementing off-site mitigation may also not be feasible.

Due to the lack of off-site mitigation opportunities, the applicant has reevaluated potential on-site mitigation options. One proposed plan reestablishes small patches of Burton Mesa chaparral in native gardens around the periphery of the proposed development (See EIR Appendix E). These smaller isolated patches do not provide the same habitat value as what is currently on-site, even when considering the degraded nature of the natural community. This is because it is the combined habitat matrix of Burton Mesa chaparral, coast live oak woodland, and California perennial grassland that supports the special-status plant and wildlife species that are present. If plants established in native gardens are propagated from material and seed salvaged on site, then they would be beneficial in maintaining the genetic diversity of the rare plant species that comprise the constituent elements of Burton Mesa chaparral. Because offsite mitigation parcels are currently unavailable and on-site mitigation options do not provide

the same habitat value as the habitat being removed, potential impacts would be *significant and unavoidable*.

| **BIO Impact 14 (Class I)** | |
|---|---|
| The project will directly impact Burton Mesa chaparral. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measure BIO/mm-3.1.* | |
| *BIO/mm-14.1* | ***Mitigation for Burton Mesa Chaparral (*Arctostaphylos [purissima, rudis] *Shrubland Special Stands).*** *Prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces, the applicant shall permanently protect (conserve), enhance (increase suitability of a site as habitat), and/or restore (repair damaged habitat) Burton Mesa chaparral in maritime coastal California at a 2:1 ratio of habitat preserved to habitat lost. This ratio will achieve the "no-net loss" requirement in County of San Luis Obispo Conservation and Open Space Element Policy BR 1.4 of the County of San Luis Obispo Conservation and Open Space Element. Habitat appropriate for restoration will ideally be located on the Nipomo Mesa with climatic and soil conditions that match those found on Dana Reserve.*<br><br>*Conservation/enhancement/restoration of habitat areas contiguous with protected/restored* Quercus agrifolia */* Adenostoma fasciculatum *–* (Salvia mellifera*) habitat shall be prioritized over isolated patches of mitigation. Areas contiguous with other protected maritime chaparral or oak woodland shall also be prioritized over isolated patches of mitigation. Where restoration is proposed, a restoration and enhancement plan approved by the California Department of Fish and Wildlife shall be submitted to the County prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces. A conservation easement over protected habitat shall be controlled by a qualified conservation organization approved by the County. Potential conservation organizations include, but are not limited to, The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, Cambria Land Trust, or the California Department of Fish and Wildlife. The County of San Luis Obispo shall review and approve additional analysis prior to final approval of any proposed conservation area.*<br><br>*If appropriate habitat is not available in San Luis Obispo County at a 2:1 ratio, the applicant may fulfill half of this mitigation requirement through restoring Burton Mesa chaparral in Santa Barbara County at an additional 2:1 ratio (e.g., if only 35 acres can be preserved/restored within San Luis Obispo County, then an additional 70 acres would be required to satisfy the mitigation if purchased in Santa Barbara County).*<br><br>*A combination of preservation and restoration at a 2:1 ratio would allow for a no-net-loss of cover by Burton Mesa chaparral constituent elements and maintain species diversity within the county.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures BIO/mm-3.1 and BIO/mm-14.1, impacts to Burton Mesa chaparral would be mitigated. However, due to the limited range of this vegetation type and the limited availability of off-site mitigation parcels, implementation may not be feasible. The applicant is proposing to establish Burton Mesa chaparral in native gardens around the periphery of the proposed development, which could total between 10 to 15 acres of on-site mitigation. However, these smaller isolated patches do not provide the same habitat value as what is currently onsite. This is because it is the combined habitat matrix of Burton Mesa chaparral, coast live oak woodland and California perennial grassland that supports the special-status plant and wildlife species that are present. It is also significantly less than the 70 acres of habitat needed to fully offset impacts. Given the limited availability of off-site mitigation parcels and the limited on-site opportunities to restore and maintain the ecological integrity of this ecosystem, potential impacts would be significant and unavoidable (Class I).* | |

### *BIO Impact 15: The project will directly impact coast live oak woodland. Impacts would be significant and unavoidable (Class I).*

Approximately 78.3 acres of the project area consists of coast live oak woodland. The proposed development will remove 75.3 acres (approximately 96%) and preserve 3 acres (approximately 4%) of this habitat on-site. The *Quercus agrifolia* / *Adenostoma fasciculatum* – (*Salvia mellifera*) alliance has a Global/State rank of G3/S3 and is considered a sensitive natural community by the CDFW (CDFW 2021b). Therefore, loss of almost all (approximately 96%) *Quercus agrifolia* / *Adenostoma fasciculatum* – (*Salvia mellifera*) habitat would be considered significant, and mitigation is necessary to reduce project impacts. On-site mitigation opportunities are limited; therefore, off-site conservation and restoration would be required to fully mitigate for project impacts.

County COSE Policy BR 3.3.1 requires the maintenance of the integrity and diversity of oak woodlands, chaparral communities, and other significant vegetation as part of the compliance with the Oak Woodlands Preservation Act (PRC Section 21083.4). The coast live oak woodland in the project area regularly integrates with the Burton Mesa chaparral. The main difference between the designation of Burton Mesa chaparral and coast live oak woodland is that the canopy threshold of coast live oak trees does not exceed 20% absolute cover. Other than this, these two vegetation communities are virtually identical in terms of species composition. Many of the species described within Burton Mesa chaparral are also present in coast live oak woodland and vice versa. These two vegetation communities, along with the coast live oak forest and California native perennial grassland, create a habitat matrix that, when left intact, supports a wide range of native and special-status species. Specifically, this diverse habitat supports a unique assemblage of nine special-status plants, most of which are highly endemic to coastal communities in San Luis Obispo and Santa Barbara Counties. In order to maintain the diversity of oak woodlands in the County, per County COSE Policy BR 3.3.1, mitigation for coast live oak woodlands should occur adjacent to the conservation/restoration of Burton Mesa chaparral on sites with sandy soil conditions suitable to support the special-status plant species that occur in the project area. This would effectively maintain and/or recreate the habitat matrix that supports the unique assemblage of species that would be lost as a result of the proposed project. However, implementation of this mitigation may not be feasible; therefore, potential impacts would be *significant and unavoidable*.

| **BIO Impact 15 (Class I)** | |
|---|---|
| The project will directly impact coast live oak woodland. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-3.1 and BIO/mm-18.1 through BIO/mm-18.4.* | |
| *BIO/mm-15.1* | ***Off-Site Mitigation for Coast Live Oak Woodland (*Quercus agrifolia / Adenostoma fasciculatum – *[*Salvia mellifera*]).*** *Prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces, the applicant shall permanently protect (conserve), enhance (increase suitability of a site as habitat), restore (repair damaged habitat), and/or recreate (revegetate previously lost habitat)* Quercus agrifolia / Adenostoma fasciculatum – *(*Salvia mellifera*) in coastal California at a 2:1 ratio within the range of Burton Mesa chaparral. This ratio will achieve the "no-net loss" requirement in County of San Luis Obispo Conservation and Open Space Element Policy BR 1.4 of the County of San Luis Obispo Conservation and Open Space Element. Conservation/enhancement/recreation of habitat areas shall be contiguous with mitigation for Burton Mesa chaparral. A combined approach for habitat mitigation shall include the preservation of expanded contiguous habitat of protected* Quercus agrifolia / Adenostoma fasciculatum – *(*Salvia mellifera*), recreate, restore, and/or enhance contiguous areas of* Quercus agrifolia / Adenostoma fasciculatum – *(*Salvia mellifera*). However, to comply with Senate Bill 1334, only half the mitigation requirement for loss of coast live oak can be achieved through recreation. Where restoration is proposed, a restoration and* |

| **BIO Impact 15 (Class I)** | |
|---|---|
| | *enhancement plan approved by the California Department of Fish and Wildlife shall be submitted to the County prior to issuance of the grading permit. A conservation easement over protected habitat shall be controlled by a qualified conservation organization approved by the County of San Luis Obispo. Potential conservation organizations include, but are not limited to, The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, Cambria Land Trust, or the California Department of Fish and Wildlife. The County of San Luis Obispo shall review and approve additional analysis prior to final approval of the proposed off-site conservation area.*<br><br>*Preservation and recreation would allow for a no-net-loss of cover by* Quercus agrifolia */* Adenostoma fasciculatum *– (*Salvia mellifera*) constituent elements and preserve the diversity of oak woodland habitats in the County consistent with County of San Luis Obispo Conservation and Open Space Element Policy BR 3.3.1.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures BIO/mm-3.1 and BIO/mm-15.1, in conjunction with BIO/mm-18.1 through BIO/mm-18.4, impacts to coast live oak woodlands on-site would be mitigated. However, it is currently unknown whether it would be feasible to locate and preserve coast live oak woodland within the range of Burton Mesa chaparral, as required by Mitigation Measure BIO/mm-15.1, because that combination of habitats is not a common occurrence. Therefore, due to the potential infeasibility of mitigation, residual impacts would be significant and unavoidable (Class I).* | |

## Off-Site Improvements

### *North Frontage Road Extension Parcel*

No sensitive habitats were mapped on the North Frontage Road Extension Parcel (Althouse and Meade 2022b); therefore, there will be *no impact* to sensitive habitats.

### *Off-Site Improvements*

### *BIO Impact 16: Off-site NCSD water improvements could directly and indirectly impact riparian habitat and sensitive aquatic resources. Impacts would be less than significant with mitigation (Class II).*

The proposed new waterline along North Oakglen Avenue runs parallel to the riparian areas of Nipomo Creek, with the boundaries of riparian habitat in some areas abutting the road. In addition, the installation of an upgraded waterline along East Tefft Street would require crossing Nipomo Creek and three other creek crossings.

| **BIO Impact 16 (Class II)** | |
|---|---|
| Off-site NCSD water improvements could directly and indirectly impact riparian habitat and sensitive aquatic resources. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6 and BIO/mm-11.1.* | |
| *BIO/mm-16.1* | ***Riparian Habitats.*** *The following measures shall be implemented for any grubbing, grading, and other ground-disturbing activities conducted within 100 feet of riparian habitat along Nipomo Creek or its tributaries to avoid potential project-related impacts to these resources and special-status species that may utilize these habitats:* |

| **BIO Impact 16 (Class II)** |
|---|
| 1. *All construction-related activities must observe a 100-foot setback from the Nipomo Creek riparian corridor, as measured from the outer edge of the riparian canopy. A minimum 50-foot setback shall be observed from the ephemeral drainages and flood channels, as measured from the outer edge of riparian vegetation.*<br>2. *If construction-related activities within the 100- or 50-foot buffers from Nipomo Creek or any other surface water resource, to the extent practicable, construction activities shall be conducted during the dry season (typically May 1–November 1), or as specified by resource agency permits and authorizations. This would reduce potential impacts to aquatic and semi-aquatic species that might be using the aquatic habitat and associated riparian vegetation as a movement/dispersal corridor.*<br>3. *Any construction activities conducted within 50 feet of Nipomo Creek, watercourses, pond, and riparian habitat shall be monitored by a qualified biologist.*<br>4. *If any special-status species are observed, the qualified biologist shall implement the measures described in BIO/mm-1.1 through BIO/mm 1.6 and BIO/mm-11.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-11.1, and BIO/mm-16.1, impacts to riparian and other aquatic habitat areas would be less than significant (Class II).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

No evidence of potentially jurisdictional wetlands or waters were observed in the Specific Plan Area during the 2017 to 2020 surveys (Althouse and Meade 2022a). The very deep, excessively drained sandy soils of these ancient dunes have rapid permeability with low water capacity. The USFWS NWI shows wetlands east of US 101 and on property north of Willow Road and east of Hetrick Avenue (see Figure 4.4-7). Therefore, there will be *no impact* to federally protected wetlands.

### Off-Site Improvements

#### *North Frontage Road Extension Parcel*

No evidence of potentially jurisdictional wetlands or waters were observed on the North Frontage Road Extension Parcel (Althouse and Meade 2022b). Therefore, there will be *no impact* to federally protected wetlands.

#### *Off-Site Improvements*

#### *BIO Impact 17: Off-site NCSD water improvements will directly and indirectly impact aquatic habitats under the jurisdiction of the USACE, CDFW, and RWQCB. Impacts would be less than significant with mitigation (Class II).*

Improvements to the water supply system will require work either over or under Nipomo Creek and at three additional creek crossings on tributaries to Nipomo Creek (see Figure 4.4-7). Based on personal communications with Peter Sevcik, Director of Engineering and Operations at NCSD, the updated pipeline will be installed underneath the creeks using the method of horizontal directional drilling (HDD).

Even though work directly in the channels will be avoided using this method, temporary or indirect impacts to aquatic resources may result from HDD operations without proper mitigation measures. These could include impacts from heavy equipment operation, temporary materials staging, and, in the worst-case scenario, contamination of the streambed in the event of a "frac-out." Therefore, the construction of the proposed improvements to the water pipeline could result in direct adverse impacts to sensitive habitats, including areas under jurisdiction of regulatory agencies, such as the USACE, CDFW, and RWQCB. Implementation of mitigation measures to avoid or minimize impacts to sensitive aquatic habitats would result in a *potentially significant, but mitigable impact*.

| **BIO Impact 17 (Class II)** | |
|---|---|
| Off-site NCSD water improvements will directly and indirectly impact aquatic habitats under the jurisdiction of the USACE, CDFW, and RWQCB. | |
| ***Mitigation Measures*** | |
| *BIO/mm-17.1* | ***Wetland Delineation.*** *Prior to construction in any undeveloped area where surface water resources or wetland indicators are present, the Nipomo Community Services District shall retain a qualified biologist to conduct a wetland delineation along the proposed alignment route, including at minimum a 50-foot buffer area and a 100-foot buffer along the Nipomo Creek riparian corridor.* |
| *BIO/mm-17.2* | *Prior to construction within 50 feet of any stream or other surface water resource, the Nipomo Community Services District shall prepare project-specific plans for crossings. If construction activities require any earthwork within the banks of the drainages (including beneath the bed of the channel), the Nipomo Community Services District shall coordinate with the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board to obtain the appropriate permits for direct impacts to jurisdictional features. The Nipomo Community Services District shall implement all pre- and post-construction conditions identified in the permits issued. The plan shall be submitted to the County and applicable agencies 60 days prior to construction.* |
| *BIO/mm-17.3* | *Prior to construction within 50 feet of any stream or other surface water resource, the Nipomo Community Services District shall implement the following measures:*<br>*1. Prior to project implementation, the project area shall be clearly flagged or fenced so that the contractor is aware of the limits of allowable site access and disturbance. Areas within the designated project site that do not require regular access shall be clearly flagged as off-limit areas to avoid unnecessary damage to sensitive habitats or existing vegetation within the project area.*<br>*2. Prior to project implementation, a project Erosion Control Plan shall be prepared. During project activities, erosion control measures shall be implemented. Silt fencing, fiber rolls, and barriers (e.g., hay bales) shall be installed to establish a minimum 25-foot setback distance between the project impact areas and adjacent wetlands and other waters. At a minimum, silt fencing shall be checked and maintained on a daily basis throughout the construction period.*<br>*3. Prior to construction, the applicant shall prepare and submit to the Regional Water Quality Control Board or State Water Resources Control Board a Notice of Intent and prepare a Stormwater Pollution Prevention Plan in accordance with the requirements of the State General Order related to construction projects. The Stormwater Pollution Prevention Plan shall identify the selected stormwater management procedures, pollution control technologies, spill response procedures, and other means that will be used to minimize erosion and sediment production and the release of pollutants to surface water during construction. The applicant shall ensure that sedimentation and erosion control measures are installed prior to any ground-disturbing activities.*<br>*4. Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant will identify required best management practices on all construction plans. These practices will be implemented prior to, during, and following construction activities as necessary to ensure their intended efficacy. Measures will* |

| **BIO Impact 17 (Class II)** |
|---|
| *include, but not necessarily be limited to, the placement of silt fencing along the down-slope side of the construction zone, on-site storage of a spill and clean-up kit at all times, and employment of both temporary and permanent erosion and sedimentation control measures (e.g., silt fencing, hay bales, straw wattles).*<br>5. *During project activities, if work occurring within stream channels is necessary, it shall be conducted during the dry season if possible (typically May 1–November 1).*<br>6. *Prior to construction, the applicant shall ensure preparation and implementation of a Spill Prevention and Contingency Plan that includes provisions for avoiding and/or minimizing impacts to sensitive habitat areas, including wetland and riparian areas and waterbodies due to equipment-related spills during project implementation. The applicant shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the applicant shall ensure that the plan allows a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measure to take should a spill occur. The plan shall include the following provisions:*<br>a. *All equipment fueling shall be conducted within the designated staging areas of the project site. Such areas shall consist of roadway or ruderal habitat. At no time shall any equipment fueling be conducted within 100 feet of any wetland and riparian habitat area or waterbody.*<br>b. *An overview of the containment measures to appropriately store and contain all fuels and associated petroleum products during the project shall be included in the plan. This shall include provisions for equipment staging areas, such as the need for drip pans underneath parked equipment and designated storage areas for fuel dispensing.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3, impacts to aquatic habitats would be less than significant with mitigation (Class II).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

The project area is bounded by roadways and residential properties, with poor connectivity to open space for smaller wildlife species, such as snakes, lizards, and nonflying mammals. There is limited open space connectivity in the greater surrounding environs. Rural residential parcels along the northwestern boundary of the project area (Cherokee Place) may provide moderate opportunity for wildlife movement between the project area and an undeveloped parcel north of Willow Road. US 101 restricts eastward movement of mammals and reptiles from the project area. Small residential parcels along the southeastern and southwestern boundaries of the project area inhibit wildlife movement south or west from the project area. Additionally, there are no undeveloped open space parcels or wildlife corridors available for wildlife movement south and west of the project area.

The project area is a habitat virtually isolated by surrounding development and therefore does not serve the function of habitat connectivity for terrestrial animals. Residential development and infrastructure surrounding the project area restrict wildlife movement between habitats. The project area lacks significant wildlife movement corridors, such as streams, for animals to move into adjacent habitats. For species that fly, such as birds, bats, and insects, the project area serves as a wildlife movement corridor between the coast and inland areas, providing both food and cover for animals.

The proposed development will not disrupt known major wildlife movement corridors. However, permanent loss of habitat and increased presence of human activity and increased vehicular traffic may negatively affect wildlife movement. During construction, implementation of the best management practices (BMPs) outlined in Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6 would minimize impacts to plants and animals and protect wildlife moving through work areas; therefore, there would be *no impact* to the movement of native resident or migratory species.

## Off-Site Improvements

### *North Frontage Road Extension Parcel*

The project area is a habitat virtually isolated by surrounding development and therefore does not serve the function of habitat connectivity for terrestrial animals. Residential development and infrastructure surrounding the project area restrict wildlife movement between habitats. The project area lacks significant wildlife movement corridors, such as streams, for animals to move into adjacent habitats; therefore, there would be *no impact* to the movement of native resident or migratory species.

### *Off-Site Improvements*

The project site is located almost entirely on or along existing paved asphalt roads. Therefore, the construction of the off-site transportation, water, and wastewater improvements would not create any new barriers to wildlife movements or exacerbate existing wildlife movement barriers. Construction of the off-site NCSD water and wastewater improvements would have *no impact* to the movement of native resident or migratory species.

## WOULD THE PROJECT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE?

## Specific Plan Area

### *BIO Impact 18: The project will result in direct and indirect impacts to coast live oak woodland, coast live oak forest, and individual oak trees. Impacts would be significant and unavoidable (Class I).*

DIRECT IMPACTS TO INDIVIDUAL TREES

The project proposes to remove 3,943 oak trees within the Specific Plan Area (Figure 4.4-11). Of these 3,943 oak trees, approximately 1,073 oak trees removed would be in the coast live oak forest habitat, 2,676 would be from coast live oak woodland habitat, and another 194 are scattered among the Burton Mesa chaparral and grassland habitats. Pursuant with the County Oak Woodland Ordinance, the applicant has submitted a CUP application for the tree removal that would result from buildout of the DRSP. Table 4.4-10 lists the number of oak trees found within seven habitat types: forest, woodland, chaparral, three grassland types, and an anthropogenic category. These counts are based on the 2021 oak tree survey results (Althouse and Meade 2022a). Most of the trees proposed for removal are in the coast live oak woodland habitat, with the second largest impacted area being the coast live oak forest habitat.

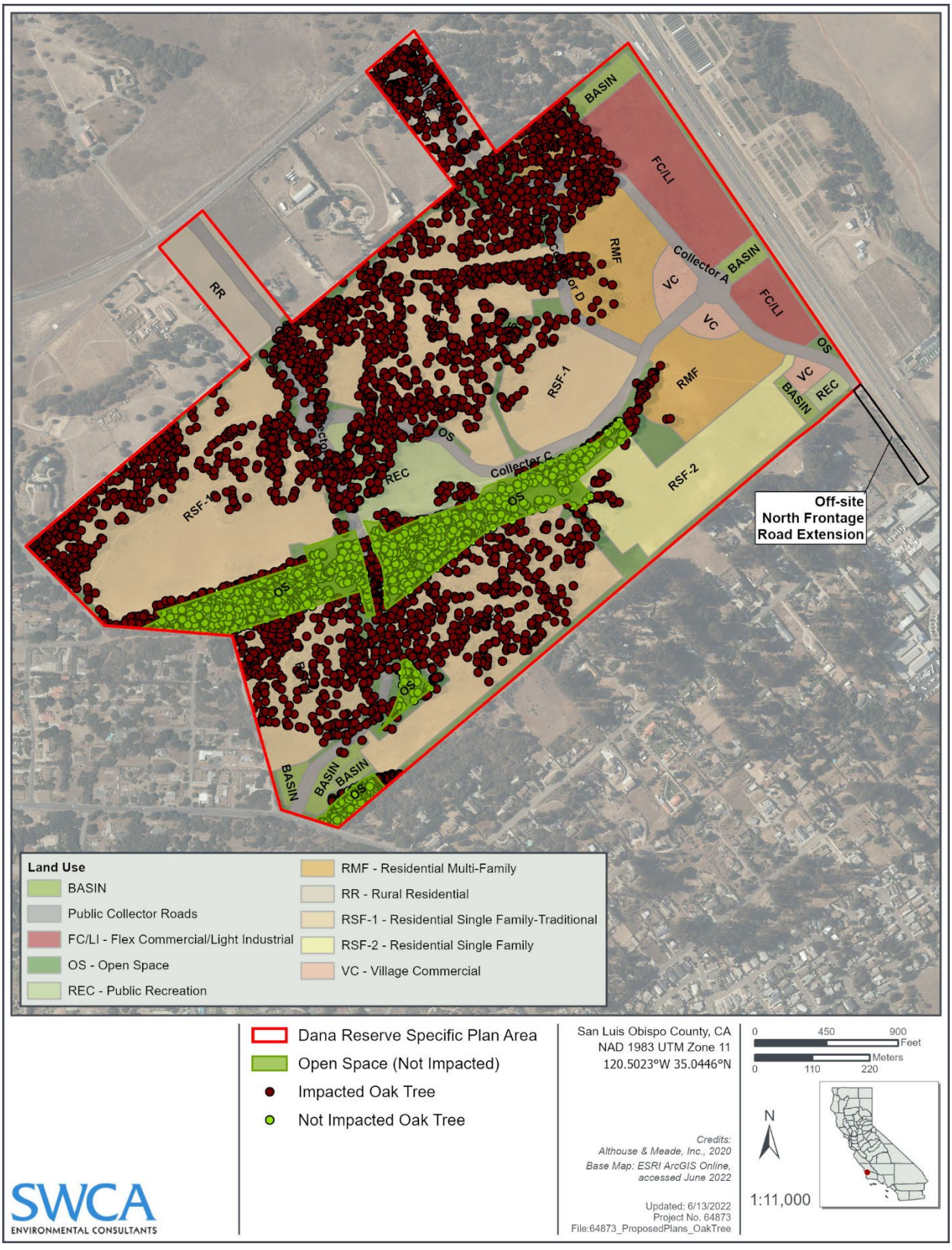


**Figure 4.4-11. Proposed impacts: oak trees.**

**Table 4.4-10. Proposed Plan Oak Tree Impacts by Habitats**

| Habitat Type | Preserved Trees | Removed Trees | Total Trees | Preserved Canopy (acres) | Impacted Canopy (acres) | Total Canopy (acres) |
|---|---|---|---|---|---|---|
| Coast live oak forest | 1,059 | 1,073 | 2,132 | 12.0 | 15.0 | 27.0 |
| Coast live oak woodland | 116 | 2,676 | 2,792 | 1.1 | 34.2 | 35.3 |
| Burton Mesa chaparral | 10 | 155 | 165 | 0.2 | 2.3 | 2.5 |
| California perennial grassland group | 0 | 16 | 16 | 0 | 0.5 | 0.5 |
| Mediterranean California naturalized perennial grassland group | 0 | 9 | 9 | 0 | 0.2 | 0.2 |
| Anthropogenic | 0 | 14 | 14 | 0 | 0.3 | 0.3 |
| Annual brome grasslands | 0 | 0 | 0 | 0 | 0 | 0 |
| **Total** | **1,185** | **3,943** | **5,128** | **13.3** | **52.5** | **65.8** |

## INDIRECT IMPACTS TO INDIVIDUAL TREES

Indirect impacts to the remaining oak trees include the introduction of invasive species, urban predators (e.g., cats, racoons), illegal dumping from adjacent residences, runoff from cross-streets and landscaped yards, recreational trail development and recreational activities (including impaction of soil within the Critical Root Zones [CRZ] of trees adjacent to the pedestrian and equestrian trails), and hazard reduction activities (e.g., wildland fire fuel management). Up to 750 additional trees may have their CRZ impacted by construction activities and would need to be assessed by a qualified arborist.

## IMPACTS TO COAST LIVE OAK WOODLAND (*QUERCUS AGRIFOLIA* / *ADENOSTOMA FASCICULATUM* – [SALVIA MELLIFERA]) (G3/S3)

Approximately 78.3 acres of the 288-acre project area (27%) is coast live oak woodland, specifically, the *Quercus agrifolia* / *Adenostoma fasciculatum* - (*Salvia mellifera*) association, which is a G3/S3 sensitive community and identified as a biologically significant resource by the County. It provides important native habitat for plants and wildlife. The proposed project will result in the permanent loss of 75.3 acres of available coast live oak woodland habitat, approximately 96% of the coast live oak woodland on the site.

Coast live oak woodland contributes significantly to the project area and the region's overall biological diversity, directly supporting eight special-status plants (Pismo clarkia, mesa horkelia, Nipomo Mesa ceanothus, mesa manzanita, Michael's rein orchid, California spineflower, sand almond, and sand buck brush) and four special-status nesting birds (Cooper's hawk, oak titmouse, white-tailed kite, and Nuttall's woodpecker). Sensitive reptiles such as Blainville's (coast) horned lizard are also supported by this habitat. California's Central Coast contains 80% of the state's coast live oak woodlands (Gaman 2008). This habitat type is considered sensitive due to its biological diversity and presence of sensitive plant and animal species; therefore, impacts would be considered significant, and mitigation is required to reduce project impacts.

## IMPACTS TO COAST LIVE OAK FOREST (*QUERCUS AGRIFOLIA* / *TOXICODENDRON DIVERSILOBUM*) (G5/S4)

Approximately 40.5 acres of the 288-acre project area (14%) is coast live oak forest, specifically, the *Quercus agrifolia / Toxicodendron diversilobum* association. Coast live oak forest is identified as a biologically significant resource in San Luis Obispo County that provides important native habitat for

plants and wildlife. The project will result in the permanent loss of up to 21.7 acres in the proposed plan of available coast live oak forest habitat. Approximately 17.0 acres of coast live oak forest will be protected as a biological open space easement on site. The remaining 21.9 acres the coast live oak forest and remnant woodland patches would be indirectly impacted by recreational activities from the surrounding community, the invasion of non-native species used in landscaping, and regular fire fuel management activities that would occur within a 100-foot buffer of any structures.

Coast live oak forest contributes significantly to the project area's overall biological diversity, indirectly supporting eight special-status plants (Pismo clarkia, mesa horkelia, Nipomo Mesa ceanothus, mesa manzanita, Michael's rein orchid, California spineflower, sand almond, and sand buck brush) and directly supporting four special-status nesting birds (Cooper's hawk, oak titmouse, white-tailed kite, and Nuttall's woodpecker). Sensitive reptiles such as Blainville's horned lizard are also supported by this habitat. California's Central Coast contains 90% of the state's coast live oak forests (Gaman 2008). This habitat type is considered sensitive due to its biological diversity and presence of sensitive plant and animal species; therefore, impacts are considered significant, and mitigation is required to reduce project impacts.

## SUMMARY OF IMPACTS AND PROPOSED MITIGATION

The applicant is proposing to mitigate for direct impacts to 75.3 acres of coast live oak woodland (i.e., removal of 2,676 oak trees) and 21.7 acres of coast live oak forest (i.e., 1,073 oak trees) through the on-site preservation of 3 acres of coast live oak woodland (i.e., 116 trees) and 17 acres of coast live oak forest (i.e., 1,059 trees) and the off-site preservation of 187 acres of coast live oak woodland and 67.5 acres of coast live oak forest on the Dana Ridge Ranch Property (Mitigation Measure BIO/mm-18.4; Figures 4.4-12 and 4.4-13). The Dana Ridge Ranch Property also contains 95.9 acres of chamise chaparral, 19.2 acres of La Panza manzanita chaparral, and 26.4 acres of annual grassland. None of the special-status species observed on-site associated with these habitat types occur on the mitigation parcel. No tree replacement is proposed for oak trees removed from coast live oak woodland or forest habitats.

For oak trees removed in all other habitats on-site (194 oak trees in Burton Mesa chaparral, grassland habitats, and anthropogenic areas), the applicant is proposing to replace these trees on-site with plantings at a 4:1 ratio (four trees for each tree removed), totaling 776 planted oak trees (Mitigation Measure BIO-18.2). Based on the proposed on-site tree replacement plan, trees planted for mitigation will include those planted along streets and in recreational open spaces areas.

As compensation for oak trees indirectly impacted, mitigation will be provided through planting at a ratio specific to the level of impact to the CRZ. Specifically, at a 2:1 ratio for impacts to less than 10% of the tree's CRZ, at a 3:1 ratio for impacts over 10% and less than 50% of the tree's CRZ and canopy, and at a 4:1 ratio for impacts to more than 50% of the trees' CRZ and canopy (Mitigation Measure BIO/mm-18.2). Therefore, as mitigation for the indirect impacts to approximately 750 oak trees, the applicant proposes to plant anywhere between 1,500 and 3,000 oak trees.

**Figure 4.4-12. Proposed plan oak tree canopy in various habitats.**

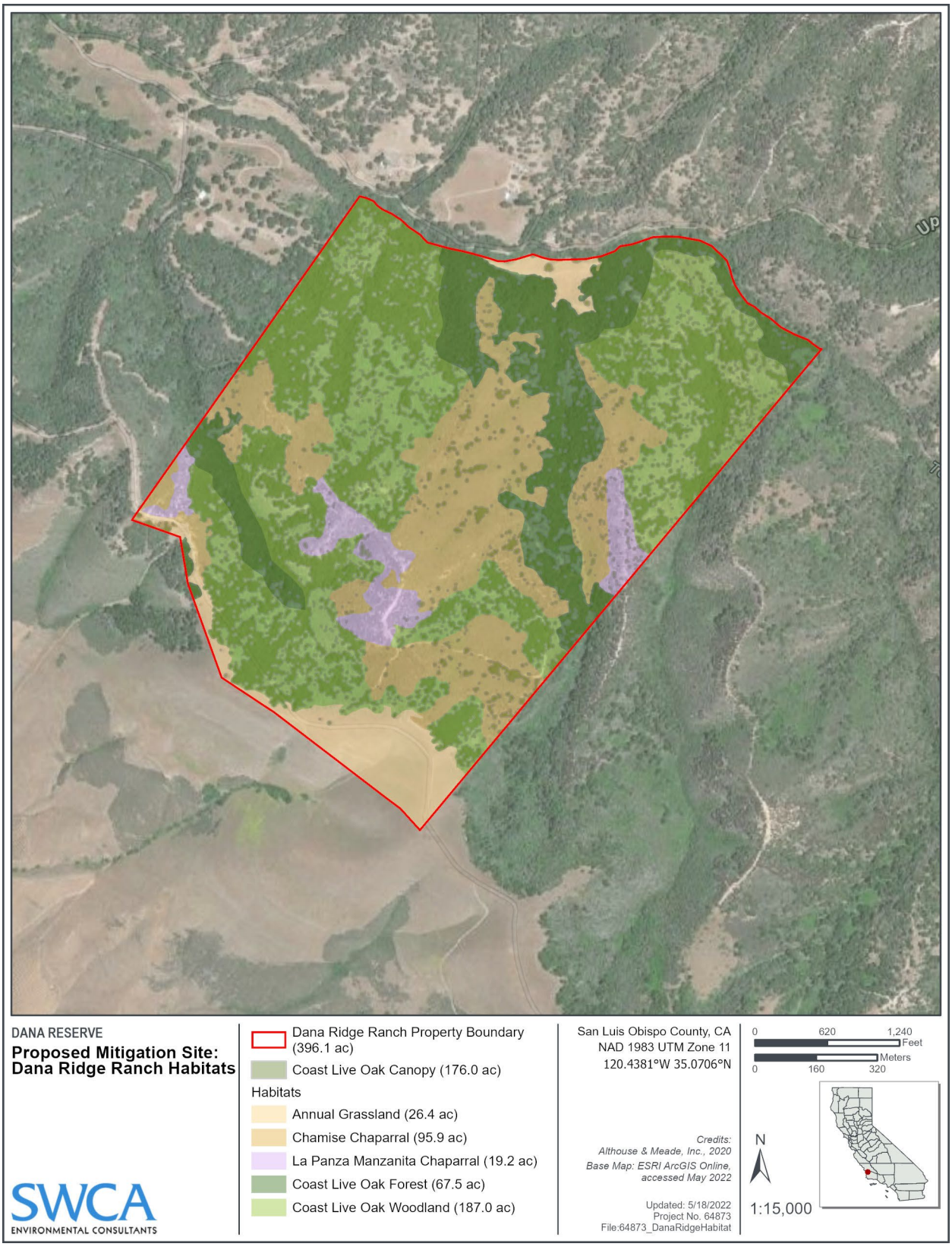


**Figure 4.4-13. Proposed mitigation site: Dana Ridge Ranch habitats.**

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| The project will result in direct and indirect impacts to coast live oak woodland, coast live oak forest, and individual oak trees. |
| ***Mitigation Measures*** |
| *BIO/mm-18.1* ***Prepare On-Site Tree Protection Plan for Trees Retained.*** *Prior to issuance of a grading permit for any future development within the Specific Plan Area, a qualified arborist shall prepare a Tree Protection Plan designed to protect retained oaks during construction. Tree protection guidelines and a root protection zone shall be established and implemented for each retained tree over 4 inches diameter at breast height within 50 feet of site disturbance. The following criteria shall be included:*<br><br>1. ***Preserve Oak Forest Habitat on Dana Reserve.*** *Designate oak forest habitat for open space preservation where limited recreational and open space uses may be allowed. Preserve a minimum of 17 acres of oak forest habitat on-site.*<br>2. ***Map and Number Trees to be Retained.*** *Tree canopies and trunks within 50 feet of proposed disturbance zones shall be mapped and numbered by a County of San Luis Obispo-approved arborist or biologist and a licensed land surveyor. Data for each tree shall include date, species, number of stems, diameter at breast height of each stem, critical root zone diameter, canopy diameter, tree height, health, habitat notes, and nests observed.*<br><br>*Impacts shall be identified for native oak trees with a diameter at breast height of 4 inches or greater, as measured at a height of 4.5 feet aboveground. Impacts include any ground disturbance within the critical root zone, trunk damage, or any pruning of branches 3 inches in diameter or greater.*<br><br>*A qualified arborist shall determine the critical root zone for each retained tree on a case-by-case basis, generally 1.5 times the average canopy radius (distance from trunk to edge of drip line). For example, a tree with a 24-foot-diameter canopy would have a 36-foot critical root zone, or approximately 18 feet from the trunk. Where the canopy has been pruned prior to evaluation, the critical root zone may be calculated as 1.5 feet per inch of the tree's diameter at breast height. For example, an 18-inch diameter at breast height tree would be assigned a 24-foot critical root zone. The extent of the critical root zone shall be used as the basis for a tree protection zone, such as the line of encroachment for the edge of a group of trees, shown on all construction plans.*<br>3. ***Preconstruction Meeting.*** *On-site preconstruction meetings for each phase that affects oak trees shall be attended by the arborist(s), owner(s), Planning staff, and earth-moving team. Explicit exhibits and discussion will focus on tree protection during construction and provisions of the Tree Protection Plan.*<br>4. ***Install Protective Fencing.*** *Tree protection fencing shall be installed at the perimeter of the tree protection zone. At a minimum, a tree protection zone shall be delineated as a no-construction zone. Preferably, fencing shall be installed 6 feet outside the tree protection zone. No construction equipment shall be staged, parked, or stored within 6 feet of any oak tree dripline.*<br><br>*The fence shall be installed with arborist field consultation before any construction or earth moving begins. The proposed fencing shall be shown on the grading plan. It must be a minimum of 4-foot-high chain-link, snow, or safety fence staked (with t-posts 8 feet on center). The owner/applicant shall be responsible for maintaining an erect fence throughout the construction period. (For trees to be protected longer than 4 months, metal fencing is preferred to minimize maintenance requirements.) The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval.*<br><br>*If plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. Weatherproof signs shall be permanently posted on the fences every 50 feet, with the following information: Tree Protection Zone. No personnel, equipment, materials, or vehicles allowed.* |

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5. ***Avoid and Minimize Tree Impacts.*** *Impacts to the oak canopy or critical root zone shall be avoided where feasible in light of project layout and the locations of physical structures, paved or otherwise altered surfaces, and infrastructure. Impacts include pruning branches over 3 inches in diameter, any ground disturbance or soil compaction within the dripline or critical root zone of the tree (whichever distance is greater), and trunk damage.*
    a. *No Tree Attachments. Wires, signs, and other similar items shall not be attached to the oak trees.*
    b. *Pruning. Pruning shall be implemented by, or under the direction of, a certified arborist. The purpose and type of pruning implemented shall be tracked by service date and class of pruning for each tree. A certified arborist shall direct all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned prior to any grading activities to avoid branch tearing. Unless a hazardous or unsafe situation exists, major trimming shall be done only during the summer months. (Coast live oaks, which retain their leaves year-round, are generally dormant July through October.)*
        i. *Class 1 pruning emphasizes aesthetics, removal of dead, dying, and decaying weak branches and selective thinning to lessen wind resistance.*
        ii. *Class 2 pruning is for structural integrity and tree health concerns. It consists of removal of dead, dying, decaying, interfering, obstructing, and weak branches and selective thinning to lessen wind resistance.*
        iii. *Class 3 pruning is conducted for safety considerations and hazardous conditions.*
        iv. *Class 4 pruning includes crown-reduction pruning, such as reduction of tops, sides, or individual limbs.*

        *Removal of larger lower branches shall be minimized to avoid making tree tops heavy and more susceptible to "blow-overs," reduce large limb cuts that are susceptible to disease and infestation, retain wildlife habitat values associated with the lower branches, retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers), and retain the natural shape of the tree. The amount of trimming (roots or canopy) done in any one season shall be limited as much as possible to reduce tree stress/shock (10% or less is best, 25% maximum).*
    c. *Surface Root Protection. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.*
    d. *Utility Placement. All utilities, sewer, and storm drains shall be placed down the roads and driveways and, when possible, outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over roots larger than 3 inches in diameter. Boring under oaks is also acceptable.*
    e. *Permeable Paving within 20 Feet of the Critical Root Zone. Paving shall be pervious material where access roads or driveways encroach within 20 feet of a retained oak tree's critical root zone.*
    f. *Trenching within the Critical Root Zone. All trenching within the critical root zone of native trees shall be hand dug or implemented with an air spade or bore. All major roots shall be avoided whenever possible. All exposed roots larger than 1 inch in diameter shall be clean cut with sharp pruning tools and not left ragged. A mandatory meeting between the arborists and grading contractor(s) must take place prior to work start.*
    g. *Grading within the Critical Root Zone. Grading shall not encroach within the critical root zone unless authorized by the grading permit. Grading shall not*

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*disrupt the normal drainage pattern around the trees. Fills shall not create a ponding condition and excavations shall not leave the tree on a rapidly draining mound. Any exposed roots shall be covered the same day they were exposed if possible. If left exposed for more than a day, roots must be covered with burlap or another suitable material and wetted down two times per day until reburied.*

*h. Equipment Operation. Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also, there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless preapproved by the arborist.*

*i. Existing Surfaces. The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted, or impaired, unless shown on the grading plans and approved by the arborist. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts.*

*ii. Construction Materials and Waste. No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials. No waste or contaminated water shall be dumped on the ground or into any grate between the outer edge of the critical root zone and the base of the oak trees, or uphill from any oak tree where such substance might reach the roots through a leaching process.*

*iii. No Permanent Irrigation within the Dripline of Existing Oaks. No permanent irrigation shall occur within the dripline of any existing oak tree*

*6. **Correct Damage to Oaks.** The applicant shall be responsible for correcting any damage to oak trees on the property in a manner specified by an arborist approved by the County at the applicant's expense.*

*a. Impacted Root Treatment. Roots impacted during construction (e.g., trenching or grading operations) shall be treated by the arborist on a case-by-case basis using best practices, such as clean cuts accompanied by application of appropriate fungicides and insecticides by a licensed pest control applicator.*

*b. Soil Aeration Methods. Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2–3 feet apart with a 2–4-inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.*

*c. Chip Mulch. All impacted areas within the critical root zone of the trees shall receive a 4- to 6-inch layer of chip mulch to retain moisture, retain soil structure, and reduce the effects of soil compaction.*

*d. Landscape. All landscape within the critical root zone shall consist of drought-tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise aboveground drip irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation. For this site, it is strongly recommended that drought-tolerant native landscape is used with the approval of the arborist. This includes all sidewalk/greenbelt areas.*

*e. Fertilization and Cultural Practices. As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhizal inoculation applications that will benefit tree health. Application of mycorrhizal inoculum offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.*

*f. Post-Construction Tree Inspection. Prior to occupancy of each phase, a letter from the arborist(s) shall be required that verifies health/condition of all impacted trees and provides recommendations for additional mitigation. The*

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*letter shall verify that the arborist(s) or their designee were on-site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work in these areas was completed to the standards set forth above.*

7. ***Arborist Supervision and Treatment of Impacted Trees.*** *A licensed arborist shall supervise all ground disturbances within the tree protection zone and activities that may impact branches. The arborist shall provide guidance such as temporary damaged root protection, use of air spades, timing between impact and root treatment by arborist, appropriate use of air spade or hand tools to minimize tree damage specific to the action proposed, and to treat root zone and branch damage.*

   *During and upon completion of construction, the licensed arborist shall provide treatment, as the licensed arborist determines is appropriate, to maintain and improve the health of the tree, including pruning of the broken main stem, and soil supplement and watering programs. All root pruning shall be completed with sharpened hand pruners. Pruned roots shall be immediately covered with soil or moist fabric. Damaged roots shall be treated within 24 hours by a qualified tree specialist to inhibit fungus, insects, or other disease damage.*

8. ***Report Tree Impacts.*** *Damage to any tree during construction shall be reported to the project arborist within 24 hours. The damage should be treated as soon as possible, as appropriate, by an arborist or his/her designee approved by the County of San Luis Obispo to prevent disease or pest infestation. Damage will be reported to the County of San Luis Obispo and applicant during each month of construction.*

   *All monitoring will be documented on the field report form, which will be forwarded to the project manager and County.*

9. ***Protect Replacement/Mitigation Oaks.*** *The following activities are not allowed within the root zone of newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plants for up to 7 years), grading (includes cutting and filling of material), compaction (e.g., regular use of vehicles), placement of impermeable surfaces (e.g., pavement), and disturbance of soil that impacts roots (e.g., tilling).*

10. ***Notes on Plans.*** *The standards in BIO/mm-18.1(1–7) shall be noted and shown on all grading and building plans, as well as an additional map sheet recorded with any Final Map in order to describe the activities prohibited outside the approved construction envelopes. All trees to be retained within 50 feet of impact areas shall be shown with tree protection zone for groups of trees and critical root zone for individual trees.*

11. ***Prepare and Implement On-Site Oak Tree Protection, Replacement, and Habitat Restoration Plan.*** *Prior to recordation of a Final Map for a land division on the property, the developer shall submit a Tree Protection Plan, Tree Replacement Plan (BIO/mm-18.2), and Oak Woodland Habitat Restoration Plan (BIO/mm-18.3) for the review and approval by the County of San Luis Obispo Planning and Building Director. The Oak Tree Protection, Replacement, and Habitat Restoration Plan will be approved by the County of San Luis Obispo and provided to all contractors and subcontractors that work within or adjacent to the critical root zone of native trees. Provisions of the Oak Tree Protection, Replacement, and Habitat Restoration Plan shall be included in the Worker Environmental Training Program to confirm that workers and supervisors are trained in maintaining fencing, protecting root zones, and conforming to all tree protection goals. Each contractor must sign and acknowledge the plan. Any future changes (within the critical root zone) will need project arborist review and implementation of potential mitigation measures before proceeding.*

12. ***Mitigate Impacts to Preserved Trees.*** *Damage that occurs to protected retained trees or sensitive habitats resulting from construction activities shall be mitigated in a manner approved by the County of San Luis Obispo Planning and Building Director. Impacts to less than 10% of the tree's critical root zone and canopy shall be mitigated at a 2:1 ratio (plant two trees for each tree impacted). Impacts over 10% and less than 50% of the tree's critical root zone and/or canopy shall be mitigated at a 3:1 ratio. Impacts to more than 50% of the trees' critical root zone shall require mitigation at a 4:1 ratio. See BIO/mm-18.2 for replacement tree performance criteria.*

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| | *Mitigation for impacted trees shall be tracked with the following information: tree tag number, location (latitude/longitude WGS84 datum), number of trunks, diameter at breast height of main trunk, proposed critical root zone impact percent, proposed mitigation ratio, actual impact percent, date of impact (month/year), document if accounted for in approved plans, actual replacement ratio, actual replacement number, date of planting (month/year), location of mitigation planting (Phase and general location), and expected year performance criteria to be met.*<br><br>*Quarterly impact and proposed mitigation documentation shall be provided to the County during the active phases of construction. Annual reports shall be provided until the project is completed.* |
| *BIO/mm-18.2* | ***Tree Replacement Plan.*** *Prior to issuance of a grading permit for any future development within the Specific Plan Area, a qualified arborist shall prepare and submit an Oak Tree Replacement Plan for the review and approval by the County of San Luis Obispo Planning and Building Director. The Oak Tree Replacement Plan will be approved by the County of San Luis Obispo and will include a plan for adding native oaks to the landscape planting plan for streets and recreational open spaces.*<br><br>*The Oak Tree Replacement Plan shall specify the number of oak trees to be planted based on the following mitigation ratios:*<br><br>1. ***Mitigation for Removed Trees.*** *Oak trees removed from habitat types not mapped as oak woodland or oak forest in Figure 4.4-2, shall be mitigated for by planting replacement trees at a 4:1 ratio (four trees for each tree removed, e.g., 120 oaks planted for 30 removed).*<br>2. ***Mitigation for Impacts to Preserved Trees.*** *Per BIO/mm-18.1, damage that occurs to protected retained trees resulting from construction activities shall be mitigated for at the following ratios:*<br>a. *Impacts to less than 10% of a tree's critical root zone and canopy shall be mitigated at a 2:1 ratio (plant two trees for each tree impacted).*<br>b. *Impacts over 10% and less than 50% of a tree's critical root zone and/or canopy shall be mitigated at a 3:1 ratio (plant three trees for each tree impacted).*<br>c. *Impacts to more than 50% of a trees' critical root zone and/or canopy shall require mitigation at a 4:1 ratio (plant four trees for each tree impacted).*<br>3. ***Criteria for Replacement Trees:***<br>a. *Mitigation trees may be planted to enhance the on-site oak woodland and/or included in the landscape planting plan but are not allowed in the preserved oak forest habitat.*<br>b. *If on-site planting areas are not available, off-site oak habitat mitigation areas shall be calculated at two times 1,750 square feet per tree (assuming a 47-foot-diameter average canopy of trees removed from grassland habitats).*<br>c. *Replacement trees shall not be planted within designated fire fuel management zones (i.e., within 100 feet of structures).*<br>d. *A minimum of 25% of the oak trees planted in mitigation areas and in on-site restoration areas shall be propagated from acorns collected from on-site oak trees, preferably from those proposed to be removed. All mitigation trees propagated from acorns must reach at least 1-inch in diameter prior to the removal of mature trees.*<br>e. *All other mitigation trees must be from Central Coast acorns. All replacement trees shall be at least 1-inch in diameter.*<br>f. *Mitigation trees shall be maintained and monitored for a minimum of 7 years and must have reached a minimum height of 6 feet prior to certification of completion.*<br>g. *The following activities are not allowed within the root zone of newly planted oak trees: Year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plants for up to 7 years), grading (includes* |

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*cutting and filling of material), compaction (e.g., regular use of vehicles), placement of impermeable surfaces (e.g., pavement), and disturbance of soil that impacts roots (e.g., tilling).*

*In addition to oaks, the Oak Tree Replacement Plan shall include plants typical of Nipomo Mesa native oak woodlands in open space planting palettes, as well as herbs and shrubs that thrive near oaks, and generally require less irrigation than some of the landscaping commonly employed on the Central Coast. The table below provides appropriate plants associated with oak trees, including species found on the Dana Reserve. This list includes several with California Rare Plant Rank status. The landscape planting plan shall include common native understory species, such as western nettle and California plantain, as they may be naturally present in native landscapes and allowed to be retained by maintenance crews during restoration and site maintenance. Special-status species should be encouraged to be represented in the native plant landscape plan, especially in areas where already present or in the vicinity.*

***Recommended Native Plant Species for Landscaping***

| Scientific Name | Common Name | Special Status |
|---|---|---|
| ***Shrubs – 12 Native Taxa*** | | |
| *Artemisia californica* | California sagebrush | -- |
| *Ceanothus impressus* var. *nipomensis* | Nipomo Mesa ceanothus | CRPR 1B.2 |
| *Ceanothus cuneatus* var. *fascicularis* | Sand buck brush | CRPR 4.2 |
| *Cercocarpus betuloides* var. *betuloides* | Birch-leaf mountain-mahogany | -- |
| *Frangula californica* | California coffee berry | -- |
| *Heteromeles arbutifolia* | Toyon | -- |
| *Prunus ilicifolia* | Hollyleaf cherry | -- |
| *Prunus fasciculata* var. *punctata* | Sand almond | CRPR 4.3 |
| *Rhamnus crocea* | Spiny redberry | -- |
| *Salvia mellifera* | Black sage | -- |
| *Sambucus nigra* ssp. *caerulea* | Blue elderberry | -- |
| *Symphoricarpos mollis* | Creeping snowberry | -- |
| ***Forbs – Annual and Perennial Native Taxa*** | | |
| *Acmispon americanus* | American bird's foot trefoil | -- |
| *Acmispon glaber* | Deer weed | -- |
| *Anaphalis margaritacea* | Pearly everlasting | -- |
| *Asclepias eriocarpa* | Kotolo | -- |
| *Cirsium occidentale* | Cobweb thistle | -- |
| *Clarkia purpurea* ssp. *viminea* | Wine cup Clarkia | -- |
| *Claytonia parviflora* ssp. *parviflora* | Miner's lettuce | -- |
| *Corethrogyne filaginifolia* | Common tansyaster | -- |
| *Dichelostemma capitatum* ssp. *capitatum* | Blue dicks | -- |
| *Diplacus aurantiacus* | Sticky monkeyflower | -- |
| *Helianthemum scoparium* | Broom rose | -- |
| *Hesperocnide tenella* | Western nettle | -- |
| *Heterotheca grandiflora* | Telegraph weed | -- |

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| | *Horkelia cuneata* var. *puberula* | Mesa horkelia | CRPR 1B.1 |
| | *Lupinus bicolor* | Miniature lupine | -- |
| | *Lupinus nanus* | Sky lupine | -- |
| | *Lupinus truncatus* | Blunt leaved lupine | -- |
| | *Paeonia californica* | California peony | -- |
| | *Pedicularis densiflora* | Warrior's plume | -- |
| | *Phacelia ramosissima* | Branching phacelia | -- |
| | *Phacelia tanacetifolia* | Lacy phacelia | -- |
| | *Pholistoma auritum* | Fiesta flower | -- |
| | *Piperia michaelii* | Michael's rein orchid | CRPR 4.2 |
| | *Plantago erecta* | California plantain | -- |
| | *Pseudognaphalium californicum* | Ladies' tobacco | -- |
| | *Pterostegia drymarioides* | Fairy mist | -- |
| | *Silene laciniata* | Cardinal catchfly | -- |
| | *Solanum americanum* | Common nightshade | -- |
| | *Solanum xanti* | Chaparral nightshade | -- |
| *BIO/mm-18.3* | ***Protect On-Site Oak Woodland Resources Intended to be Retained and Preserved On-Site.*** *Prior to issuance of a grading permit for any future development within the Specific Plan Area, the applicant shall submit an Oak Woodland Protection and Restoration Plan to be reviewed and approved by the County of San Luis Obispo Planning and Building Department. Coast live oak forest, woodland, and retained trees within 50 feet of development shall be shown on all grading and development plans. The plan shall be prepared by a qualified individual acceptable to the County of San Luis Obispo Director of Planning and Building. The plan shall specify short- and long-term management actions necessary to preserve and enhance the on-site biological open space and will include sections for (1) habitat protection, (2) monitoring during project construction, (3) reporting, (4) oak tree replacement planting, (5) rare plant mitigation planting and protection, and (6) wildlife habitat protection. The plan shall include (7) a fuel management component that provides measures to protect native understory vegetation and downed woody debris in a manner that optimizes wildlife habitat protection and reduces fire risk to neighborhoods.*<br><br>*Fire fuel management shall address reduction of fire fuel loads within 100 feet of structures. The first 30 feet from residences/structures (e.g., the back of yards) shall be maintained to remove dead plant material, and trees shall be maintained to keep branches 10 feet from other trees. In the next 70 feet, annual grass shall be cut or grazed to a maximum average height of 4 inches. A horizontal space shall be created between patches of native shrubs. Fallen branches, twigs, and bark shall be removed to reduce total fuel load. Patches of live shrubs shall be retained, and patches of annual wildflowers shall be mowed/grazed after seeds have set. Young trees that are in shrub-form shall be shaped to minimize fuel load but allow for trees to protect their trunks during the growth period. Heavy branches of mature trees at least 6 feet from the ground shall be removed per California Department of Forestry and Fire Protection's "Prepare for Wildfire" recommendations to maintain defensible space. Management of defensible space (100 feet from structures and 10 feet from roads) must protect special-status plant and wildlife taxa as specified in Mitigation Measures BIO/mm 1.1 through BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, and BIO/mm-14.1.* | | |

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| *BIO/mm-18.4* | ***Off-Site Preservation.*** *Prior to recordation of a Final Map for a land division over the Specific Plan Area, the applicant shall protect coast live oak forest (*Quercus agrifolia */* Toxicodendron diversilobum *association) and coast live oak woodland (*Quercus agrifolia */* Adenostoma fasciculatum *– [*Salvia mellifera*] association) at a ratio of 2:1 (2 acres conserved for each acre removed). A conservation easement over the protected habitat shall be controlled by a qualified conservation organization approved by the County of San Luis Obispo. Potential conservation organizations include, but are not limited to, The Nature Conservancy, Land Conservancy of San Luis Obispo County, Greenspace, or Cambria Land Trust.*<br><br>*Applicant-Proposed Mitigation: The applicant proposes to conserve 187 acres of coast live oak woodland and 67.5 acres of coast live oak forest that is intermixed with the 95.9 acres of chamise chaparral, 19.2 acres of La Panza manzanita chaparral, and 26.4 acres of annual grassland on the Dana Ridge Ranch. This property is located southeast of Dana Reserve (see Figure 4.4-13). Habitat descriptions, a plant list, and figures associated with this off-site mitigation location are detailed in Althouse and Meade (2021). The project proposes to impact 21.7 acres of coast live oak forest and 75.3 acres of coast live oak woodland (97.0 acres total). The applicant's proposed mitigation on Dana Ridge Ranch would yield a mitigation ratio of 3.1:1 for coast live oak forest and 2.5:1 for coast live oak woodland habitats. No restoration or replacement of removed oak trees is proposed.* |
| ***Residual Impacts*** | |
| *Mitigation Measures BIO/mm-18.1 through BIO/mm-18.4 would reduce impacts associated with direct and indirect impacts to coast live oak woodland, coast live oak forest, and individual oak trees. However, County COSE Policy BR 1.4 requires mitigation for development projects to achieve "no-net loss" of sensitive habitat acreage, values, and function and County COSE Goal BR 3 is to maintain the acreage of native woodlands, forests, and trees at 2008 levels. Of the 3,943 oak trees to be removed, the mitigation only requires the applicant to plant replacement trees for 194 of the trees being removed. The applicant is also required to plant approximately 1,500 to 3,000 new trees to mitigate indirect oak tree impacts. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the county.*<br><br>*County COSE Policy BR 3.3.1 requires the County to maintain the integrity and diversity of oak woodlands, chaparral communities, and other significant vegetation as part of the compliance with the Oak Woodlands Preservation Act (PRC Section 21083.4). The species composition of the coast live oak woodland in the project area contains the same species characteristic of the Burton Mesa chaparral vegetation community on-site. The understory vegetation on the mitigation parcel is distinctly different and does not support the special-status species that occur on-site. That is because the soils and elevation range of the mitigation parcel is significantly different than the Dana Reserve project area. Without proper in-kind preservation and restoration of coast live oak woodland habitat on similar soil types and in an elevation range similar to the project area, the mitigation does not maintain the diversity of oak woodland communities in the county.*<br><br>*Mitigating for the removal of oak trees in Burton Mesa chaparral and grassland habitats with trees planted along streets and in recreational open spaces areas, as the on-site planting plan proposes, does not sufficiently maintain the integrity of the vegetation community being lost.*<br><br>*Based on these considerations, the proposed impacts to oaks and oak woodlands would still be significant and unavoidable (Class I).* | |

## Off-Site Improvements

### *North Frontage Road Extension Parcel*

No oak trees were mapped on the North Frontage Road Extension Parcel (Althouse and Meade 2022b); therefore, there will be *no impact* to oaks as part of the extension of North Frontage Road.

## *Off-Site Improvements*

### *BIO Impact 19: Off-site transportation improvements and/or trenching of new water and wastewater pipelines could result in direct and indirect impacts to oak trees. Impacts would be less than significant with mitigation (Class II).*

Detailed habitat mapping was not conducted for the off-site transportation, water, and wastewater improvement areas (except for the proposed extension of North Frontage Road, which is discussed in detail in this section). However, based on an assessment of aerial imagery and Google Earth Street View, several oak trees were observed along the pipeline alignment areas. Specifically, several oak trees were observed along North Oakglen Avenue. Trenching adjacent to oak trees could have significant impacts if ground disturbance or soil compaction occurred within the dripline or CRZ of the trees. Mitigation Measure BIO/mm-19.1 has been included below to avoid trenching through the CRZ of oak trees along the alignments if feasible. If trenching in the CRZ is unavoidable, the NCSD will procure a licensed arborist to monitor excavations in these areas to prevent significant damage to the oak trees. With implementation of Mitigation Measure BIO/mm-19.1, potential impacts to protected trees would be *less than significant*.

| **BIO Impact 19 (Class II)** | |
|---|---|
| Off-site transportation improvements and/or trenching of new water and wastewater pipelines could result in direct and indirect impacts to oak trees. | |
| ***Mitigation Measures*** | |
| *BIO/mm-19.1* | ***Oak Tree Monitoring.*** *Impacts to oak trees shall be avoided where feasible. Impacts include any ground disturbance or soil compaction within the dripline or critical root zone of the trees (whichever distance is greater). A qualified arborist shall determine the critical root zone for each oak tree within the path of the pipeline alignments. Ground disturbance shall be supervised by a licensed arborist if excavation is proposed within the critical root zone of an oak tree. The arborist shall supervise all trenching within the critical root zone. The arborist shall provide guidance such as temporary damaged root protection, use of air spades, timing between impact and root treatment by arborist, appropriate use of air spade or hand tools to minimize tree damage specific to the action proposed, and to treat root zone and branch damage. During and upon completion of construction, the licensed arborist shall provide treatment, as the licensed arborist determines is appropriate, to maintain and improve the health of the tree, including pruning of the broken main stem, and soil supplement and watering programs. All root pruning shall be completed with sharpened hand pruners. Pruned roots shall be immediately covered with soil or moist fabric. Damaged roots shall be treated within 24 hours by a qualified tree specialist to inhibit fungus, insects, or other disease damage.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measure BIO/mm-19.1, impacts to oak trees from the installation of new off-site transportation, water, and wastewater improvements would be less than significant (Class II).* | |

## 4.4.6 Cumulative Impacts

### *BIO Impact 20: The project would have cumulatively considerable impacts related to biological resources. Cumulative impacts would be significant and unavoidable (Class I).*

The proposed project's contribution to cumulative impacts on biological resources is based on the loss of open space and associated wildlife habitat. The Specific Plan Area primarily consists of Burton Mesa chaparral, coast live oak woodland, and coast live oak forest, intermixed with various grassland habitats. Several special-status plant and animal species and two sensitive vegetation communities occur on-site, all of which would be impacted by the proposed development, except for 21.7 acres of primarily coast live oak forest habitat. The County anticipates several smaller residential development projects in the surrounding community and two major development projects:

- Tract 244: Development of 12 single-family dwelling units and associated structures in the community of Nipomo
- Woodlands Tract 2341 & 3126: Development of 85 single-family dwelling units and associated structures in the southwestern portion of the community of Nipomo
- Brandt: Subdivision of a 20.7-acre parcel into four lots in the community of Nipomo

Additional commercial projects include:

- 1560 Mesa, LLC: Development of a 7,454-square-foot shell building, a single driveway entrance, and fire alarm system in the community of Nipomo
- LFOA, LLC: Development of a 47,619-square-foot warehouse, septic system, and utilities and pump house in the community of Nipomo
- Warren Family Investment PTP: Development of a 18,187-square-foot shell building, 853-square-foot covered entry, and 416-square-foot equipment mezzanine in the community of Nipomo
- Ball Tagawa Growers PTP: Development of a 65,317.34-square-foot greenhouse in the community of Nipomo
- NF Davis Drier & Elevator Inc: Development of a 5,726-square-foot metal self-storage building and 269-square-foot retaining wall in the community of Nipomo

Additional properties in the community of Nipomo have been subdivided, presumably to facilitate the development of additional single-family homes. These include:

- WG & ONA Dana Properties, LLC: Subdivision of a single parcel into 21 new lots in the community of Nipomo
- Thomas and Brenda Robbins: Subdivision of a single parcel into two new lots in the community of Nipomo
- Peoples Self-Help Housing Corporation: Subdivision of a single parcel into 10 new lots for workforce housing in the community of Nipomo
- TRI-M Rental Group, LLC: Subdivision of a 139.1-acre parcel into three new parcels in the community of Nipomo

Several of the projects occur on or in the vicinity of a limited number of potential mitigation areas for Burton Mesa chaparral on the Nipomo Mesa (Figure 4.4-14). Each project individually may not have a significant impact on this natural community or the plant species that rely on it, such as mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita. However, considered collectively with the proposed project, these projects could potentially be significant in preventing the recovery of this natural community or these species on the Nipomo Mesa.

The construction of the DRSP would result in significant cumulative impacts to Burton Mesa chaparral and coast live oak woodland and the rare plant species that are endemic to these areas, such as the Nipomo Mesa ceanothus and mesa horkelia. The project would induce substantial unplanned population growth on the Nipomo Mesa. The addition of new commercial infrastructure that supports residential developments (e.g., grocery stores, gas stations, etc.) will increase the appeal for additional homes to be built in rural residential areas on the Nipomo Mesa, thus further reducing and degrading remaining sensitive vegetation areas that support threatened and endangered plant populations. Therefore, the project would result in a *significant and unavoidable cumulative impact* to biological resources.

| **BIO Impact 20 (Class I)** |
|---|
| The project would have cumulatively considerable impacts related to biological resources. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-11.1, BIO/mm-12.1, BIO/mm-13.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-16.1, BIO/mm-17.1 through BIO/mm-17.3, BIO/mm-18.1 through BIO/mm-18.4, and BIO/mm-19.1.* |
| ***Residual Impacts*** |
| *Implementation of Mitigation Measures BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-11.1, BIO/mm-12.1, BIO/mm-13.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-16.1, BIO/mm-17.1 through BIO/mm-17.3, BIO/mm-18.1 through BIO/mm-18.4, and BIO/mm-19.1 would not reduce impacts related to loss of oak woodland habitat and the potential loss of some special-status species to a less-than-significant level. Therefore, residual cumulative impacts would be significant and unavoidable (Class I).* |

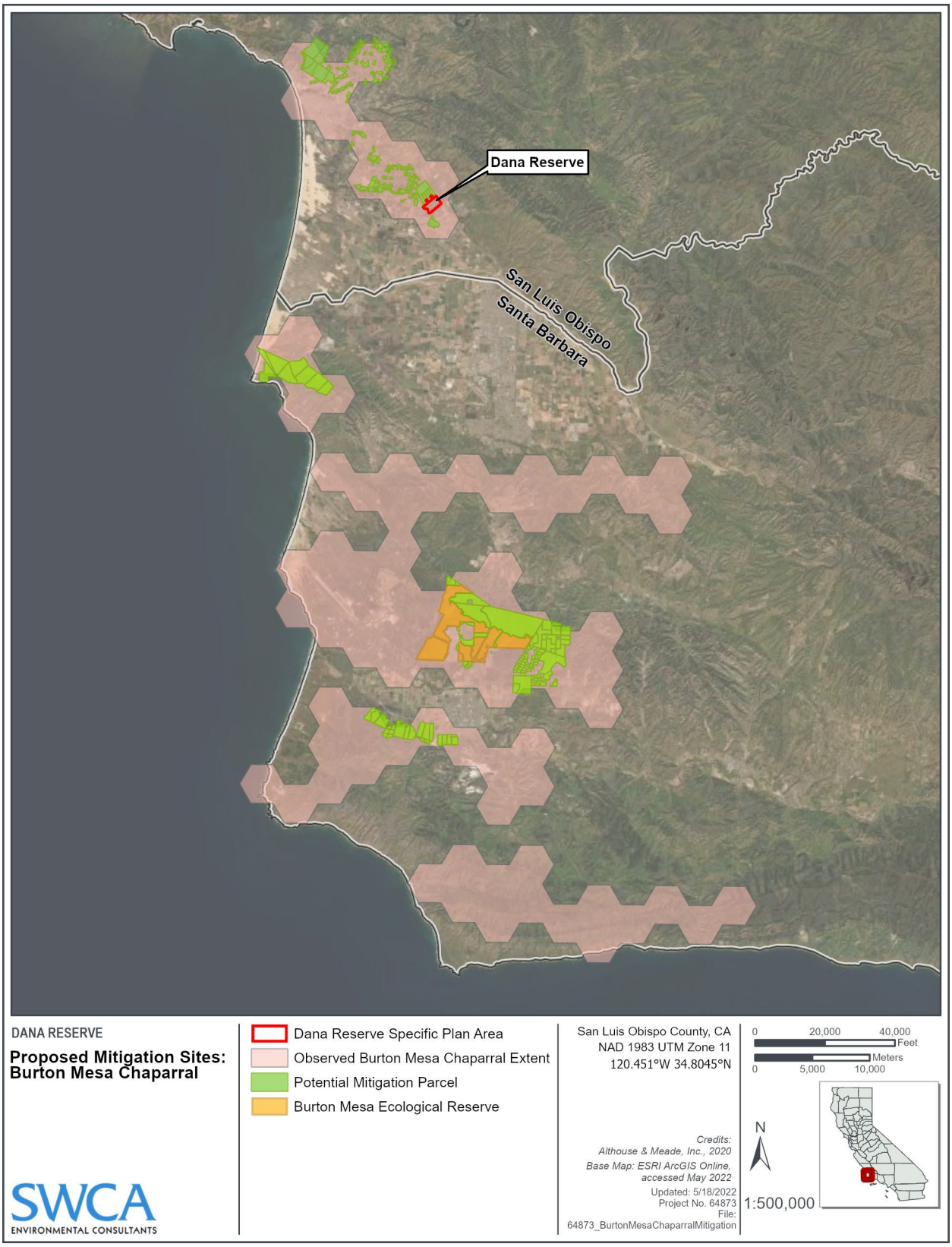



**Figure 4.4-14. Potential mitigation sites: Burton Mesa chaparral.**

# 4.5 CULTURAL RESOURCES

This section analyzes potential impacts to cultural resources that would be caused by implementation of the proposed project. This includes impacts to prehistoric archaeological sites, historic-era structures, and buildings, and the potential for newly discovered archaeological resources, which could potentially be impacted by construction and use of the Specific Plan Area and/or off-site improvement areas. Information sources used in preparation of this section include literature and data review, background research, pedestrian survey, and an Extended Phase I (XPI) study conducted by SWCA (2022). Due to the sensitive nature of archaeological resources, which can be damaged or destroyed through uncontrolled public disclosure of information, specific resource locations are not disclosed in this EIR. The SWCA cultural resource report, however, is on file with the County and is available for review by qualified persons.

## 4.5.1 Existing Conditions

Please refer to Chapter 2, *Project Description*, and Chapter 3, *Environmental Setting*, for a complete description of the proposed project and setting. The following discussion is provided as a framework for the types of known cultural resources, and the types that may occur, within the Specific Plan Area.

### *4.5.1.1 Prehistoric Overview*

California prehistory is divided into three broad temporal periods that reflect similar cultural characteristics throughout the state: Paleoindian Period (ca. 9000–6000 B.C.), Archaic Period (6000 B.C.–A.D. 500), and Emergent Period (A.D. 500–Historic Contact) (SWCA 2022). The Archaic is further divided into Lower (6000–3000 B.C.), Middle (3000–1000 B.C.), and Upper (1000 B.C.–A.D. 500) Periods. These divisions are generally governed by climatic and environmental variables, such as the drying of pluvial lakes at the transition from the Paleoindian to the Lower Archaic period.

The study area lies in the Central Coast Archaeological Region, which is one of eight arbitrary organizational divisions of the state. This region extends southward from Monterey Bay through Big Sur to Morro Bay, and includes southern Santa Cruz and Santa Clara Counties, all of San Benito and Monterey Counties, and most of San Luis Obispo County.

Several chronological sequences have been devised to understand cultural changes within the Central Coast Region subsequent to the Paleoindian and Milling Stone Periods. The Milling Stone Period (ca. 6500–3500 B.C.) was first described by Wallace (1955, 1978 as cited in SWCA 2022) as part of his synthesis of earlier studies and development of a comprehensive southern California coastal region sequence, a chronological scheme that is still widely used today. Initially, Central Coast researchers relied on the cultural sequences developed for the San Francisco Bay area to the north, the Central Valley to the east, and the Santa Barbara region to the south. Breschini and Haversat (1980 as cited in SWCA 2022) proposed the Sur and Monterey Patterns to describe Central Coast occupations dating younger than 5,000 years. Jones and Waugh (1995 as cited in SWCA 2022) presented an integrated Central Coast sequence after the development of cultural resource management in the 1980s and ensuing excavations of numerous archaeological sites. Three periods are presented in their prehistoric sequence subsequent to the Milling Stone Period: Early, Middle, and Late Periods.

More recently, Jones and Ferneau (2002:213 as cited in SWCA 2022) updated the sequence following the Milling Stone Period, as follows: Early, Early–Middle Transition, Middle, Middle–Late Transition, and Late Periods. We rely here on the Jones and Ferneau (2002 as cited in SWCA 2022) chronological sequence for the Prehistoric Period within the Central Coast Region subsequent to the Paleoindian and Milling Stone Periods. It has become apparent that the archaeology of the Central Coast Region

subsequent to the Milling Stone Period is distinct from that of the Bay Area and Central Valley, although the region has more in common with the Santa Barbara Channel area during the Middle and Middle–Late Transition Periods, but few similarities during the Late Period (Jones and Ferneau 2002:213 as cited in SWCA 2022). See also Jones et al. 2007 for a similar approach.

### *4.5.1.2 Ethnography*

The project lies within the territory of northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa) (Gibson 1983; Kroeber 1925 as cited in SWCA 2022). The term Chumash initially applied only to the people living on Santa Cruz Island (King 1994:6 as cited in SWCA 2022). Chumash now refers to the entire linguistic and ethnic group of societies that occupied the coast between San Luis Obispo and northwestern Los Angeles County, including the Santa Barbara Channel Islands, and inland to the western edge of the San Joaquin Valley. Neighboring groups included the Salinan to the north, the Southern Valley Yokuts and Tataviam to the east, and the Gabrielino (Tongva) to the south. Chumash place names in the project vicinity include *Pismu* (Pismo Beach), *Tematatimi* (along Los Berros Creek), and *Tilhini* (near San Luis Obispo) (Greenwood 1978:520 as cited in SWCA 2022).

The Chumash spoke six closely related Chumashan languages, which have been divided into two broad groups—Northern Chumash (consisting only of Obispeño) and Southern Chumash (including Purisimeño, Ineseño, Barbareño, Ventureño, and Island Chumash) (Mithun 2004:389 as cited in SWCA 2022). While Island Chumash was the most divergent of the five southern languages, Ventureño may have had the most internal variation, with at least six distinct dialects. The Chumashan language currently is considered an isolate stock with a long history in the Santa Barbara region (Mithun 2004:304 as cited in SWCA 2022).

The earliest European visits to the Chumash region began with Cabrillo, Vizcaíno, and other naval explorers to the southern California coast in the 1500s. The first land expedition through the project area occurred in A.D. 1769 when Gaspar de Portolà led an overland expedition from the newly established settlement at San Diego to the San Francisco Bay. The first permanent, non-indigenous settlement in the area occurred with the founding of Mission San Luis Obispo in 1771, and soon numerous troop and supply trains passed through Chumash lands on the way from San Diego to more northerly missions and outposts. Within Chumash lands, additional Franciscan missions were founded at La Purísima, Santa Ynez, Santa Barbara, San Buenaventura, and San Fernando. When the pueblo of Los Angeles was established in 1781, the Ventureño Chumash were recruited as laborers.

Chumash subsistence varied between coastal and inland resources, but like many indigenous Californian groups, the acorn was a dietary staple for the mainland Chumash. Acorns were gathered in the autumn and stored in villages, where they were ground to a meal, leached, and then cooked daily. In addition to acorns—mainly from the coast live oak—other nuts, such as pine nuts and walnuts, were collected. Chumash diet also included cattail roots, fruits and pads from cacti, and bulbs and tubers of plants such as amole (Miller 1988:89 as cited in SWCA 2022). Yucca stalks were harvested and roasted, and the buds and flowers also were gathered. Staples included small hard seeds of several annual and perennial plants, such as grass, chia and other sages, and buckwheat. Seasonal resources included berries (blackberry, elderberry, grape, madrone, laurel, and wild cherry), mushrooms, and cress.

The effect of mission influence upon local native populations was devastating. The dissolution of their culture alienated them from their traditional subsistence patterns, social customs, and marriage networks. European diseases, against which they had no immunity, reached epidemic proportions, and Chumash populations were decimated (Johnson 1987 as cited in SWCA 2022). The increase in agriculture and the spread of grazing livestock into their collecting and hunting areas made maintaining traditional lifeways increasingly difficult. Although most Chumash eventually submitted to the Spanish and were incorporated into the mission system, some refused to give up their traditional existence and escaped into the interior regions of the state, as refugees living with other tribes. With the secularization of mission

lands after 1834, traditional Chumash lands were distributed among grants to private owners. Only in the area of Mission Santa Barbara and Mission San Fernando Rey de España were several small ranchos granted to neophytes of these missions, providing a secure home and gardens for a few people.

Most Chumash managed to maintain a presence in the area into the early twentieth century as cowboys, farm hands, and town laborers. The Catholic Church provided some land near Mission Santa Inés for ex-neophytes. This land eventually was deeded to the U.S. government in 1901 as the 127-acre Santa Ynez Reservation. Since the 1970s, Chumash descendants living in the city of Santa Barbara and the rural areas of San Luis Obispo, Santa Barbara, and Ventura Counties have formed social and political organizations to aid in cultural revitalization to protect sacred areas and archaeological sites and to petition for federal recognition. Today, the Santa Ynez Band of Chumash Indians is the only federally recognized Chumash tribe.

## *4.5.1.3 Existing Cultural Resources*

### 4.5.1.3.1 RECORDS SEARCH

On June 7, 2021, SWCA requested a records search from the Central Coast Information Center (CCIC) of the California Historical Resources Information System (CHRIS), located at the Santa Barbara Museum of Natural History. The records search included any previously recorded cultural resources and investigations within a 0.25-mile radius of the project area.

In addition to official maps and records on file at the CCIC, the following inventories, publications, and technical studies were consulted as part of the record search:

- National Register of Historic Places – Listed Properties
- California Register of Historical Resources
- California Inventory of Historical Resources
- California State Historical Landmarks
- California Points of Historical Interest
- California Office of Historic Preservation Historic Property Directory and Determinations of Eligibility

### Prior Cultural Resources Studies

The CCIC records search data revealed that there are 55 previously conducted cultural resources studies within a 0.25-mile radius of the project area, 14 of which overlap with approximately 90% of the project area (Table 1).

**Table 4.5-1. Previous Cultural Resources Studies within 0.25 Mile of the Project Area**

| CCIC Report Number | Title of Study | Author | Year | Proximity to Study Area* |
|---|---|---|---|---|
| SL-00036 | *Summary Archaeological Report, Nipomo Sewer Project – Clean Water Grant, Project No. C-06-1255* | Spanne, L.W. | 1977 | Outside (within 0.25-mile radius) |
| SL-00335 | *Yeager Property, Sandydale Road* | Dills, C. | 1981 | Outside (within 0.25-mile radius) |

| CCIC Report Number | Title of Study | Author | Year | Proximity to Study Area* |
|---|---|---|---|---|
| SL-00342 | *Archaeological Potential of Proposed Project on Sandydale Road, Nipomo* | Dills, C. | 1981 | Within |
| SL-00362 | *Archaeological Survey of the Miller Property on Willow Road, Nipomo, California* | Hoover, R. | 1982 | Outside (within 0.25-mile radius) |
| SL-00366 | *Archaeological Reconnaissance on Sandydale Road, Near Nipomo, California* | Hoover, R. | 1982 | Outside (within 0.25-mile radius) |
| SL-00373 | *An Archaeological Surface Reconnaissance of the Cannon Property on Sandydale Road, Nipomo* | Hoover, R. | 1982 | Outside (within 0.25-mile radius) |
| SL-00394 | *An Archaeological Survey at the Southeast Corner of Inge and Pomeroy Roads, Nipomo* | Hoover, R. | 1982 | Outside (within 0.25-mile radius) |
| SL-00428 | *Archaeological Evaluation, Arlt Property, Nipomo Mesa* | Hoover, R. | 1981 | Outside (within 0.25-mile radius) |
| SL-00662 | *Letter Report: Archaeological Surface Reconnaissance at 520 Cory Street, Nipomo* | Hoover, R. | 1983 | Outside (within 0.25-mile radius) |
| SL-00670 | *Letter Report: Archaeological Potential of Nipomo Property on Sandydale Road* | Dills, C. | 1977 | Within |
| SL-00702 | *Cultural Resources Survey and Impact Assessment for Tentative Tract No. 1475 in Nipomo, San Luis Obispo County, California* | Singer, C. | 1987 | Outside (within 0.25-mile radius) |
| SL-00703 | *Cultural Resources Survey and Impact Assessment for Tentative Tract No. 1458 in Nipomo, San Luis Obispo County, California* | Singer, C. | 1987 | Outside (within 0.25-mile radius) |
| SL-00704 | *Letter Report: Cultural Resource Survey and Impact Assessment for Tentative Tract 1320 at 710 Pomeroy Road, Nipomo, San Luis Obispo County, California* | Singer, C. | 1985 | Outside (within 0.25-mile radius) |
| SL-00705 | *Letter Report: Archaeological Survey of the Hamilton Property in Nipomo (TPM CO85-058)* | Singer, C. | 1985 | Outside (within 0.25-mile radius) |
| SL-00706 | *Letter Report: Report on Archaeological Survey of Property on Calimex Street in Nipomo (Tentative Parcel Map CO 85-091)* | Spanne L. | 1985 | Outside (within 0.25-mile radius) |
| SL-00708 | *Letter Report: Two-acre Property of Harry Miller* | Hoover, R. | 1984 | Outside (within 0.25-mile radius) |
| SL-00753 | *Archaeological Survey Report for the Proposed Pomeroy Road Improvement Project from Tefft Avenue Northerly to Willow Road* | Hoover, R. | 1987 | Outside (within 0.25-mile radius) |
| SL-00805 | *Archaeological Potential of the Pomeroy Road Project* | Dills, C. | 1988 | Outside (within 0.25-mile radius) |
| SL-00826 | *Archaeological Surface Reconnaissance of the 5.1 Acre Bogunda Parcel, North Camino Caballo, Nipomo* | Sawyer, W. | 1987 | Outside (within 0.25-mile radius) |
| SL-00830 | *Letter Report: Archaeological Potential of Sandy Dale Property* | Dills, C. | 1988 | Outside (within 0.25-mile radius) |

| CCIC Report Number | Title of Study | Author | Year | Proximity to Study Area* |
|---|---|---|---|---|
| SL-00838 | *Letter Report: Archaeological Potential of Draper/Ybarra Properties, Nipomo* | Dills, C. | 1988 | Outside (within 0.25-mile radius) |
| SL-00998 | *Archaeological Surface Reconnaissance of the 13.08 Acre Hernandez Parcel, TPM No. 1713, West Camino Caballo, Nipomo, California* | Sawyer, W. | 1989 | Outside (within 0.25-mile radius) |
| SL-01046 | *Archaeological Surface Reconnaissance of the Five Acre Rogers Parcel, North Camino Caballo, Nipomo, California* | Sawyer, W. | 1989 | Outside (within 0.25-mile radius) |
| SL-01078 | *Archaeological Surface Reconnaissance of the Four Acre Weber/Smith Parcel, Sandy Dale Road, Nipomo, California* | Sawyer, W. | 1986 | Outside (within 0.25-mile radius) |
| SL-01567 | *Archaeological Potential of Project Between Thompson and Hetrick Roads, Nipomo* | Dills, C. | 1990 | Within |
| SL-01735 | *Archaeological Potential of O'Roark Project Near Sandydale and Frontage Road (0690)* | Dills, C. | 1990 | Outside (within 0.25-mile radius) |
| SL-01793 | *Draft Environmental Impact Report: State Water Project, Costal Branch, Phase II and Mission Hills Extension* | Pandora, Snethkamp, Michals, Lauren, and Julia Costella | 1989 | Outside (within 0.25-mile radius) |
| SL-01975 | *Archaeological Potential of Lot Split on Sandydale Road, Nipomo (0767)* | Dills, Charles E. | 1991 | Outside (within 0.25-mile radius) |
| SL-02298 | *Preliminary Cultural Resources Reconnaissance of Two Pipeline Segments in Nipomo and San Luis Obispo, San Luis Obispo County, California* | Runnings, A. and T. Haversat | 1991 | Outside (within 0.25-mile radius) |
| SL-02494 | *Cultural Resource Investigation of the Proposed Water Distribution System for the Summit Station Assessment District, Nipomo Community Services District* | Parker, John | 1993 | Outside (within 0.25-mile radius) |
| SL-02509 | *Results of Archaeological Monitoring for the Unocal Pipeline Replacement Project North of Nipomo, SLO* | Gibson, Robert O. | 1993 | Outside (within 0.25-mile radius) |
| SL-02853 | *Cultural Resource Investigation of the Nix Parcel 832 Calimex Place Nipomo, CA* | Parker, John | 1995 | Outside (within 0.25-mile radius) |
| SL-03254 | *Supplemental Cultural Resources Survey for a Water Line Project in Nipomo Valley, San Luis Obispo County, California* | Singer, Clay | 1997 | Within |
| SL-03516 | *Cultural Resource Investigation of the Reineke Parcel, 857 Calimex Place, Nipomo* | Parker, John | 1998 | Outside (within 0.25-mile radius) |
| SL-03574 | *An Archaeological Surface Survey of the Hesse Nursery, Live Oak Ridge Road, Nipomo Area, San Luis Obispo, County, California* | Conway Thor | 1998 | Outside (within 0.25-mile radius) |
| SL-03633 | *Cultural Resource Monitoring of the Septic System Installation for the Gibbs/Windsor Mobile Home Sales Lot, 325 Frontage Road, Nipomo* | Parker, John | 1999 | Within |
| SL-03672 | *Cultural Resource Investigation of the Gibbs/Windsor Mobile Home Sales Lot, 325 N. Frontage Road, Nipomo* | Parker, John | 1999 | Within |

| CCIC Report Number | Title of Study | Author | Year | Proximity to Study Area* |
|---|---|---|---|---|
| SL-03685 | *Results of Phase One Archaeological Surface Survey and Archival Record Checks for Two Proposed Locations for Lucia Mar Unified School District, Nipomo high School Project, Nipomo, San Luis Obispo County, CA* | Gibson, Robert O. | 1998 | Outside (within 0.25-mile radius) |
| SL-03802 | *Cultural Resource Investigation of the Ellis Parcel 536 Pomeroy Road, Nipomo APN 091-325-002* | Parker, John | 1999 | Outside (within 0.25-mile radius) |
| SL-04309 | *Phase 1 Archaeological Survey of 738 Pomeroy Road, Nipomo, San Luis Obispo County* | Conway, Thor | 2001 | Outside (within 0.25-mile radius) |
| SL-04352 | *Inventory and Assessment of Cultural Resources for the Willow Road Extension Project, Nipomo Mesa, San Luis Obispo County, CA* | Gibson, Robert O. and Jeff A. Parson | 1997 | Within |
| SL-04353 | *Archaeological Inventory and Assessment of Cultural Resources for the Willow Road Extension Project, Nipomo, San Luis Obispo County, CA* | Gibson, Robert O. | 1996 | Within |
| SL-04405 | *Result of Phase One Surface Survey for the 42 Acre Mehlschau Parcel at Hetrick Road and Willow Road, West of Highway 101, Nipomo, San Luis Obispo County, CA* | Gibson, Robert O. | 2001 | Outside (within 0.25-mile radius) |
| SL-04564 | *Cultural Resources Inventory of the Nipomo Native Garden Corner of Camino Caballo and Pomeroy Avenue, Nipomo, CA* | Bertrando, E. | 2001 | Outside (within 0.25-mile radius) |
| SL-05082 | *Positive Archaeological Survey Report for the Willow Road Extension Project, County of San Luis Obispo, California* | Pletka, Scott and Nicole Pletka | 2003 | Within |
| SL-05127 | *A Phase I Archaeological Surface Survey at 884 Calimex Place, Nipomo, San Luis Obispo County* | Conway, Thor | 2004 | Outside (within 0.25-mile radius) |
| SL-05286 | *Archaeological Survey Report Willow Road Extension Project City of Nipomo, County of San Luis Obispo, California* | Pletka, Scott and Nicole Pletka | 2003 | Within |
| SL-05287 | *Archaeological Survey Report: Willow Road/US 101 Interchange Project City of Nipomo, County of San Luis Obispo, California* | Pletka, Scott and Nicole Pletka | 2003 | Within |
| SL-05416 | *A Phase I Archaeological Survey of the Centner Center Property, Sandydale Drive, Nipomo, San Luis Obispo County* | Conway, Thor | 2004 | Within |
| SL-05878 | *Results of Archaeological Monitoring at the Southwest Corner of North Frontage Road and Sandydale Road in Nipomo, San Luis Obispo County, CA* | Gibson, Robert O. | 1983 | Outside (within 0.25-mile radius) |
| SL-06067 | *Supplementary Phase I Survey and Archaeological Evaluation (Phase II) Report, Willow Road Extension Project Community of Nipomo, County of San Luis Obispo, California, CA-SLO-1767, CA-SLO-2271, P-40-038219, P-40-038220, LSA-RAJ334-I-5, and LSA-RAJ334-I-6* | Strudwick, Ivan H. Pletka Scott, and Nicole Pletka | 2005 | Within |
| SL-06184 | *Results of an Archival Records Review and Phase One Archaeological Surface Survey On About a 16 Acre Portion of a Parcel (APN# 091-301-061), at 660 Cherokee Place Nipomo Mesa, Arroyo Grande, CA* | Gibson, Robert O. | 2006 | Within |
| SL-06220 | *A Phase I Archaeological Surface Survey at 526 North Oakglen, Nipomo, San Luis Obispo County* | Conway, Thor | 2007 | Outside (within 0.25-mile radius) |

| CCIC Report Number | Title of Study | Author | Year | Proximity to Study Area* |
|---|---|---|---|---|
| SL-06506 | *Willow Road Extension Phase 1, Nipomo, California, San Luis Obispo County, California* | Price, Barry A. | 2009 | Outside (within 0.25-mile radius) |
| SR-02740 | *Final Report of Archaeological Investigations for Reaches 5B and 6, Coastal Branch Aqueduct, Phase II* | Lebow, C., et al., and Applied Earthworks | 2001 | Outside (within 0.25-mile radius) |

* The project area expanded after the records search was submitted and some studies that were mapped by the CCIC as outside the project area are now "Within."

## Previously Recorded Cultural Resources

The CCIC records search data revealed that 13 previously identified cultural resources are within a 0.25-mile radius, three of which (P-40-002132, P-40-002271, and P-40-002273) overlap with the Specific Plan Area (Table 4.5-2). Further review of Gibson's site forms for P-40-2132 reveal mention of an additional resource (P-40-001053) located approximately 200 meters from P-40-002132. This resource, however, although purportedly within the Specific Plan Area, was not included in the CCIC's records search results. Subsequent to the receipt of the records search results, SWCA obtained a copy of the site forms for P-40-001053, which as plotted by the CCIC, is actually 0.5 mile east of the project area on the opposite side of US 101. Review of the site forms places this resource in the current location of P-40-002273; therefore, it is possible P-40-00-1053 and P-40-002273 are the same resource. For the purposes of this document, temporary site designations have been assigned where appropriate.

**Table 4.5-2. Previously Recorded Cultural Resources within 0.25 Mile of the Project Area**

| Primary Number | Trinomial | Resource Description | NRHP Eligibility Status | Recorded By and Year | Proximity to Study Area |
|---|---|---|---|---|---|
| P-40-001319 | CA-SLO-1319H | Historic: Road | Unknown/ Not Evaluated | Jim Schmidt and John Patton (1989) | Outside (within 0.25-mile radius) |
| P-40-001417 | CA-SLO1417 | Prehistoric: Lithic scatter; habitation debris | Unknown/ Not Evaluated | Charles E. Dills and Jamie Karl (1985) | Outside (within 0.25-mile radius) |
| P-40-001620 | CA-SLO-1620 | Prehistoric: Lithic scatter; habitation debris | Unknown/ Not Evaluated | R.O. Gibson, Mark Vigil (1993) | Outside (within 0.25-mile radius) |
| P-40-002131 | CA-SLO-2131 | Prehistoric: Lithic scatter; hearth/pit | Unknown/ Not Evaluated | R.O. Gibson (1997) | Outside (within 0.25-mile radius) |
| P-40-002132 | CA-SLO-2132 | Prehistoric: Lithic scatter; hearth/pit | Unknown/ Not Evaluated | R.O. Gibson (1997) | Within |
| P-40-002133 | CA-SLO-2133 | Prehistoric: Lithic scatter; hearth/pit | Unknown/ Not Evaluated | R.O. Gibson (1997) | Outside (within 0.25-mile radius) |
| P-40-002150 | CA-SLO-2150 | Prehistoric: Habitation debris | Unknown/ Not Evaluated | R.O. Gibson (2001) | Outside (within 0.25-mile radius) |
| P-40-002271 | CA-SLO-2271 | Prehistoric: Unknown | Unknown/ Not Evaluated | Nicole and Scott Pletka (2003) | Within |
| P-40-002273 | CA-SLO-2273 | Prehistoric: Lithic scatter | Unknown/ Not Evaluated | Nicole and Scott Pletka (2003) | Within* |

| Primary Number | Trinomial | Resource Description | NRHP Eligibility Status | Recorded By and Year | Proximity to Study Area |
|---|---|---|---|---|---|
| P-40-002276 | CA-SLO-2276 | Prehistoric: Isolated shell fragment | Unknown/ Not Evaluated | Nicole and Scott Pletka (2003) | Outside (within 0.25-mile radius) |
| P-40-038218 | - | Prehistoric: Isolated shell fragment | Unknown/ Not Evaluated | Nicole and Scott Pletka (2003) | Outside (within 0.25-mile radius) |
| P-40-038219 | - | Prehistoric: Isolated shell fragment | Unknown/ Not Evaluated | Nicole and Scott Pletka (2003) | Outside (within 0.25-mile radius) |
| P-40-038220 | - | Prehistoric: Isolated retouched chert flake | Unknown/ Not Evaluated | Nicole and Scott Pletka (2003) | Outside (within 0.25-mile radius) |

Note: NRHP = National Register of Historic Places

* The project area expanded after the records search was submitted and although CA-SLO-2273 was mapped as outside the project area, it is now "Within."

### *P-40-002132*

Prehistoric archaeological resource P-40-002132 was originally recorded by Robert Gibson in 1997. When originally recorded, the site consisted of a low-density lithic scatter of Monterey chert, two chert cores, one denticulate scraper, and weathered and burnt marine shell fragments. A second concentration was identified between the resource and US 101 and was designated as Locus B. In 2005 Gibson revisited the resource and subsurface testing was conducted within Locus A. Testing within Locus B was not conducted at the time due to objections by the property owner. Six shovel test pits (STPs) and one 1- by 1-meter test unit were excavated within Locus A. All STPs were excavated to 80 to 100 centimeters below the surface (cmbs) and augered to a total depth of 200 cmbs, while the test unit was excavated to a depth of 100 cmbs. Of the six STPs excavated, three yielded cultural materials and the excavation unit yielded 10 chert flakes, 10 fragments of mammal bone, and carbon spotting in the 40 to 80 cmbs level.

### *P-40-002271*

Archaeological resource P-40-002271 was originally recorded in 2003 by LSA Associates. When originally recorded, the site consisted of a sparse scatter of Pismo clam (*Tivela stultorum*) shell fragments adjacent to Willow Road. As no diagnostic artifacts were present at the time of recording, the age of the resource could not be determined; however, this resource is undoubtedly historic in nature. Historic-era Pismo clam scatters are common to the area.

### *P-40-002273*

Prehistoric archaeological resource P-40-002273 was originally recorded in 2003 by LSA Associates. When originally recorded, the resource consisted of a sparse lithic scatter of Monterey chert flakes and one biface preform fragment. Additionally, one retouched flake fragment was identified within the site boundary. No features, fire affected rock, or cultural soil were identified at the time of recordation.

## 4.5.1.3.2 NATIVE AMERICAN COORDINATION

SWCA contacted the California Native American Heritage Commission (NAHC) by email on July 8, 2021, requesting a review of the Sacred Lands File. The NAHC responded on July 29, 2021, indicating that the results of the search were positive. No additional information was provided regarding the positive results. The NAHC also provided a list of 11 Native American groups or representatives and recommended contacting each for any information they may have regarding cultural or tribal resources in

the project area. Tribal consultation is described in detail in Section 4.18, *Tribal Cultural Resources*, of this EIR.

#### 4.5.1.3.3 FIELD SURVEY

SWCA Archaeologists Morgan Bird, Tom Wheeler, and Leroy Laurie conducted an intensive pedestrian survey between July 1 and 9, 2021, using transects spaced no more than 15 meters apart over the entire Specific Plan Area, as well as the off-site location of the proposed extension of North Frontage Road to connect to the southeastern corner of the Specific Plan Area. The entire area surveyed was accessible and surface visibility was variable, ranging from poor (0%–25%) to excellent (75%–100%). In areas of diminished surface visibility, particular attention was paid to exposed rodent burrows and spoils. Overall surface visibility was sufficient for the identification of resources.

All areas of exposed ground surface were examined for prehistoric artifacts (e.g., chipped stone tools and production debris, stone milling tools), historic artifacts (e.g., metal, glass, ceramics), soil discoloration that might indicate the presence of a cultural midden, linear features, soil depressions, and other features indicative of the former presence of historic structures or buildings (e.g., foundations).

### Survey Results

The pedestrian survey relocated two (P-40-002132 and P-40-002273) of the three previously documented resources within the Specific Plan Area. Archaeological resource P-40-002271 was not relocated. Its documented location is within an area of dense vegetation growth and the resource was potentially destroyed during the construction of Willow Road. In addition, the survey identified a resource in the purported location of Gibson's mention of P-40-001053, which, as discussed above, is plotted incorrectly by the CCIC and is possibly in the same location as P-40-002273. For the purposes of this report, the resource was assigned the new temporary designation DR-001.

#### 4.5.1.3.4 EXTENDED PHASE 1

At DR-001, P-40-002132, P-002273, and within areas of identified isolated artifacts throughout the project area, 30-cm-diamterer STPs were excavated in arbitrary 20-cm levels. All excavated sediments were screened through 1/8-inch hardware cloth (mesh), and screened soil was observed for evidence of intact archaeological features, artifact concentrations, human remains, or unique isolated finds. If cultural materials were present at 80 cmbs, an auger was excavated until two sterile levels had been identified.

All cultural materials were quantified, weighed, described in the field, and backfilled into their respective STPs along with the screened soils. No collection, curation, or laboratory analyses of recovered cultural materials were included in the XPI.

### Extended Phase I Results

A total of 185 STPs were excavated within the three general site areas and immediate vicinity. The results indicate the majority of the resources' extent are limited to very low densities of surface artifacts. Subsurface deposits, which indicate more focused use or occupation, were noted within each resource, but were confined to much smaller areas. The boundaries of P-40-002132 and P-40-002273 were refined as a result of the XPI.

#### 4.5.1.3.5 DISCUSSION

The pedestrian survey of the project area revealed surface evidence of two previously documented resources (P-40-002132 and P-40-002273) and one newly identified resource (DR-001). The resource

types identified (lithic scatters with limited quantities of formal artifact and ecofacts) are common along this corridor of Nipomo Creek and along the Nipomo Mesa. The sprawling nature of low-density surface scatters of non-diagnostic lithic artifacts presents challenges when determining a resource's physical boundary. One goal of the XPI was to attempt to refine the known extent of previously documented resources and to define the extent of new resources, both vertically and horizontally. Another goal was to determine if each resource contained areas of concentrated subsurface deposits that could potentially educate future study to determine resource significance and/or identify areas that should be avoided by future project activities.

The vast majority of STPs were negative in areas with low densities of surface artifacts and subsurface deposits were confined within each resource in much smaller areas. This indicates the areas with the most potential to yield important information are confined to the areas with higher artifact concentrations and the presence of subsurface materials.

## 4.5.2 Regulatory Setting

### *4.5.2.1 Federal*

There are no federal regulations related to cultural resources applicable to the project.

### *4.5.2.2 State*

CEQA requires a lead agency (in this case the County) to determine whether a project may have a significant effect on historical resources. Sections 21083.2 and 21084.1 of the Statutes of CEQA, PRC Section 5024.1, and Section 15064.5 of the State CEQA Guidelines were used as the guidelines for the cultural resources study. PRC Section 5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for California Register of Historical Resources (CRHR) eligibility. The purpose of the CRHR is to maintain listings of the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change. The term "historical resources" includes a resource listed in, or determined to be eligible for listing in, the CRHR; a resource included in a local register of historical resources; and any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (State CEQA Guidelines Section 15064.5(a)). The criteria for listing properties in the CRHR were expressly developed in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP).

According to PRC Section 5024.1(c)(1–4), a resource may be considered historically significant if it retains integrity and meets at least one of the following criteria. A property may be listed in the CRHR if the resource:

(1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(2) Is associated with the lives of persons important in our past;

(3) Embodies the distinctive characteristics of a type, period, region or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or

(4) Has yielded, or may be likely to yield, information important in prehistory or history.

Under CEQA, if an archaeological site is not a historical resource but meets the definition of a "unique archeological resource" as defined in PRC Section 21083.2, then it should be treated in accordance with the provisions of that section. A unique archaeological resource is defined as:

> An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:
>
> (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
>
> (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
>
> (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Resources that neither meet any of these criteria for listing on the CRHR nor qualify as a unique archaeological resource under CEQA PRC Section 21083.2 are viewed as not significant. Under CEQA, "A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects" (PRC Section 21083.2(h)).

Impacts that adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. Impacts to historical resources from the proposed project are thus considered significant if the project physically destroys or damages all or part of a resource, changes the character of the use of the resource or physical feature within the setting of the resource that contributes to its significance, or introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

#### 4.5.2.2.1 CALIFORNIA HISTORICAL LANDMARKS

California Historical Landmarks (CHLs) are buildings, structures, sites, or places that have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value and that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The resource also must be approved for designation by the County Board of Supervisors (or the city or town council in whose jurisdiction it is located), be recommended by the State Historical Resources Commission, and be officially designated by the Director of the California Department of Parks and Recreation (DPR). The specific standards now in use were first applied in the designation of CHL #770; CHLs #770 and above are automatically listed in the CRHR.

To be eligible for designation as a landmark, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type in the state or within a large geographic region (northern, central, or southern California);
- It is associated with an individual or group having a profound influence on the history of California; or
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer, or master builder.

#### 4.5.2.2.2 CALIFORNIA POINTS OF HISTORICAL INTEREST

California Points of Historical Interest are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. Points of historical interest designated after December 1997 and recommended by the State Historical Resources Commission are also listed in the CRHR. No historic resource may be designated as both a landmark and a point. If a point is later granted status as a landmark, the point designation will be retired. In practice, the point designation program is most often used in localities that do not have a locally enacted cultural heritage or preservation ordinance.

To be eligible for designation as a point of historical interest, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type within the local geographic region (city or county);
- It is associated with an individual or group having a profound influence on the history of the local area; or
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in the local region of a pioneer architect, designer, or master builder.

#### 4.5.2.2.3 CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION

PRC Section 5097.91 established the NAHC, whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. PRC Section 5097.98 specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

#### 4.5.2.2.4 CALIFORNIA PUBLIC RECORDS ACT

Sections 6254(r) and 6254.10 of the California Public Records Act, within the California Government Code, were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission." Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports, maintained by, or in the possession of the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the NAHC, another State agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a State or local agency."

#### 4.5.2.2.5 CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 7050 AND 7052

HSC Section 7050.5 declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the County Coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

#### 4.5.2.2.6 CALIFORNIA PENAL CODE SECTION 622.5

California Penal Code Section 622.5 provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands, but specifically excludes the landowner.

#### 4.5.2.2.7 CALIFORNIA PUBLIC RESOURCES CODE SECTION 5097.5

PRC Section 5097.5 defines as a misdemeanor the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands.

### *4.5.2.3 Local*

#### 4.5.2.3.1 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

The County has a vital interest in preserving its many older buildings, and prehistoric and historic sites, which not only represent the heritage of San Luis Obispo County, but also help define the character of the region today. The LUO (Title 22 of the County Code) dictates the following regarding archaeological resources:

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

- Construction activities shall cease, and the County Environmental Coordinator shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator so proper disposition may be accomplished. If the remains are determined to be Native American, then the County Coroner must notify the Native American Heritage Commission within 24 hours.

### *4.5.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Cultural Resources*

Table 4.5-3 lists applicable state, regional, and local land use policies and regulations pertaining to cultural resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Chapter 3, *Environmental Setting*. Also included in Table 4.5-3 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.5.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

## Table 4.5-3. Preliminary Policy Consistency Evaluation

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Conservation and Open Space Element** | | |
| **Policy CR 1.1 Cultural identity.** Establish and support programs that enhance the county's sense of community and identity, such as the collection of oral histories, cultural and genealogical research, and the acquisition of collections of historic artifacts, documents, and memorabilia relevant to the history of the county. | The intent of this policy is to support and enhance the County's sense of community and identity. | **Potentially Consistent.** The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community of Nipomo. Further, mitigation has been included to ensure implementation of the project does not result in adverse effects to known or unknown archaeological, historical, and tribal cultural resources. |
| **Policy CR 2.3 Living resources**. Preserve historic sites and buildings and recognize cultural and archaeological resources as "living resources" that are part of a continuing culture. | The intent of this policy is to preserve historic sites and buildings. | **Potentially Consistent.** The Specific Plan Area does not contain significant historic resources; however, off-site improvements have the potential to result in disturbance to off-site historic resources if present within proposed improvement areas. Mitigation has been included to reduce these impacts accordingly. The project site contains known cultural resources that could be adversely affected during construction activities. However, mitigation has been identified to ensure the avoidance of known cultural resource sites and protection of unknown cultural resources during project construction. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community. |
| **Policy CR 3.1 Historic preservation.** The County will provide for the identification, protection, enhancement, perpetuation, and use of features that reflect the County's historical, architectural, Native American, archaeological, cultural, and aesthetic heritage. | The intent of this policy is to preserve archaeological, historical, and tribal cultural resources. | **Potentially Consistent.** The Specific Plan Area does not contain any structures that could be considered significant historic resources; however, off-site improvements have the potential to result in disturbance to off-site historic resources if present within proposed improvement areas. Mitigation has been included to reduce these impacts accordingly. The project site contains known cultural resources that could be adversely affected during construction activities. However, mitigation has been identified to ensure the avoidance of known cultural resource sites and protection of unknown cultural resources during project construction. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community. |
| **Policy CR 4.2 Protection of Native American cultural sites.** Ensure protection of archaeological sites that are culturally significant to Native Americans, even if they have lost their scientific or archaeological integrity through previous disturbance. Protect sites that have religious or spiritual value, even if no artifacts are present. Protect sites that contain artifacts, which may have intrinsic value, even though their archaeological context has been disturbed. | The intent of this policy is to ensure protection of archaeological sites that are culturally significant to Native Americans. | **Potentially Consistent.** In accordance with AB 52, tribal consultation with appropriate tribes was conducted for the proposed project. Mitigation has been identified to ensure the avoidance of known cultural resource sites and protection of unknown cultural and tribal cultural resources, including unidentified human remains, during project construction. In addition, Section 4.18, *Tribal Cultural Resources*, includes additional mitigation for protection of tribal cultural resources. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy CR 4.3 Cultural resources and open space.** The county supports the concept of cultural landscapes and the protection and preservation of archaeological or historical resources as open space or parkland on public or private lands. | The intent of this policy is to preserve cultural resources as open space or parkland. | **Potentially Consistent.** The DRSP includes site design and layout of the property intended to avoid the known cultural resources site and retain culturally sensitive areas in designated open space land. |
| **Policy CR 4.4 Development activities and archaeological sites.** Protect archaeological and culturally sensitive sites from the effects of development by avoiding disturbance where feasible. Avoid archaeological resources as the primary method of protection. | The intent of this policy is to ensure avoidance of known cultural resources. | **Potentially Consistent.** The project site contains known cultural resources that could be adversely affected during construction activities. The project has been designed to avoid known sites to the extent feasible. Mitigation has also been identified to ensure the avoidance and minimization of known and previously unknown culturally sensitive areas during project construction and operation. |
| **Policy OS 1.1 Future open space protection.** Continue to identify and protect open space resources with the following characteristics:<br>• Recreation areas<br>• Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities, significant marine resources<br>• Archaeological, cultural, and historical resources<br>• Scenic areas<br>• Hazard area<br>• Rural character | The intent of this policy is to preserve and protect cultural resources within open space areas. | **Potentially Consistent.** The project site contains known cultural resources that could be adversely affected during construction activities. The project has been designed to avoid known sites to the extent feasible. Mitigation has also been identified to ensure the avoidance and minimization of known and previously unknown cultural resource sites during project construction and operation. |

## 4.5.3 Thresholds of Significance

CEQA guides lead agencies to protect and preserve resources with cultural, historic, scientific, or educational value. State CEQA Guidelines Section 15064.5 provides significance threshold criteria for determining a substantial adverse change to the significance of a cultural resource. In addition, Appendix G of the CEQA Guidelines provides additional guidance in determining a project's impact on cultural resources. The information provided in the CEQA guidelines has been used to develop the significance criteria for cultural resources. The project would be considered to have a significant effect on cultural resources if the effects exceed the significance criteria described below:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

c. Disturb any human remains, including those interred outside of dedicated cemeteries.

Each of these thresholds is discussed under Section 4.4.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.5.4 Impact Assessment and Methodology

No historic structures or buildings are present within the project area; as such, this section focuses on impacts to archaeological resources. When a project will impact an archaeological site, the lead agency must first determine whether the site is an historical resource. A substantial adverse change in the significance of a historical resource would occur if the project results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resources would be materially impaired. The significance of a historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and justify its inclusion in, or eligibility for, inclusion in the CRHR;
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to PRC Section 5020.1(k) or its identification in a historical resources survey meeting the requirements of PRC Section 5024.1(g), unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and justify its eligibility for inclusion in the CRHR as determined by a lead agency for the purposes of CEQA.

Based on the results of the XPI, the County is assuming for the purposes of this project that DR-001, P-40-002132, and P-40-2273 are CRHR-eligible under Criterion D (*Has yielded, or may be likely to yield, information important in prehistory or history*). As such, for the purposes of this project, these archaeological resources (DR-001, P-40-002132, and P-40-2273) are considered historical resources under CEQA. Archaeological resource P-40-2271, as recorded, consists of a scatter of 11 “legal size” Pismo clam fragments. The size of the fragments indicates they are historic in nature and, due to the lack of context and data potential, are not considered either a unique archaeological resource or a historical resource. This resource is not CRHR-eligible and warrants no further consideration under CEQA.

## 4.5.5 Project-Specific Impacts and Mitigation Measures

Project-specific impacts include direct and indirect impacts. Direct impacts result from land modification directly and immediately caused by the construction, landscaping, operation, or maintenance of the proposed development. Indirect impacts also occur as a result of a specific project, but do not result from intentional ground disturbance. Common indirect impacts include erosion, vibration, unauthorized artifact collecting, and vandalism. As currently planned, the proposed project entails ground-disturbing construction activities during future construction phases. The remainder of this section discusses the potential impacts to cultural resources from the construction and occupation of the proposed development and related off-site improvements.

Because off-site improvements have not been designed and their precise location is not currently known, they are being evaluated at a programmatic level in this EIR. Subsequent environmental review of these improvements, if necessary, would be required as described in Mitigation Measures CR/mm-2.1 through CR/mm-2.4.

## WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE PURSUANT TO SECTION 15064.5?

### Specific Plan Area

The Specific Plan Area encompasses approximately 288 acres of undeveloped land and there are no previously constructed buildings or structures within the site that could be eligible for listing as a historical resource. In addition, no historic resources have been identified within the surrounding area. A significant impact to historical resources could occur if there was potential for the proposed project to involve the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Since there are no historic resources or structures located within the DRSP or surrounding areas, future buildout of the Specific Plan Area would not require demolition, destruction, relocation, or alteration of any historical resources or structures. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource and *no impact* would occur.

### Off-Site Improvements

#### *CR Impact 1: Off-site improvements could result in adverse effects to historical resources. Impacts would be less than significant with mitigation (Class II).*

The exact location of proposed off-site transportation improvements and NCSD water system and wastewater system improvements is currently not known; however, proposed off-site improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue, East Tefft Street, North Frontage Road, Pomeroy Road, Willow Road, and Hetrick Avenue (among others; see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). As previously described, a significant impact to historical resources could occur if there was potential for the proposed project to involve the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

Proposed off-site improvements would include installation of water, wastewater, and transportation infrastructure within previously developed roadways and other disturbed areas and would be installed at or below ground level. As a result, construction of off-site improvements would not be expected to require demolition, destruction, relocation, or alteration of any buildings or other structures. However, because off-site improvements have not been designed and their precise location is not currently known, they are being evaluated at a programmatic level. In order to ensure avoidance and minimization of impacts to historical resources, programmatic mitigation measures have been included to identify, evaluate, and mitigate potential impacts. Mitigation Measure CR/mm-1.1 has been included to ensure avoidance and minimization of impacts to historical resources during installation of off-site improvements. With implementation of identified mitigation, impacts would be *less than significant with mitigation*.

| **CR Impact 1 (Class II)** | |
|---|---|
| Off-site improvements could result in adverse effects to historical resources. | |
| ***Mitigation Measures*** | |
| *CR/mm-1.1* | ***Historical Resources Evaluation.*** *Prior to development of off-site improvements, a qualified architectural historian will conduct a review to determine the presence of historical resources and/or the potential for the improvements to affect historical resources and prepare a report that details the evaluation methodology, findings, and recommended mitigation measures to avoid and/or minimize potential impacts. The report shall be submitted to the Nipomo Community* |

| CR Impact 1 (Class II) |
|---|
| *Services District for implementation and to the County of San Luis Obispo Planning and Building Department for verification of compliance with this measure.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measure CR/mm-1.1, impacts to off-site historical resources would be considered less than significant (Class II).* |

## WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO SECTION 15064.5?

### Specific Plan Area

### *CR Impact 2: Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of known archaeological resources P-40-002132, P-40-002273, and DR-001. Impacts would be less than significant with mitigation (Class II).*

As described in Section 4.5.1, *Existing Conditions*, the Specific Plan Area contains two previously documented resources (P-40-002132 and P-40-002273) and one newly identified resource (DR-001). The specific grading and construction plan for future buildout of the Specific Plan Area is currently not known; however, the conceptual master development plan for the DRSP indicates that buildout of commercial, residential, and recreational land uses would occur over 82.7% of the 288-acre site and the remaining 17.3% of the site would be retained as open space (see Figure 2-9 in Chapter 2, *Project Description*). Therefore, it would be reasonably assumed that future ground-disturbing activities would encompass approximately 238.2 acres of the Specific Plan Area. As a result, proposed development of the Specific Plan Area has the potential to directly impact significant prehistoric archaeological resources (P-40-02132, P-40-002273, and DR-001). The results of the XPI revealed that the surface distribution of each resource is significantly larger than the portions of each that contain subsurface deposits and higher artifact and ecofact densities. As the surface components of P-40-002132, P-40-002273, and DR-001 lack the potential to yield important data (i.e., Criterion D), proposed mitigation measures are focused on the portions of the resources that contain subsurface deposits with the most data potential.

The conceptual site design and layout of the Specific Plan Area have been designed to integrate and retain the known cultural resources site and culturally sensitive areas in designated open space land, which would avoid disturbance to identified resources. Mitigation Measures CR/mm-2.1 and CR/mm-2.2 have been included to further ensure avoidance of known cultural resource sites and culturally sensitive areas present within the Specific Plan Area. Based on the extent of future buildout and associated ground-disturbing activities, there is potential for inadvertent discovery of unknown cultural resource sites if present within the Specific Plan Area. Mitigation Measure CR/mm-2.3 has been identified to ensure protection of unknown cultural resources through implementation of avoidance and minimization measures in the event of inadvertent discovery. Further, Mitigation Measure CR/mm-2.4 has been identified to require worker awareness training to ensure construction workers and other project personnel are made aware of known cultural resources, the potential for inadvertent discovery of unknown cultural resources, and the proper protocol to be implemented if cultural resources are encountered during construction activities. Implementation of the identified mitigation measures would ensure avoidance and minimization of impacts to known and unknown cultural resource sites. Based on the proposed site design

and implementation of identified mitigation measures, future buildout of the project site would not result in a substantial adverse change in the significance of known or unknown cultural resources within the Specific Plan Area. Therefore, impacts would be *less than significant with mitigation*.

| **CR Impact 2 (Class II)** | |
|---|---|
| Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of known archaeological resources P 40 002132, P-40-002273, and DR-001 | |
| ***Mitigation Measures*** | |
| *CR/mm-2.1* | ***Environmentally Sensitive Areas.*** *The Extended Phase I study identified areas within each resource that contain subsurface deposits, which have higher potential to yield important information. Although abundant within the project area, non-diagnostic surface artifacts generally lack significant data potential. As such, the localized portions of each respective resource that contain evidence of subsurface deposits shall be avoided.*<br><br>*These areas shall be labeled as Environmentally Sensitive Areas on construction plans for initial site preparation and infrastructure establishment, as well as construction plans for all future phases of the project. Highly visible temporary construction fencing shall be installed along the boundary and shall remain in place during initial ground disturbance. To the greatest extent feasible, no ground disturbance, construction worker foot traffic, storage of materials, or storage or use of equipment shall occur within 50 feet of the Environmentally Sensitive Areas. If an Environmentally Sensitive Area will be accessible by occupants or visitors to the development, the Environmentally Sensitive Area shall be clearly marked, and designated trails will be established to ensure that no future impacts to the Environmentally Sensitive Areas occur as a result of the project. Where feasible, native vegetation shall be planted and maintained in a way that protects off-trail activity within the Environmentally Sensitive Area(s) and minimizes impacts from planting, irrigation, and use for the life of the project.* |
| *CR/mm-2.2* | ***Data Recovery Plan.*** *If a resource cannot be protected and avoided as an Environmentally Sensitive Area as described in CR/mm-2.1, the applicant shall retain a County of San Luis Obispo-qualified archaeologist to conduct and implement resource-specific data recovery prior to initial site preparation and infrastructure establishment, as well as prior to construction of all future phases of the project occurring within 50 feet of an Environmentally Sensitive Area. Prior to implementation of data recovery, a County-qualified archaeologist shall prepare a Data Recovery Plan outlining the goals and methods for conducting and reporting on the work. The Data Recovery Plan will include, but not be limited to:*<br><br>*1. Research design;*<br>*2. Excavation methodology;*<br>*3. Curation or repatriation plan;*<br>*4. Treatment of human remains;*<br>*5. Proposed sample size;*<br>*6. Proposed excavation locations; and*<br>*7. Coordination with local tribal groups.*<br><br>*The Data Recovery Plan will be tailored to the level of physical disturbance at each resource (if any). As the full extent of proposed disturbance cannot be determined at this time, it is not practical to include the preparation of the Data Recovery Plan as part of this Environmental Impact Report. The Data Recovery Plan will be prepared in direct coordination with local tribal groups and shall be submitted to the County of San Luis Obispo Planning and Building Department for review and approval.* |

| **CR Impact 2 (Class II)** | |
|---|---|
| *CR/mm-2.3* | ***Cultural Resources Protection Plan.*** *In addition to the resource-specific Data Recovery program, a County of San Luis Obispo -qualified archaeologist shall prepare a Cultural Resources Protection Plan to ensure impacts to unknown resources are avoided or minimized during all future phases of the project, including off-site improvements. The Cultural Resources Protection Plan shall include, but not be limited to, the following provisions:*<br>1. *List of personnel involved in the observation and oversight activities;*<br>2. *Description of how monitoring will occur;*<br>3. *Description of frequency of monitoring (e.g., full-time, part time, spot checking);*<br>4. *Description of what resources are expected to be encountered;*<br>5. *Description of circumstances that would result in the halting of work at the project site (e.g., what is considered significant archaeological resources?);*<br>6. *Description of procedures for halting work on the site and notification procedures;*<br>7. *Description of reporting procedures; and*<br>8. *Consultation with appropriate Chumash tribal representatives.*<br>*The Cultural Resources Protection Plan shall outline how and when archaeological and/or tribal monitoring may occur during initial project activities. The intent of the Cultural Resources Protection Plan is to ensure avoidance of adverse impacts to resources protected as Environmentally Sensitive Areas and to ensure proper treatment in the case unknown resources are inadvertently discovered during project implementation.* |
| *CR/mm-2.4* | ***Worker Awareness Training.*** *Prior to construction activities, the applicant shall have a County of San Luis Obispo-qualified archaeologist and a tribal representative conduct a cultural resources training for all construction personnel, including the following:*<br>1. *Review the types of archaeological artifacts that may be uncovered;*<br>2. *Provide examples of common archaeological artifacts to examine;*<br>3. *Review what makes an archaeological resource significant to archaeologists and local Native Americans;*<br>4. *Describe procedures for notifying involved or interested parties in case of a new discovery;*<br>5. *Describe reporting requirements and responsibilities of construction personnel;*<br>6. *Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and,*<br>7. *Describe procedures that would be followed in the case of discovery of disturbed and/or intact human burials and burial-associated artifacts.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures CR/mm-2.1 through CR/mm-2.4, impacts to known resources would be considered less than significant (Class II).* | |

## Off-Site Improvements

### *CR Impact 3: Off-site improvements could result in adverse effects to archaeological resources. Impacts would be less than significant with mitigation (Class II).*

The exact location of proposed off-site transportation improvements and NCSD water system and wastewater system improvements is currently not known; however, proposed off-site improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue, East Tefft Street, North Frontage Road, Pomeroy Road, and Willow Road (among

others; see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). A potentially significant impact could occur if proposed ground-disturbing activities were to disturb known or unknown cultural archaeological resources if present within the proposed disturbance area.

Proposed off-site improvements would include installation of water, wastewater, and transportation infrastructure within previously developed roadways, disturbed road shoulder areas within public ROW, and existing NCSD facilities (e.g., Southland WWTF), which would reduce the potential to uncover previously unidentified resources. However, based on required ground-disturbing activities for installation of off-site improvements and the archaeological sensitivity of the Nipomo area, there would still be potential to encounter cultural archaeological resources if present within the proposed disturbance areas. Because off-site improvements have not been designed and their precise location, construction techniques, etc. are not currently known, potential impacts are being evaluated at a programmatic level. In order to ensure avoidance and minimization of impacts to historical resources, programmatic mitigation measures have been included to identify, evaluate, and mitigate potential impacts. Mitigation Measures CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1 have been included to ensure avoidance and minimization of impacts to cultural archaeological resources during installation of off-site improvements. Therefore, impacts would be *less than significant with mitigation*.

| **CR Impact 3 (Class II)** | |
|---|---|
| Off-site improvements may result in adverse effects to archaeological resources. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures CR/mm-2.3 and CR/mm-2.4.* | |
| *CR/mm-3.1* | ***Retain Archaeologist.*** *Prior to development of off-site improvements, a County of San Luis Obispo-qualified archaeologist shall be retained by the applicant to conduct a review of California Historical Resources Information System records search data to determine the presence of known resources and determine if the off-site improvement areas have been previously subject to archaeological study, and whether the study adequately addresses the potential for archaeological resources to occur within the disturbance area associated with implementation of the project.*<br><br>*If it is determined a study has not been conducted or existing research does not meet California Environmental Quality Act requirements for the identification and treatment of California Register of Historical Resources-eligible resources, a new study shall be conducted. The study shall identify archaeological resources that have the potential to be impacted by future development and provide mitigation measures to avoid and/or minimize potential impacts. Additional tasks, such as Native American coordination, Phase II archaeological testing, Phase III data recovery, and historic research, shall be conducted as necessary. The study shall identify cultural resources that have the potential to be impacted by future development and identify resource-specific mitigation measures to avoid and/or minimize potential impacts. The study shall be submitted to the County of San Luis Obispo Planning and Building Department prior to initiation of site preparation for off-site improvements.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1, impacts to off-site archaeological resources would be less than significant (Class II).* | |

## WOULD THE PROJECT DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF DEDICATED CEMETERIES?

### Specific Plan Area

#### *CR Impact 4: Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of unknown human remains. Impacts would be less than significant with mitigation (Class II).*

Background review and pedestrian field surveys did not indicate the presence of known burial sites within the Specific Plan Area. As described in CR Impact 4, it would be reasonably assumed that future ground-disturbing activities would encompass approximately 238.2 acres of the Specific Plan Area. Based on the extent of future ground disturbance and the known archaeological sensitivity in the project vicinity, there would be some potential for inadvertent discovery of previously unidentified human remains. If human remains were encountered during grading, the potential for disturbance of these remains would be potentially significant. However, implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4 would ensure avoidance and minimization of impacts related to inadvertent discovery of unidentified human remains during future construction activities. Further, the project would be required to comply with HSC Section 7050.5 and County LUO Section 22.10.040. These policies identify the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the NAHC. The NAHC would determine a Most Likely Descendant (MLD) to complete an inspection of the site within 48 hours of notification and recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. The project would also be required to comply with PRC Sections 5097.94, 5097.98, and 5097.99 for further protection of human remains. Based on implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4 and required compliance with state and local policies related to inadvertent discovery of human remains, future buildout of the project would not result in significant adverse disturbance to human remains. Therefore, potential impacts would be *less than significant with mitigation*.

| **CR Impact 4 (Class II)** |
|---|
| Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of unknown human remains. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures CR/mm-2.3 and CR/mm-2.4.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4, impacts to unknown resources, including human remains, would be less than significant (Class II).* |

### Off-Site Improvements

#### *CR Impact 5: Off-site improvements could result in disturbance and destruction of unknown human remains. Impacts would be less than significant with mitigation (Class II).*

Ground-disturbing activities associated with the development of proposed off-site improvements, including those within previously disturbed roadways, road shoulder areas, or existing disturbed NCSD facilities, have low potential to disturb human remains; however, the presence of human remains is always a possibility during earth-disturbing activities. Compliance with existing laws and implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4 would ensure avoidance and minimization of impacts related to inadvertent discovery of unidentified human remains during installation of off-site improvements. The project would be required to comply with HSC Section 7050.5 and County LUO Section 22.10.040, which identifies the proper protocol to be implemented in the event of inadvertent discovery of human remains. The project would also be required to comply with PRC Sections 5097.94, 5097.98, and 5097.99 for further protection of human remains. Therefore, potential impacts would be *less than significant with mitigation*.

| **CR Impact 5 (Class II)** |
|---|
| Off-site improvements could result in disturbance and destruction of unknown human remains. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures CR/mm-2.3 and CR/mm-2.4.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4, impacts to unknown resources would be considered less than significant (Class II).* |

## 4.5.6 Cumulative Impacts

#### *CR Impact 6: Project implementation may result in the cumulative disturbance and destruction of historic resources, including archaeological and historical resources pursuant to State CEQA Guidelines Section 15064.5, and human remains. Impacts would be less than significant with mitigation (Class II).*

Implementation of the project could contribute to the cumulative degradation of significant cultural resources in the county. The destruction of cultural resources can have the potential for significant cumulative impacts that are inherently important to the descendants of native peoples and make the study of prehistoric and historic life unavailable for study by scientists. Given the prevalence of cultural resources within and in the immediate vicinity of the project area, and the number of construction activities that involve disturbance of archaeologically sensitive areas that are not regulated, it is likely that significant prehistoric and historic resources are often not identified and are permanently lost. For the proposed project, impacts to any known CRHR-eligible resources could occur, and mitigation measures are in place to reduce these potential impacts. Based on implementation of recommended mitigation measures, potential cumulative impacts resulting from the proposed project are considered *less than significant with mitigation*.

| **CR Impact 6 (Class II)** |
|---|
| Project implementation may result in the cumulative disturbance and destruction of historic resources, including historical and archaeological resources pursuant to State CEQA Guidelines Section 15064.5, and human remains. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures CR/mm-1.1, CR/mm-2.1 through CR/mm-2.4, and CR/mm-3.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures CR/mm-1.1, CR/mm-2.1 through CR/mm-2.4, and CR/mm-3.1, cumulative impacts to known and potentially unknown cultural resources would be less than significant with mitigation (Class II).* |

# 4.6 ENERGY

The following setting and impact discussion is based, in part, on the *Energy Impact Assessment* prepared for the DRSP (AMBIENT 2022; EIR Appendix F). The *Energy Impact Assessment* includes an in-depth assessment of existing conditions related to energy, pertinent regulatory framework, and potential energy impacts associated with the proposed project.

## 4.6.1 Existing Conditions

### *4.6.1.1 Regional Conditions*

#### 4.6.1.1.1 ENERGY FUNDAMENTALS

Energy use is typically associated with transportation, construction, and the operation of land uses. Transportation energy use is generally categorized by direct and indirect energy. Direct energy relates to energy consumption used to operate a vehicle. Indirect energy relates to the long-term indirect energy consumption of equipment, such as maintenance activities. Energy is also consumed by construction and routine operation and maintenance of land use. Construction energy relates to a direct one-time energy expenditure primarily associated with the consumption of fuel use to operate construction equipment. Energy related to land use is normally associated with direct energy consumption for heating, ventilation, and air conditioning (HVAC) of buildings.

#### 4.6.1.1.2 ENERGY RESOURCES

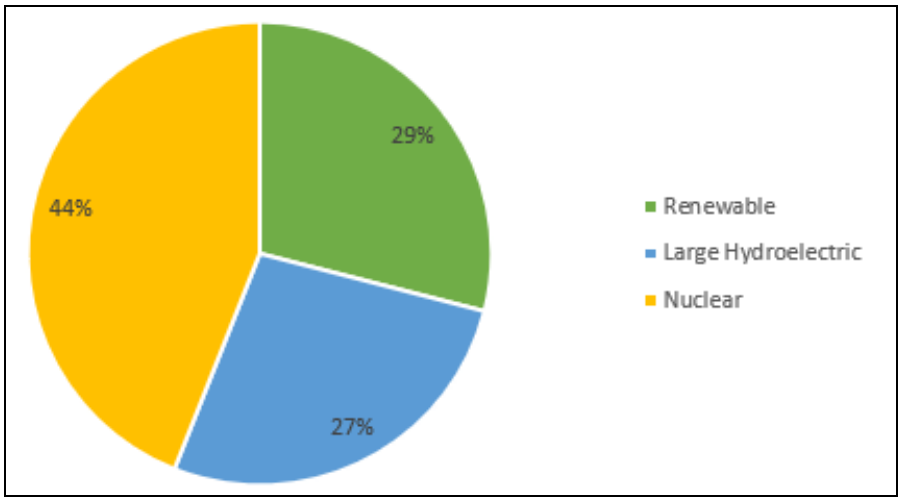
Energy sources for the community of Nipomo primarily include electricity provided by the Pacific Gas and Electric Company (PG&E) and Central Coast Community Energy (3CE) and natural gas provided by PG&E and the Southern California Gas Company (SoCalGas). Energy resources consist largely of natural gas, nuclear, fossil fuels, hydropower, solar, and wind. The primary use of energy sources is for electricity to operate buildings.

#### 4.6.1.1.3 ELECTRICITY AND NATURAL GAS PROVIDERS

##### Pacific Gas & Electric Company

PG&E energy generation was supplied from approximately 29% of renewable energy sources (i.e., biomass and waste, geothermal, small hydroelectric, solar, and wind), 27% of large hydroelectric sources, and 44% of nuclear sources (AMBIENT 2022). Participation in PG&E as an electricity provider is mandatory. The breakdown of PG&E's power mix is shown in Figure 4.6-1.

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

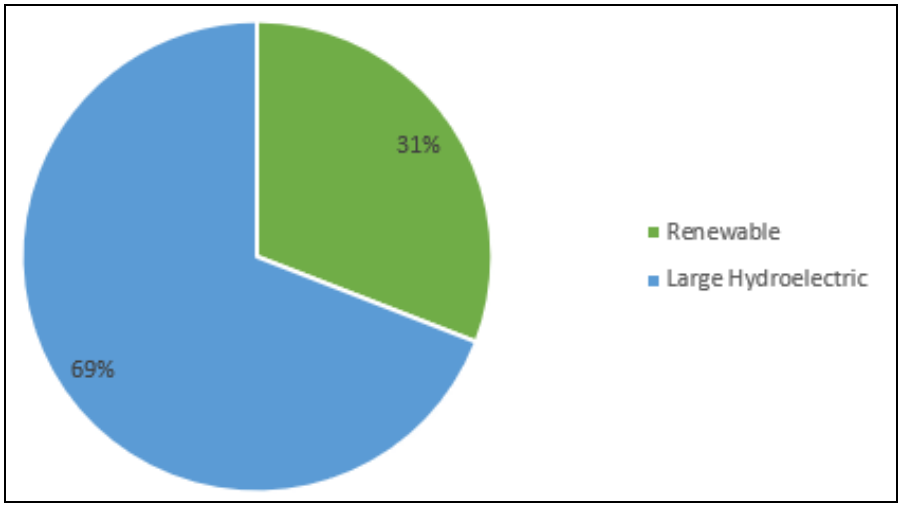



Source: PG&E (2020)

**Figure 4.6-1. PG&E 2019 power mix.**

## Central Coast Community Energy

3CE is a locally controlled public agency supplying clean and renewable electricity for residents and businesses in Monterey, San Benito, parts of San Luis Obispo, Santa Barbara, and Santa Cruz Counties. 3CE is based on a local energy model called Community Choice Energy that partners with the local utility (i.e., PG&E), which continues to provide consolidated billing, electricity transmission and distribution, customer service, and grid maintenance services. 3CE provides customers with a choice for clean and renewable energy and community reinvestment through rate benefits and local GHG-reducing energy programs for residential, commercial, and agricultural customers. Participation in 3CE as an electricity provider is voluntary (AMBIENT 2022). 3CE energy generation was supplied from approximately 31% of renewable energy sources (i.e., biomass and waste, geothermal, small hydroelectric, solar, and wind) and 69% of large hydroelectric sources. The breakdown of 3CE power mix is shown in Figure 4.6-2.




Source: 3CE (2020)

**Figure 4.6-2. 3CE 2019 power mix.**

### Natural Gas

Natural gas services in the community of Nipomo are purchased from PG&E and SoCalGas. PG&E's natural gas system encompasses approximately 70,000 square miles in northern and central California. Natural gas throughput provided by PG&E totals approximately 2.6 billion cubic feet per day. SoCalGas's natural gas system encompasses approximately 20,000 square miles in southern California. Natural gas throughput provided by SoCalGas totals approximately 2.8 billion cubic feet per day (AMBIENT 2022).

## *4.6.1.2 Local Setting*

### 4.6.1.2.1 CLIMATE

The project is located in the community of Nipomo, which is an unincorporated community within San Luis Obispo County. The project area experiences a hot-summer Mediterranean climate, with an annual normal precipitation of approximately 16.10 inches. Temperatures in the project area range from an average minimum of approximately 38.7ºF in January to an average maximum of 75.4ºF in September (AMBIENT 2022; see EIR Appendix F).

### 4.6.1.2.2 EXISTING INFRASTRUCTURE

The Specific Plan Area is currently undeveloped and is not provided electricity or natural gas. There are existing PG&E overhead power lines that run along Cherokee Place to the north, Pomeroy Road to the west, and the eastern edge of the Specific Plan Area; however, there are no existing gas mains located within the Specific Plan Area. The Specific Plan Area would be provided electricity by PG&E and natural gas by SoCalGas.

## *4.6.1.3 Off-Site Improvements*

Existing proximate transportation facilities (e.g., traffic signals) and NCSD water and wastewater system infrastructure use energy in the form of electricity, which is provided by PG&E.

# 4.6.2 Regulatory Setting

## *4.6.2.1 Federal*

### 4.6.2.1.1 REGULATIONS FOR GREENHOUSE GAS EMISSIONS FROM PASSENGER CARS AND TRUCKS AND CORPORATE AVERAGE FUEL ECONOMY STANDARDS

In October 2012, the USEPA and National Highway Traffic Safety Administration (NHSTA), on behalf of the U.S. Department of Transportation (USDOT), issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light-duty vehicles for model years 2017 and beyond. NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg), limiting vehicle emissions to 163 grams of carbon dioxide ($CO_2$) per mile for the fleet of cars and light-duty trucks by the model year 2025.

In January 2017, USEPA Administrator Gina McCarthy signed a Final Determination to maintain the current GHG emissions standards for the model year 2022 to 2025 vehicles. However, on March 15, 2017, USEPA Administrator Scott Pruitt and USDOT Secretary Elaine Chao announced that the USEPA intends to reconsider the Final Determination. On April 2, 2018, USEPA Administrator Pruitt officially withdrew the January 2017 Final Determination, citing information that suggests that these current standards may be too stringent due to changes in key assumptions since the January 2017 Determination. According to the USEPA, these key assumptions include gasoline prices and overly optimistic consumer acceptance of advanced technology vehicles. The April 2, 2018, notice is not USEPA's final agency action. The USEPA intends to initiate rulemaking to adopt new standards. Until that rulemaking has been completed, the current standards remain in effect.

#### 4.6.2.1.2 ENERGY POLICY AND CONSERVATION ACT

The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the United States would meet certain fuel economy goals. Through this act, U.S. Congress established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the NHSTA, which is part of the USDOT, is responsible for establishing additional vehicle standards and for revising existing standards. Since 1990, the fuel economy standard for new passenger cars has been 27.5 mpg. Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg. Heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not currently subject to fuel economy standards. Compliance with federal fuel economy standards is determined based on each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the United States. The CAFE program, administered by the USEPA, was created to determine vehicle manufacturers' compliance with the fuel economy standards. The USEPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

#### 4.6.2.1.3 ENERGY POLICY ACT OF 1992

The Energy Policy Act (EPAct) of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain federal, state, and local government and private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

#### 4.6.2.1.4 ENERGY POLICY ACT OF 2005

The Energy Policy Act of 2005 was signed into law on August 8, 2005. Generally, the act provides for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

### *4.6.2.2 State*

#### 4.6.2.2.1 WARREN-ALQUIST ACT

The Warren-Alquist Act of 1975 established the California Energy Resources Conservation and Development Commission, now known as the California Energy Commission (CEC). The act established

a state policy to reduce wasteful, uneconomical, and unnecessary uses of energy by employing a range of measures. The California Public Utilities Commission (CPUC) regulates privately owned utilities in the energy, rail, telecommunications, and water fields.

#### 4.6.2.2.2 CALIFORNIA ASSEMBLY BILL 32: CLIMATE CHANGE SCOPING PLAN AND UPDATE

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

The initial Scoping Plan was first approved by the CARB on December 11, 2008, and is updated every 5 years. The *First Update to the Climate Change Scoping Plan* was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) on the road to reach the 2050 goals (CARB 2014). The most recent update released by the CARB is *California's 2017 Climate Change Scoping Plan*, which was released in November 2017. The measures identified in the 2017 Scoping Plan have the co-benefit of increasing energy efficiency and reducing California's dependency on fossil fuels.

#### 4.6.2.2.3 CALIFORNIA ASSEMBLY BILL 1007: STATE ALTERNATIVE FUELS PLAN

AB 1007 (Chapter 371, Statues of 2005) required the CEC to prepare a state plan to increase the use of alternative fuels in California. The CEC prepared the State Alternative Fuels (SAF) Plan in partnership with the CARB and in consultation with other federal, state, and local agencies. The SAF Plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes the costs to California and maximizes the economic benefits of in-state production. The SAF Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuel use, reduce GHG emissions, and increase in-state production of biofuels without causing significant degradation of public health and environmental quality.

#### 4.6.2.2.4 CALIFORNIA ASSEMBLY BILL 2076: REDUCING DEPENDENCE ON PETROLEUM

Pursuant to AB 2076 (Chapter 936, Statutes of 2000), the CEC and CARB prepared and adopted a joint agency report in 2003, *Reducing California's Petroleum Dependence*. Included in this report are recommendations to increase the use of alternative fuels to 20% of on-road transportation fuel use by 2020 and 30% by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita vehicle miles traveled (VMT) (CARB 2003). Further, in response to the CEC's 2003 and 2005 Integrated Energy Policy Reports, Governor Davis directed the CEC to take the lead in developing a long-term plan to increase alternative fuel use. A performance-based goal of AB 2076 was to reduce petroleum demand to 15% below 2003 demand by 2020.

#### 4.6.2.2.5 CALIFORNIA SENATE BILL 350: CLEAN ENERGY AND POLLUTION PREVENTION REDUCTION ACT OF 2015

The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources to be increased to 50% by December 31, 2030. This act also requires a doubling of the energy efficiency savings in electricity and natural gas for retail customers through energy efficiency and conservation by December 31, 2030.

#### 4.6.2.2.6 CALIFORNIA SENATE BILL 375

SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt an SCS or alternative planning strategy (APS) that will address land use allocation in that MPO's RTP. The CARB, in consultation with MPOs, establishes regional reduction targets for GHGs emitted by passenger cars and light trucks for the years 2020 and 2035. These reduction targets will be updated every 8 years but can be updated every 4 years if advancements in emissions technologies affect the reduction strategies to achieve the targets. The CARB is also charged with reviewing each MPO's SCS or APS for consistency with its assigned targets. If MPOs do not meet the GHG reduction targets, funding for transportation projects may be withheld.

#### 4.6.2.2.7 CALIFORNIA SENATE BILL 1078: CALIFORNIA RENEWABLES PORTFOLIO STANDARD PROGRAM

SB 1078 (Public Utilities Code Sections 387, 390.1, 399.25 and Article 16) addresses electricity supply and requires that retail sellers of electricity, including investor-owned utilities and community choice aggregators, provide a minimum of 20% of their supply from renewable sources by 2017. This bill will affect statewide GHG emissions associated with electricity generation. In 2008 Governor Schwarzenegger signed Executive Order (EO) S-14-08, which set the Renewables Portfolio Standard (RPS) target to 33% by 2020. It directed state government agencies and retail sellers of electricity to take all appropriate actions to implement this target. EO S-14-08 was later superseded by EO S-21-09 on September 15, 2009. EO S-21-09 directed the CARB to adopt regulations requiring 33% of electricity sold in the state to come from renewable energy by 2020. Statute SB X1-2 superseded this executive order in 2011, which obligated all California electricity providers, including investor-owned utilities and publicly owned utilities, to obtain at least 33% of their energy from renewable electrical generation facilities by 2020. The State's Clean Energy Standards, adopted in 2018, require the state's utilities to generate 100% clean electricity by 2045 and to increase the States RPS requirements to 60% by 2030 (refer to SB 100).

#### 4.6.2.2.8 CALIFORNIA SENATE BILL 32 AND ASSEMBLY BILL 197 OF 2016

SB 32, signed by Governor Brown on September 8, 2016, effectively extends California's GHG emission-reduction goals from 2020 to 2030. This new emission-reduction target of 40% below 1990 levels by 2030 is intended to promote further GHG reductions in support of the state's ultimate goal of reducing GHG emissions by 80% below 1990 levels by 2050. SB 32 also directs the CARB to update the Climate Change Scoping Plan to address this interim 2030 emission-reduction target. Achievement of these goals will have the co-benefit of increasing energy efficiency and reducing California's dependency on fossil fuels.

#### 4.6.2.2.9 CALIFORNIA EXECUTIVE ORDER S-06-06

EO S-06-06, signed on April 25, 2006, establishes targets for the use and production of biofuels and biopower, and directs state agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The executive order establishes the following target to

increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20% of its biofuels within California by 2010, 40% by 2020, and 75% by 2050. The executive order also calls for the state to meet a target for use of biomass electricity. The *2011 Bioenergy Action Plan* identifies those barriers and recommends actions to address them so that the state can meet its clean energy, waste reduction, and climate protection goals. The *2012 Bioenergy Action Plan* updates the 2011 plan and provides a more detailed action plan to achieve the following goals:

- increase environmentally and economically sustainable energy production from organic waste;
- encourage the development of diverse bioenergy technologies that increase local electricity generation, combined heat and power facilities, renewable natural gas, and renewable liquid fuels for transportation and fuel cell applications;
- create jobs and stimulate economic development, especially in rural regions of the state; and
- reduce fire danger, improve air and water quality, and reduce waste.

In 2019, 2.87% of the total electrical system power in California was derived from biomass (CEC 2020).

#### 4.6.2.2.10 CALIFORNIA EXECUTIVE ORDER B-48-18: ZERO EMISSION VEHICLES

In January 2018, Governor Brown signed EO B-48-18, which required all state entities to work with the private sector to put at least 5 million zero-emission vehicles (ZEVs) on the road by 2030, as well as install 200 hydrogen fueling stations and 250,000 zero-emissions chargers by 2025. In addition, state entities are also required to continue to partner with local and regional governments to streamline the installation of ZEV infrastructure. Additionally, all state entities are to support and recommend policies and actions to expand infrastructure in homes, through the Low-Carbon Fuel Standard.

#### 4.6.2.2.11 ENERGY ACTION PLAN

The first Energy Action Plan (EAP) emerged in 2003 from a crisis atmosphere in California's energy markets. The state's three major energy policy agencies (CEC, CPUC, and the Consumer Power and Conservation Financing Authority [established under deregulation and now defunct]) came together to develop one high-level, coherent approach to meeting California's electricity and natural gas needs. It was the first time that energy policy agencies formally collaborated to define a common vision and set of strategies to address California's future energy needs and emphasize the importance of the impacts of energy policy on the California environment.

In the October 2005 EAP II, CEC and CPUC updated their energy policy vision by adding some important dimensions to the policy areas included in the original EAP, such as the emerging importance of climate change, transportation-related energy issues, and research and development activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the state's ongoing actions in the context of global climate change.

#### 4.6.2.2.12 CALIFORNIA BUILDING CODE

The 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 is adopted every 3 years by the CBSC. In the interim, the CBSC also adopts annual updates to make necessary mid-term corrections. The CBC standards apply statewide; however, a local jurisdiction may amend a CBC standard if it makes a finding that the amendment is reasonably necessary due to local climatic, geological, or topographical conditions.

#### 4.6.2.2.13 CALIFORNIA GREEN BUILDING STANDARDS

In essence, green buildings standards are indistinguishable from any other building standards, are contained in the CBC, and regulate the construction of new buildings and improvements. Whereas the focus of traditional building standards has been protecting public health and safety, the focus of CALGreen is to improve environmental performance.

The 2019 Standards, previously adopted in May 2018, addressed four key areas: smart residential PV systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements. The 2019 Standards required new residential and nonresidential construction, as well as major alterations to existing structures, to include EV-capable parking spaces, which have electrical panel capacity and conduit to accommodate future installation. In addition, the 2019 Standards also required the installation of solar PV systems for low-rise residential dwellings, defined as single-family dwellings and multi-family dwellings up to three stories in height. The solar PV systems are to be sized based on the buildings annual electricity demand, the building square footage, and the climate zone within which the home is located. However, under the 2019 Standards, homes may still rely on other energy sources, such as natural gas. Compliance with the 2019 Standards, including the solar PV system mandate, residential dwellings will use approximately 50% to 53% less energy than those under the 2016 Standards. Actual reduction will vary depending on various factors (e.g., building orientation, sun exposure). Nonresidential buildings will use about 30% less energy due mainly to lighting upgrades.

The recently updated 2022 Standards, which were approved in December 2021, encourages efficient electric heat pumps, establishes electric-ready requirements when natural gas is installed and to support the future installation of battery storage, and further expands solar photovoltaic and battery storage standards. The 2022 Standards extend solar PV system requirements, as well as battery storage capabilities for select land uses, including high-rise, multi-family, and nonresidential land uses, such as office buildings, schools, restaurants, warehouses, theaters, grocery stores, and more. Depending on the land use and other factors, solar systems should be sized to meet targets of up to 60% of the structure's loads. These new solar requirements will become effective January 1, 2023, and contribute to California's goal of reaching net-zero carbon footprint by 2045.

#### 4.6.2.2.14 ADVANCED CLEAN CARS PROGRAM

In January 2012, the CARB approved the Advanced Clean Cars program, which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of ZEVs, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's ZEV regulation requires a battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15% of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34% fewer global warming gases and 75% fewer smog-forming emissions than the statewide fleet in 2016.

## *4.6.2.3 Local*

### 4.6.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Conservation and Open Space Element

The COSE is a comprehensive long-range planning document that sets forth goals, policies, and actions to address the conservation and preservation of public services, air quality, vegetation and wildlife, mineral resources, visual resources, historic and archeological resources, and energy (County of San Luis Obispo 2010).

### 4.6.2.3.2 COUNTY OF SAN LUIS OBISPO 2016 ENERGYWISE PLAN

The County's 2016 EnergyWise Plan (EWP) as adopted by the County Board of Supervisors in November 2011 in order to implement the goals established by the COSE. These goals include reducing GHG emissions from government and community operations by 15% and reducing energy use from County government operations by 20% from baseline levels (2006) by the year 2020. The EWP represents the County's contribution to the state's efforts to reduce GHG emissions as outlined in AB 32, which calls for state agencies to reduce emissions to 1990 levels by 2020, and 40% below 1990 levels by 2030, respectively.

## *4.6.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Energy*

Table 4.6-1 lists applicable state, regional, and local land use policies and regulations pertaining to energy that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.6.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.6-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.6.5, *Project-Specific Impacts and Mitigation Measures*, or Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.6-1. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Conservation and Open Space Element** | | |
| **Policy E 1.1 Meeting energy needs.** Meet electricity needs through the following prioritized measures:<br>a. Increased conservation and efficiency in all sectors of energy use.<br>b. Development and use of locally appropriate sources of renewable resources from both distributed and large-scale projects. Examples include | The intent of this policy is to meet electricity needs through the use of energy-efficient and renewable resources. | **Potentially Consistent.** The project would use energy from PG&E and mitigation has been included to ensure compliance with energy-efficient and green building design standards, including, but not limited to, electric vehicle charging infrastructure, water conservation, appliance energy efficiency, and design of roof trusses to handle dead weight loads of standard solar-heated water systems and PV panels. The DRSP includes specific objectives related to providing energy-efficient |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| wind, tidal, wave, solar, micro-hydroelectric, biomass, and geothermal.<br>c. Development of non-renewable sources of energy. | | buildings. Additionally, mitigation has been identified to ensure the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. |
| **Policy E 3.1 Use of renewable energy.** Ensure that new and existing development incorporates renewable energy sources such as solar, passive building, wind, and thermal energy. Reduce reliance on non-sustainable energy sources to the extent possible using available technology and sustainable design techniques, materials, and resources. | The intent of this policy is to ensure that new and existing development incorporates renewable energy sources. | **Potentially Consistent.** The DRSP includes specific objectives related to providing energy-efficient buildings. Additionally, mitigation has been included to ensure future buildings are fully compliant with applicable energy-efficient and green building standards. |
| **Policy E 3.2 Energy efficient equipment.** Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems. | The intent of this policy is to require the use of energy-efficient equipment in all new development. | **Potentially Consistent.** The DRSP includes specific objectives related to providing energy-efficient buildings. Additionally, mitigation has been included to ensure future buildings are fully compliant with applicable energy-efficient and green building standards. |
| **Policy E 4.1 Integrate green building practices.** Integrate green building practices into the design, construction, management, renovation, operations, and demolition of buildings, including publicly funded affordable housing projects, through the development review and building permitting process. | The intent of this policy is to integrate green building practices in new development. | **Potentially Consistent.** The DRSP includes specific objectives related to providing energy-efficient buildings. Additionally, mitigation has been included to ensure future buildings are fully compliant with applicable energy-efficient and green building standards. |
| **Policy E 5.4 Construction and demolition waste.** Continue to reduce construction and demolition waste in accordance with the County's Construction and Demolition Debris Recycling Ordinance. Support increased diversion rates over time. | The intent of this policy is to continue to reduce construction and demolition waste. | **Potentially Consistent.** As evaluated in Section 4.19, *Utilities and Service Systems*, the project would be required to comply with CALGREEN standards, which require diversion of 75% of construction-related solid wastes. |
| **Framework for Planning (Inland)** | | |
| **Principle 1:** Preserve open space, scenic natural beauty, and natural resources. Conserve energy resources. Protect agricultural land and resources. | The intent of this policy is to conserve energy resources. | **Potentially Consistent.** The DRSP includes specific objectives related to providing energy-efficient buildings. Additionally, mitigation has been included to ensure future buildings are fully compliant with applicable energy-efficient and green building standards to conserve energy during operation. Mitigation has also been included to reduce energy consumption during construction of the project to conserve energy during construction. |
| **Principle 1, Policy 5.** Conserve energy resources by:<br>a. Planning for energy efficiency and conservation in land use and transportation, and in subdivision and building regulations.<br>b. Decreasing reliance on environmentally costly energy sources, increasing conservation efforts, and encouraging use of alternative energy sources. | The intent of this policy is to implement different energy conservation measures. | **Potentially Consistent.** The DRSP includes specific objectives related to providing energy-efficient buildings. Additionally, mitigation has also been included to ensure future buildings are fully compliant with applicable energy-efficient and green building standards to conserve energy during operation. Mitigation has also been included to reduce operational vehicle trips, encourage the use of alternative modes of transportation, and encourage future land uses to participate in 3CE as the electricity provider if it is an option that would be available at the time of occupancy. |

## 4.6.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on energy if the effects exceed the significance criteria described below:

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.

Each of these thresholds is discussed under Section 4.6.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.6.4 Impact Assessment and Methodology

The following impact evaluation is based, in part, on the *Energy Impact Assessment* prepared for the DRSP (AMBIENT 2022; see EIR Appendix F). A significant impact related to energy would occur if the proposed project would result in short- or long-term wasteful, inefficient, or unnecessary consumption of energy resources or conflict with a state or local plan for renewable energy or energy efficiency.

## 4.6.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT RESULT IN A POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES, DURING PROJECT CONSTRUCTION OR OPERATION?

#### Specific Plan Area

#### *EN Impact 1: The project could result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant with mitigation (Class II).*

CONSTRUCTION

Energy consumption would occur during construction, including diesel fuel use associated with the on-site operation of off-road equipment and vehicles traveling to and from the construction site. The exact schedule for buildout of the Specific Plan Area is currently unknown but is anticipated to occur over a span of 6 years, beginning in 2024 (see Table 2-11 in Chapter 2, *Project Description*). Site improvements, including grading and road and utility infrastructure development, would occur prior to development of individual neighborhoods and other Specific Plan Area features. Residential, commercial, and other development would occur following initial site improvements by individual developers and/or landowners. Table 4.6-1 summarizes the levels of energy consumption associated with project construction.

**Table 4.6-1. Construction Energy Consumption**

| Source | Total Fuel Use (gallons)[1] | Total Million British Thermal Units (MMBTU) |
|---|---|---|
| ***Phase 1*** | | |
| Off-Road Equipment Use (Diesel) | 520,373 | 71,489 |
| On-Road Vehicles (Gasoline) | 780,947 | 93,937 |
| On-Road Vehicles (Diesel) | 81,653 | 11,218 |
| **Total** | | **176,644** |

Source: AMBIENT (2022)

[1] Fuel use was calculated based, in part, on construction schedules, default equipment uses, and vehicle trips identified for the construction of similar land uses contained in the CalEEMod output files prepared for the air quality analysis conducted for this project (see EIR Appendix F).

The use of off-road construction equipment would use an estimated total of 520,373 gallons of fuel for buildout of the Specific Plan Area. On-road vehicles would use an estimated total of 86,878 gallons of gasoline and 33,837 gallons of diesel fuel. On-road vehicles would use an estimated total of 750,947 gallons of gasoline and 81,653 gallons of diesel fuel. In total, construction fuel use would equate to approximately 176,644 million British thermal units (MMBTU). Construction equipment use and associated energy consumption would be consistent with the energy use that is commonly associated with the construction of new land uses. In addition, Mitigation Measure AQ/mm-3.1, included in Section 4.3, *Air Quality*, would be implemented to reduce construction-related fuel use and limit idling of heavy-duty diesel construction equipment to 5 minutes in accordance with SLOAPCD requirements. With implementation of Mitigation Measure AQ/mm-3.1, the short-term energy use associated with the construction phase of the proposed project would not result in the need for additional energy infrastructure capacity or increased peak-period demands for electricity. Therefore, construction-related impacts associated with inefficient, wasteful, or unnecessary energy consumption would be *less than significant with mitigation*.

## OPERATION

Buildout of the Specific Plan Area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, 152 ADUs, and approximately 203,000 square feet of land dedicated to commercial and light industrial development. Full buildout of the Specific Plan Area is anticipated to generate a total population of 4,554 residents and 272 new employees (4,826 people) and approximately 18,662 additional daily trips (CCTC 2021; Appendix J). In addition, buildout of the Specific Plan Area includes development of a new 11-acre public park and 8.5 to 12 acres of neighborhood parks.

### Operational Building-Use Energy Consumption

The proposed project would result in increased electricity and natural gas consumption associated with the long-term operation of the planned land uses. Estimated electricity and natural gas consumption associated with buildout of the Specific Plan Area is summarized in Table 4.6-2.

As shown in Table 4.6-2, operation of the Specific Plan Area would result in the annual consumption of approximately 7,061,239 kWh of electricity, 325,170 kWh of water, and 33,489,670 kilo British thermal units (kBTU) of natural gas, for an annual total of approximately 58,692 MMBTU at buildout.

**Table 4.6-2. Operational Electricity, Water, and Natural Gas Consumption**

| Source | Annual Energy Use | Annual Million British Thermal Units (MMBTU) |
|---|---|---|
| Electricity (kWh) | 7,061,239 | 24,093 |
| Water (kWh) | 325,170 | 1,109 |
| Natural Gas (kBTU) | 33,489,670 | 33,490 |
| **Total** | | **58,692** |

Source: AMBIENT (2022)
Note: kWh = Kilowatt hour; kBTU = Kilo British thermal unit

Additionally, the development of increasingly efficient building fixtures would result in increased energy efficiency and energy conservation. The project would be subject to energy conservation requirements in the CEC (24 CCR Part 6) and CALGreen (24 CCR Part 11). Proposed single-family residential dwellings would also be required to incorporate solar PV systems, per current building code requirements. On average, the incorporation of solar PV systems would reduce on-site electricity use by approximately 70%. Adherence to Title 24 requirements and applicable GHG mitigation measures would further reduce energy use during project construction and operation and promote the use of energy from renewable sources. Such measures include, but are not limited to, the prohibited installation of natural gas to serve residential development, use of energy efficient appliances, future participation in 3CE as the electricity provider (if/when the option becomes available), and implementation of various waste recycling and water conservation measures. For these reasons, the project would not result in wasteful and inefficient use of non-renewable resources due to building operation. In addition, Mitigation Measure AQ/mm-3.3, has been included to further reduce long-term energy use. Adherence to CCR Title 24 requirements and Mitigation Measures AQ/mm-3.3, would ensure that the project would not result in wasteful and inefficient use of nonrenewable resources due to implementation of new residential, commercial, and other land uses. Therefore, potential impacts related to the long-term consumption of energy for proposed development would be *less than significant with mitigation*.

### Operational Mobile-Source Energy Consumption

Operational mobile-source energy consumption would be primarily associated with truck and vehicle trips to and from the project. Table 4.6-3 summarizes the annual fuel use at build-out.

**Table 4.6-3. Operational Fuel Consumption[1]**

| Source | Annual Fuel Use (gallons)[2] | Annual Million British Thermal Units (MMBTU) |
|---|---|---|
| ***Residential*** | | |
| Mobile Fuel (Diesel) | 174,307 | 23,946 |
| Mobile Fuel (Gasoline) | 922,580 | 110,973 |
| ***Commercial & Educational*** | | |
| Mobile Fuel (Diesel) | 60,820 | 8,356 |
| Mobile Fuel (Gasoline) | 321,914 | 38,722 |
| ***Hotel*** | | |
| Mobile Fuel (Diesel) | 12,240 | 1,681 |
| Mobile Fuel (Gasoline) | 64,782 | 7,792 |
| **Total** | | **191,471** |

Source: AMBIENT 2022
[1] Assumes a build-out year of 2030.
[2] Fuel use was calculated based, in part, on project trip generation rates derived from the traffic analysis for the project (CCTC 2021)

As shown in Table 4.6-3, the vehicle trips associated with the proposed land uses would consume an annual estimated 247,367 gallons of diesel fuel and 1,309,276 gallons of gasoline for operation in the estimated full buildout year of 2030. Additionally, the development of increasingly efficient automobile engines would result in increased energy efficiency and conservation. Mitigation Measures AQ/mm-3.3 and TR/mm-3.1, included in Section 4.17, *Transportation*, have been included to reduce long-term mobile source emissions as feasible, including incorporation of measures to reduce VMT, such as incorporation of site design features that would promote pedestrian connectivity, bicycle, and transit use. Therefore, implementation of the proposed project would not result in increased fuel usage that would be considered unnecessary, inefficient, or wasteful, and potential impacts would be *less than significant with mitigation*.

| **EN Impact 1 (Class (II)** |
|---|
| The project could result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.3, and TR/mm-3.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.3, and TR/mm-3.1, potential impacts related to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant (Class II).* |

## Off-Site Improvements

### *EN Impact 2: Off-site improvements could result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant with mitigation (Class II).*

Construction for proposed off-site transportation, water, and wastewater system improvements would require the use of energy in the form of diesel fuel, gasoline, and energy for vehicle and equipment use. Proposed construction activities for off-site improvements would be consistent with energy consumption of typical construction activities and are anticipated to occur incrementally, which would reduce the amount of energy consumed at one time. In addition, construction activities would be subject to Mitigation Measure AQ/mm-3.1 and state and local diesel idling restrictions and other equipment standards to reduce the potential for inefficient energy use to occur. Therefore, construction-related impacts associated with off-site improvements would not result in inefficient, wasteful, or unnecessary energy consumption and impacts would be *less than significant with mitigation*.

Operation of the proposed off-site infrastructure would require the use of electricity anticipated to be provided by PG&E and gasoline for as-needed maintenance and repair. Proposed energy use for operation of proposed off-site improvements would be minimal and would be similar to existing operational energy use for similar transportation, water, and wastewater facilities. New or expanded infrastructure would result in a limited increase in long-term energy use and would not constitute energy consumption that may result in wasteful, inefficient, or unnecessary consumption of energy. Additionally, as-needed maintenance and repair trips would use limited amounts of gasoline and would be similar to energy use for existing transportation facility and NCSD maintenance and repair activities. Therefore, potential impacts related to operational energy use would be *less than significant*.

| **EN Impact 2 (Class (II)** |
|---|
| Off-site improvements could result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure AQ/mm-3.1.* |
| ***Residual Impacts*** |
| *With implementation Mitigation Measure AQ/mm-3.1, potential impacts related to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant (Class II).* |

## WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT A STATE OR LOCAL PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY?

### Specific Plan Area

#### *EN Impact 3: The project could conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Impacts would be less than significant with mitigation (Class II).*

The project would be required to be in full compliance with the CBC, including applicable green building standards and building energy efficiency standards. In addition, the proposed project would be required to comply with the County's COSE to ensure the conservation and preservation of energy resources by increasing the energy efficiency of buildings, appliances, and buildings to the use of alternative forms of energy. Based on required compliance with the CBC and the County's COSE, the project would not conflict with goals and policies pertaining to renewable energy and energy efficiency. Additionally, implementation of Mitigation Measure AQ/mm-3.3, included in Section 4.3, *Air Quality*, would ensure that the proposed project meets or exceeds building code requirements related to building energy efficiency.

The County's Framework for Planning (Inland) includes combining designations to identify areas within the county with characteristics that are either of public value or are hazardous to the public. The project site is located within the Renewable Energy Overlay (RE) combining designation (LUO Section 22.14.100), which applies to areas where renewable energy production is favorable, the production of distributed renewable energy resources is prioritized, and permit requirements are structured to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The project does not include the construction of SEFs or other renewable energy facilities; however, Mitigation Measure AQ/mm-3.3 would require proposed residential and commercial building to meet or exceed applicable building standards for building energy efficiency with a goal of achieving ZNE buildings. Implementation of on-site renewable energy systems would be consistent with the purpose of the RE combining designation, which prioritizes the production of renewable energy through the use of distributed renewable energy systems (e.g., solar panels).

In addition, LUO Section 22.14.100 does not limit the development of parcels within the RE combining designation to renewable energy facilities. LUO Section 22.14.100.B.4 states that where Community Planning Standards (Article 9) or Community Area Standards (Article 10) apply to a parcel, those standards would prevail over requirements of LUO Section 22.14.100. The project parcel is included in Article 9 (South County Planning Area; LUO Section 22.98.072) as an area for commercial and residential expansion; therefore, in accordance with LUO Section 22.14.100.B.4, the standards of LUO

Section 22.98.072 would prevail over standards of the RE combining designation. Based on required compliance with the CBC and the County's COSE, and implementation of Mitigation Measure AQ/mm-3.3, the project would be consistent with the purpose of the RE combining designation and other goals and policies pertaining to renewable energy and energy efficiency. Therefore, the proposed project would not conflict with state or local plans for renewable energy or energy efficiency, and potential impacts would *be less than significant with mitigation*.

| **EN Impact 3 (Class II)** |
|---|
| The project could conflict with or obstruct a state or local plan for renewable energy or energy efficiency. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure AQ/mm-3.3.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measure AQ/mm-3.3, potential impacts related to obstruction of a state or local renewable energy or energy efficiency plan would be less than significant (Class II).* |

## Off-Site Improvements

### *EN Impact 4: Off-site improvements could conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Impacts would be less than significant with mitigation (Class II).*

Construction and operation of proposed off-site transportation, water, and wastewater infrastructure would result in limited energy consumption. Construction activities would be required to comply with Mitigation Measure AQ/mm-3.1, included in Section 4.3, *Air Quality*, and state and local diesel idling restrictions and other equipment standards to reduce the potential for inefficient energy use to occur. Implementation of proposed off-site improvements would not result in new residential, commercial, or other buildings that would be subject to CBC or CALGreen standards. Therefore, construction and operation of proposed off-site improvements would not conflict with state or local renewable energy or energy efficiency plans, and impacts would be *less than significant with mitigation*.

| **EN Impact 4 (Class II)** |
|---|
| Off-site improvements could conflict with or obstruct a state or local plan for renewable energy or energy efficiency. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure AQ/mm-3.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measure AQ/mm-3.1, potential impacts related to obstruction of a state or local renewable energy or energy efficiency plan would be less than significant (Class II).* |

## 4.6.6 Cumulative Impacts

### *EN Impact 5: The project would not result in a cumulatively considerable impact to energy resources. Impacts would be less than cumulatively considerable and less than significant (Class III).*

As discussed in Chapter 3, *Environmental Setting*, the cumulative impact analysis is based on the County's cumulative projects list. Cumulative projects would generate residential, industrial, and commercial development within the county. Project-specific impacts related to short- and long-term wasteful, inefficient, or unnecessary energy consumption and consistency with a state or local renewable energy or energy efficiency plan would be less than significant with mitigation. Based on required compliance with existing CBC and CALGreen standards, reasonably foreseeable future projects are not anticipated to result in short- or long-term wasteful, inefficient, or unnecessary energy consumption or conflict with a state or local renewable energy or energy efficiency plan. Nevertheless, reasonably foreseeable future projects would be subject to separate environmental review to determine potential impacts related to energy use and reduce energy consumption as necessary. Therefore, impacts related to energy would be *less than cumulatively considerable*.

| **EN Impact 5 (Class III)** |
|---|
| The project would not result in a cumulatively considerable impact to energy resources. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Cumulative impacts would be avoided through compliance with identified project-specific mitigation; no additional mitigation is needed to avoid or minimize potential cumulative impacts. Therefore, residual impacts would be less than significant (Class III).* |

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# 4.7 GEOLOGY AND SOILS

The following evaluation is based, in part, on the results of the *Geotechnical Feasibility Report for Canada Ranch Property, East of Hetrick Avenue and Cherokee Place, Nipomo Area, San Luis Obispo County, California* (Earth Systems Pacific [ESP] 2017), which evaluates the main parcel of the Specific Plan Area. The purpose of the geotechnical report is to identify existing site conditions, potential hazards, and building design recommendations as it relates to seismic and other geologic factors present at the site. The geotechnical report was prepared based on assumptions regarding proposed structural design of future development at the site and was peer reviewed by the County's contract geologist, LandSet Engineers, Inc, in June and November 2021. As the result of the County's peer review, the *Geotechnical Engineering Report for Dana Reserve, Northwest of North Frontage Road, Nipomo Area of San Luis Obispo County, California* (ESP 2021a) was prepared that further evaluated site conditions within the Specific Plan Area. The supplemental geotechnical report was further peer reviewed by the County and was determined to be adequate for purposes of supporting this EIR.

Field and laboratory tests were conducted to determine the site's susceptibility to ground shaking, settlement, liquefaction and seismically induced settlement, soil expansion, soil erosion, soil corrosivity, and overall soil stability. The 2017 Geotechnical Feasibility Report included the results of five test borings conducted at the main parcel of the Specific Plan Area. The 2021 Geotechnical Engineering Report includes the results of nine additional test borings that were conducted at the site. Detailed discussion of the tests conducted may be found in the Geotechnical Engineering Reports included as EIR Appendix G. The following discussion and evaluation include the results and recommendations of the 2021 Geotechnical Engineering Report.

## 4.7.1 Existing Conditions

### *4.7.1.1 Regional Geologic Setting*

Regionally, the subject site is located within the Coast Ranges geomorphic province of California, which are northwest-trending mountain ranges that reach a maximum elevation of about 6,000 feet and are generally parallel to the San Andreas fault. The ranges are formed by an asymmetrical uplifted block that forms a rugged coastline at the Pacific Ocean and dips eastward towards the Great Valley province. The Coast Ranges are geologically complex with rocks that span from middle Mesozoic to late Quaternary in age (ESP 2021b).

The Nipomo Mesa is primarily an area of late Pleistocene sand dunes that are generally inactive and stabilized by vegetation and locally dissected by ephemeral streams; however, a strip of active sand dunes (Oceano and Pismo Dunes) exists between the Nipomo Mesa and the Pacific Ocean to the west.

The Santa Lucia Range is bounded between the Pacific Ocean to the west and the Salinas River to the east. Structurally, the Santa Lucia Range is bordered on the northeast by the Rinconada fault zone and to the southwest by Hosgri-San Simeon, Oceanic-West Huasna fault zone. Tectonically, the region is dominated by northwest-trending faults, which include the Rinconada, Hosgri-San Simeon, Oceanic-West Huasna, and San Luis Range Faults (ESP 2021b).

### *4.7.1.2 Specific Plan Area Geologic Setting*

Elevations at the Specific Plan Area range from approximately 355 feet above mean sea level (amsl) to 400 feet amsl. Topography of the Specific Plan Area is characterized by relatively flat areas to areas with moderately sloping hills. Based on aerial imagery, the project site is generally characterized by a gentle downward slope toward the eastern portion of the project site.

The County's LUO 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. Based on the County's Land Use View database, the Specific Plan Area is not located within the County's GSA combining designation.

#### 4.7.1.2.1 SEISMIC HAZARDS

Seismic hazards refer to the potential hazards that result from earthquakes. The frequency and strength of earthquakes are dependent on the activity, number, and style of faults that pass through or can influence a particular region (County of San Luis Obispo 1999). The Central Coast of California is a seismically active region and there is high potential for earthquakes and associated risk to occur.

### Fault Rupture

Fault rupture refers to the displacement of the ground surface along a fault trace, which can endanger life and property if structures or lifeline facilities are constructed on, or cross over, a fault. Rupture of the ground surface along a fault trace typically occurs during earthquakes of approximately magnitude 5 or greater. Faults are classified by the State of California based on the likelihood of generating ground motions and surface rupture. The classification system applies to known faults that have been compiled by numerous researchers through various methods of investigation. The state evaluates faults with documented ground rupture during the last 11,700 years and considers them for inclusion in Earthquake Fault Zones requiring investigation (A-P Zones), which encompass traces of Holocene-active faults, as defined by the state's Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) of 1972. The state's guidance is intended to prohibit developments and structures for human occupancy across the trace of active faults.

There are no known Holocene-Active faults on the site that are included in state A-P Zones or County special studies zones. There are three active faults in San Luis Obispo County that are currently zoned under the Alquist-Priolo Act: San Andreas, Hosgri-San Simeon, and Los Osos (County of San Luis Obispo 1999). The nearest active fault is the Los Osos, located approximately 5.6 miles northwest of the Specific Plan Area (Figure 4.7-1).

Other active faults capable of generating strong ground motion are present in the region but are not included in A-P Zones because they do not meet the criteria of "sufficiently active and well-defined." Based on a review of geologic maps, including maps from the California Geological Survey (CGS) and the USGS, there are mapped strands of the San Luis Range Fault system near the northeastern side of the Specific Plan Area, approximately parallel to the Nipomo Valley and US 101. Preliminary geologic maps locate the fault on the northeast side of US 101; however, another fault model locates the San Luis Range Fault system on the southwest side of US 101 within the Dana Reserve Specific Plan Area. ESP determined that the San Luis Range Fault is likely on the northeast side of US 101, aligned with Nipomo Creek, as depicted in the preliminary geologic maps. The San Luis Range Fault is considered active but is not classified as "sufficiently active and well defined" to be included in an Alquist-Priolo Special Studies Zone.

In addition, the County has mapped an inactive-inferred fault trending across the southwest portion of the Specific Plan Area. Because poorly consolidated sand dune deposits, such as those present on-site, are generally highly erodible and form subdued landforms, the location of these faults is difficult to specify. Public domain aerial photographs were reviewed, and no indications of fault scarps or lineaments were observed on-site (ESP 2021b).

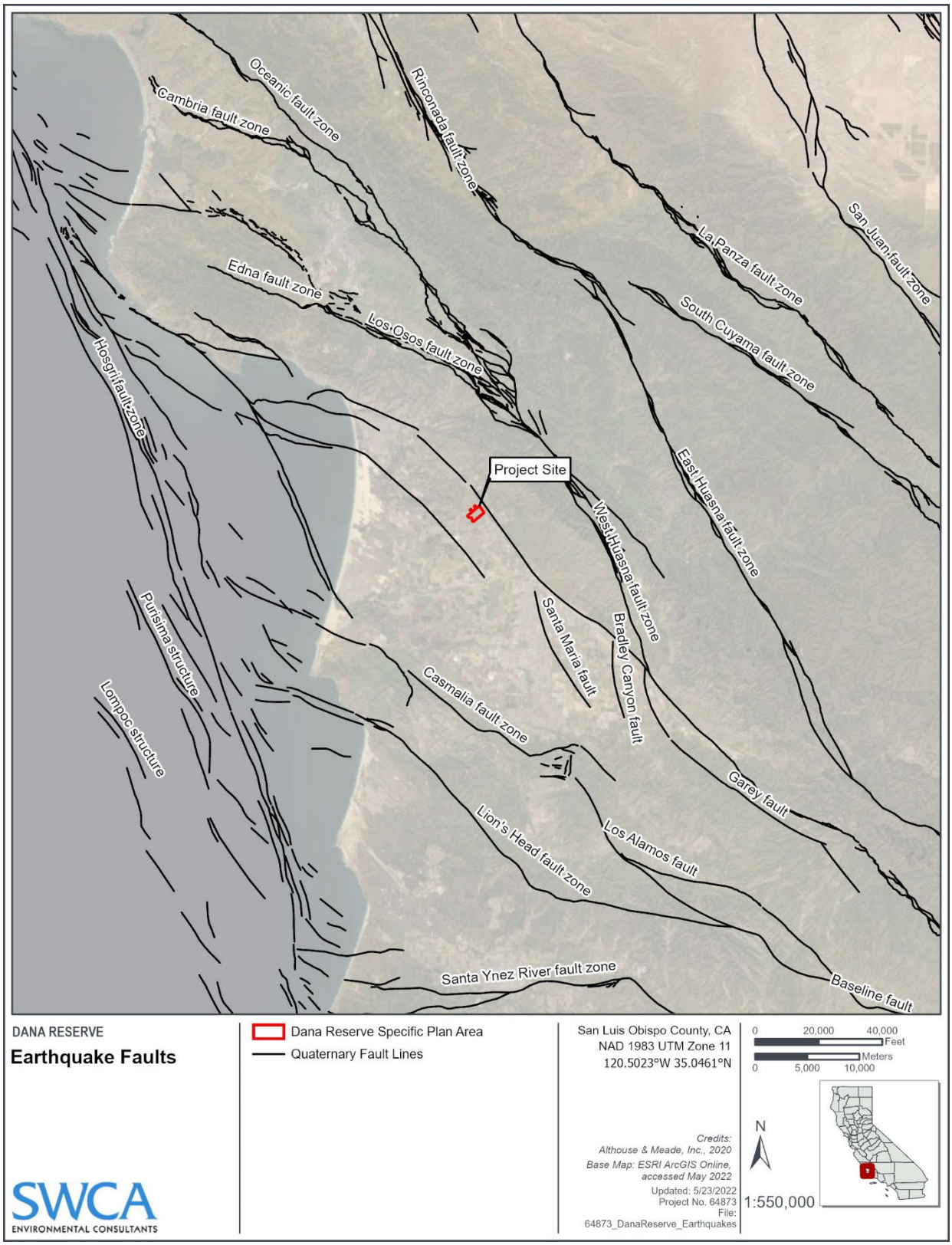



**Figure 4.7-1. Earthquake faults map.**

## Ground Shaking

Ground shaking refers to the motion that occurs in response to local and regional earthquakes, which can endanger life and safety due to damage or collapse of structures or lifeline facilities (County of San Luis Obispo 1999). The project site is located in a seismically active region with the potential for ground shaking to occur.

## Settlement and Hydroconsolidation

Settlement can occur when foundations and surface improvements span materials having variable consolidation, moisture, and density characteristics. Such a situation can stress and possibly damage foundations and surface improvements, often resulting in severe cracks and displacement. There is potential for settlement to occur at the site (ESP 2021a). Hydroconsolidation, also referred to as soil collapse, typically occurs when loose, dry, sandy soils become saturated and settle. Based on the results of the test data, soils at the project site are considered to have a slight-to-moderate potential to collapse when saturated (ESP 2021a).

## Liquefaction and Settlement Potential

Liquefaction is the loss of soil strength caused by a significant seismic event. It occurs primarily in loose, fine- to medium-grained sands, and in very soft to medium stiff silts that are saturated by groundwater. During a major earthquake, the saturated sands and silts tend to compress and the void spaces between the soil particles that are filled with water decrease in volume. This causes the pore water pressure to build up in the soils. If water in the soils drain rapidly, the soils may lose their strength and transition into a liquefied state (ESP 2021a).

Seismically induced settlement of dry sand is also caused by a significant seismic event and may occur in lower-density and sand and silt soils that are not saturated by groundwater. During a major earthquake, the void spaces between the unsaturated soil particles that are filled with air tend to compress which translates to a decrease in volume or settlement.

According to *County of San Luis Obispo General Plan Safety Element* Maps, the project site is characterized by moderate liquefaction potential (Figure 4.7-2). A quantitative analysis of liquefaction and seismically induced settlement of dry sand was performed as described in the Geotechnical Engineering Report prepared for the project (ESP 2021a). The analyses indicated that the saturated soils are non-liquefiable and that seismically induced settlement of dry sand is not expected to exceed 0.5 inch.

## Landslide and Slope Instability

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. Slope instability can occur in the form of creep, slumps, large progressive translation or rotational failures, rockfall, debris flows, or erosion (County of San Luis Obispo 1999). Landslides can result in damage to property and cause buildings to become unsafe due to distress or collapse during sudden or gradual slope movement. Structures constructed in steep terrain, possibly on stable ground, may also experience landslide hazards if they are sited in the path of potential mud flows or rockfall hazards (ESP 2021a). Landslides tend to occur in weak soil and rock on sloping terrain (CDOC 2019). According to the Safety Element maps, the project site is characterized by a low potential for landslide (Figure 4.7-3). The site is gently sloping with subdued landforms. No indications of slope instability were observed in aerial photographs or site reconnaissance conducted by ESP (ESP 2021a).

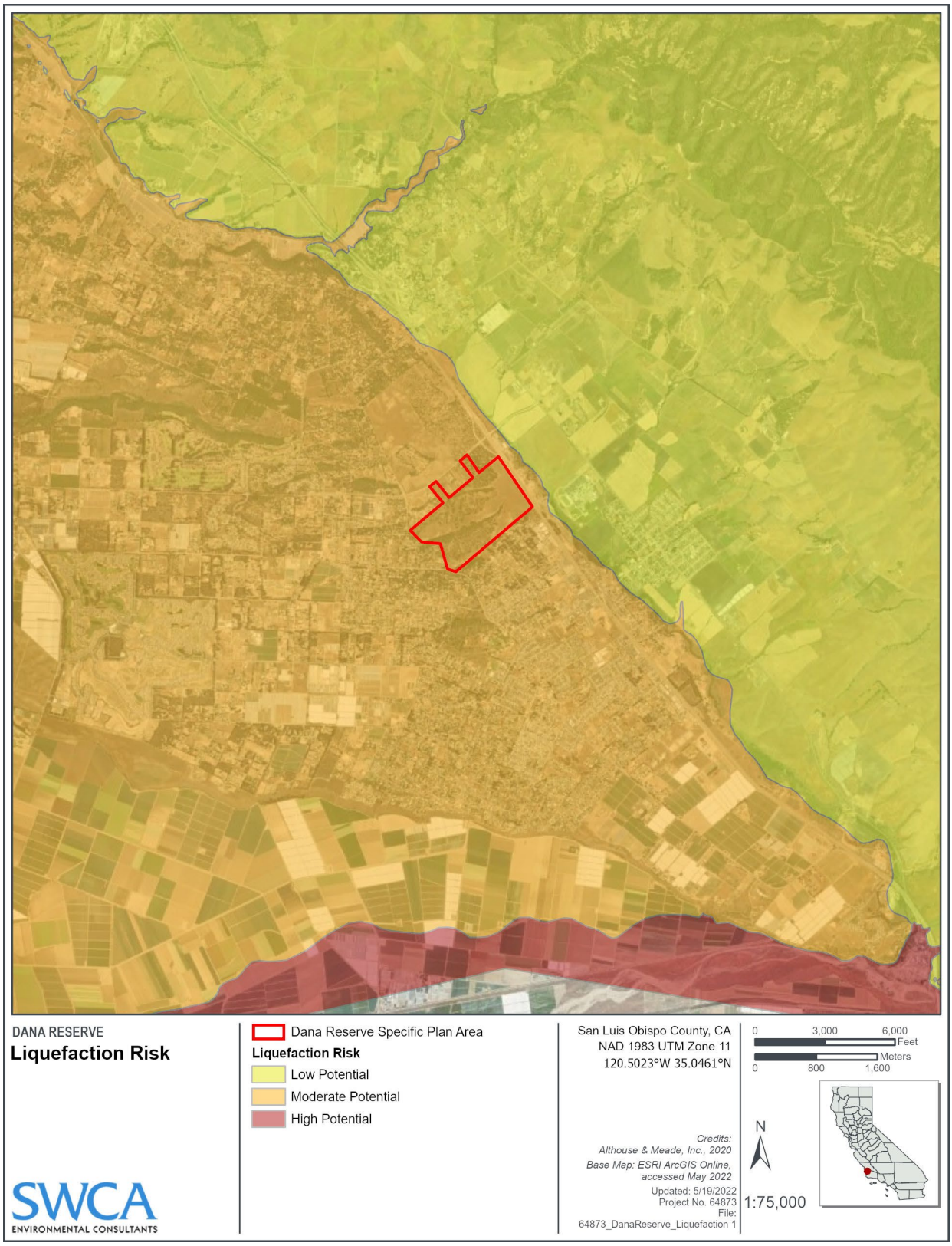



**Figure 4.7-2. Liquefaction risk map.**

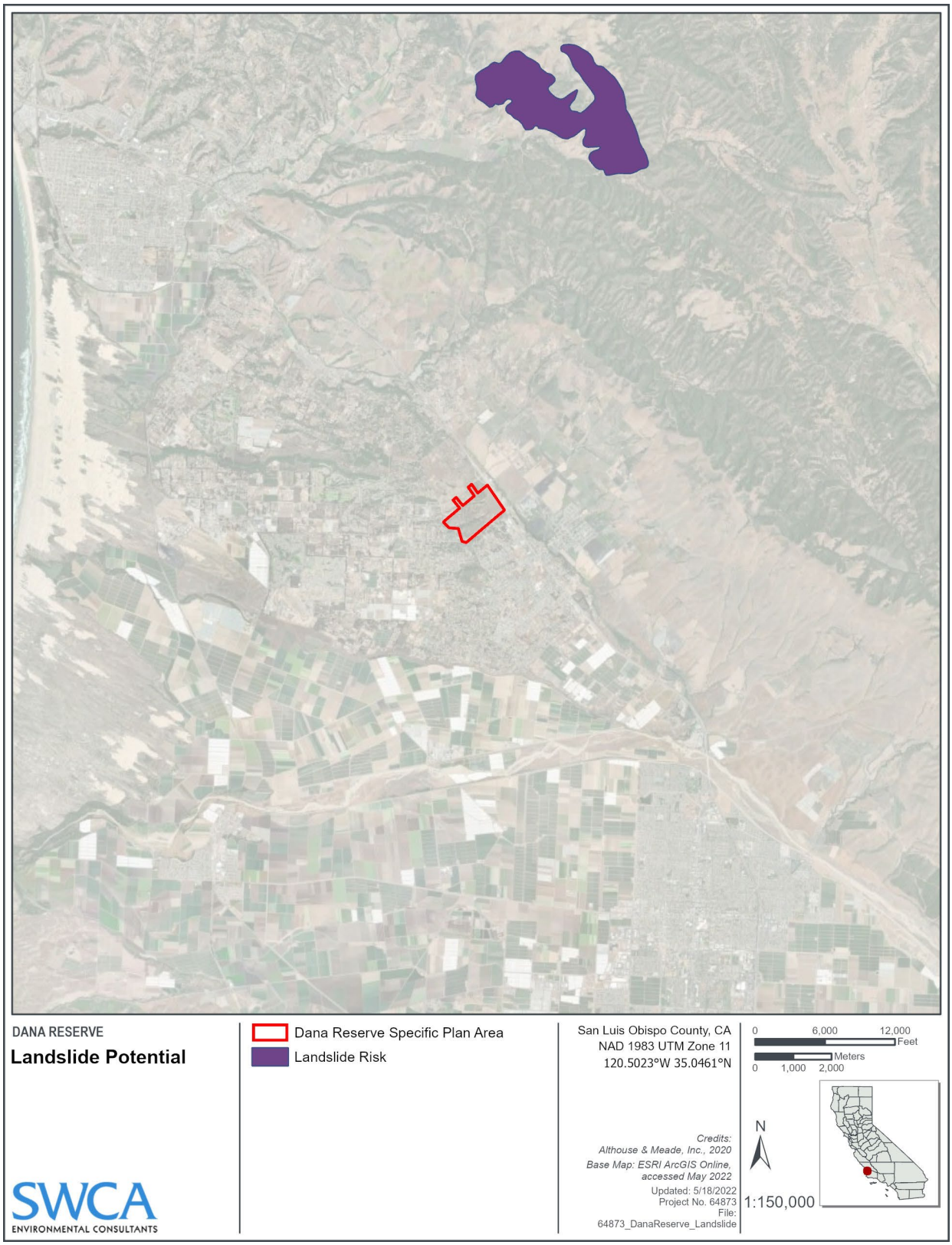



**Figure 4.7-3. Landslide potential map.**

#### 4.7.1.2.2 SOILS

According to the NRCS Soil Survey, the Dana Reserve project site is underlain by the following two soil types (NRCS 2021):

- **Oceano sand, 0 to 9 percent slopes:** This very deep, excessively drained soil has a depth to restrictive feature of more than 80 inches. The typical soil profile consists of sand. This soil is characterized by rapid permeability, slow to medium surface water runoff, and high potential for soil blowing. Soil erosion can be reduced by maintaining vegetative cover at all times (USDA 1984).
- **Oceano sand, 9 to 30 percent slopes:** This very deep, excessively drained soil has a very low runoff class and a depth to restrictive feature of more than 80 inches (USDA 1984; NRCS 2021). The typical soil profile consists of sand. Erosion of drainage channels is a very common characteristic of this soil during the wet season. Soil erosion can be reduced by always maintaining vegetative cover (USDA 1984).

### Soil Erosion

Erosion is defined as the breakdown, detachment, transport, and redistribution of soil particles by natural forces, including water (i.e., rain, concentrated flow, streams, glaciers, etc.), wind, or gravity (USGS 2006). Increased amounts of sediment, which is caused by erosion, may runoff from a site and block drainage and irrigation ditches and canals and navigational channels, degrade wildlife habitat and fisheries, infill water reservoirs, elevate water treatment costs, increase the need for dredging, and may indirectly contribute to flooding (USGS 2006). Potential for erosion to occur at a particular site may depend on, but is not limited to, type of soils present, existing uses, and vegetative cover. Due to the soil profile on-site, which consists entirely of sand, soils at the site are considered to be highly erodible (ESP 2021a; USDA 1984).

### Expansive Soil

Soil expansion, also referred to as shrink/swell potential, is the extent to which soil shrinks as it dries out or swells when it gets wet. Typically, soils with high potential for expansion largely consist of clay and clay materials. Shrinking and swelling of soils can cause damage to building foundations, roads, and other structures. A high potential for expansion indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. Since soils at the project site do not contain any clay materials, there is a very low potential for soil expansion at the project site (ESP 2021a).

#### 4.7.1.2.3 PALEONTOLOGICAL SETTING

Paleontological resources are the evidence of once-living organisms as preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). In general, fossils are considered to be older than recorded human history or greater than 5,000 years old and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010).

The SVP has established standard guidelines that outline professional protocols and practices for conducting paleontological resource assessments and surveys, monitoring and mitigation, data and fossil recovery, sampling procedures, and specimen preparation, identification, analysis, and curation (SVP 1995, 2010).

Paleontological potential is defined as the potential for a geologic unit to produce scientifically significant fossils. This is determined by rock type, history of the geologic unit in producing significant fossils, and fossil localities recorded from that unit. Paleontological potential is derived from the known fossil data collected from the entire geologic unit, not just from a specific survey or study. A geologic unit known to contain significant fossils is considered sensitive to adverse impacts if there is a high probability that earth-moving or ground-disturbing activities in that rock unit would either disturb or destroy fossil remains, directly or indirectly.

The SVP (2010) guidelines were used for the assessment of potential for paleontological resources to occur within the Specific Plan Area. According to CEQA, the threshold of significance for impacts to paleontological resources is reached when a project would disturb or destroy scientifically important fossil remains, as defined by the SVP. Significant paleontological resources are defined as "identifiable" vertebrate fossils, uncommon invertebrate, plant, and trace fossils that provide taphonomic (i.e., the study of what happens to an organism after its death and until its discovery as a fossil), taxonomic, phylogenetic, paleoecologic, stratigraphic, or biochronological data. These data are important because they are used to examine evolutionary relationships, provide insight on the development of and interaction between biological communities, establish time scales for geologic studies, and for many other scientific purposes (Scott and Springer 2003; SVP 2010).

The geologic setting is key to understanding the potential for important paleontological resources to be located in the project site (see Section 4.7.1.1, *Regional Geologic Setting*, for the broad-scale geological setting). Unconsolidated, well-sorted red to brown wind-blown sand with weak soil development that forms extensive dune deposits underlie the Specific Plan Area and are depicted on the local geologic maps as Pleistocene old eolian deposits (Qoe) (Delattre and Wiegers 2014; Holland 2013). When assessing paleontological resource potential, subsurface geologic units are important to consider, especially if they differ from surficial units and may occur at an unknown depth that could be impacted during construction activities. Less than 0.25 mile from the project area are mapped areas of Pleistocene-aged older alluvial deposits (Qoa) composed of poorly sorted sand, silt, and gravel, moderately consolidated, with some cemented horizons present locally (Delattre and Wiegers 2014; Holland 2013). Based on geologic mapping of the project site and adjacent areas, the contact between Qoe and Qoa is along US 101, and it is possible that Qoa occurs at an unknown depth beneath the project site. Table 4.7-1 summarizes the geologic units that are mapped within or may occur at depth within the project site (Figure 4.7-4).

**Table 4.7-1. Geologic Units and Paleontological Potential Underlying Project Site**

| Geologic Unit Label | Geologic Unit Name | Age | Paleontological Potential |
|---|---|---|---|
| Qoe | Old Eolian Deposits | Late Pleistocene | Low |
| Qoa | Older Alluvial Deposits | Late to Middle Pleistocene | Low to High, increasing with depth (and age) |

Source: Delattre and Wiegers (2014); Holland (2013)

The paleontological resources previously documented within the County include marine invertebrates, vertebrates, and terrestrial vertebrates from rocks of Cretaceous to Recent age, along the Pacific Coast, to the central and eastern part of the county (Jefferson 1991; Jefferson et al. 1992; Palaeobiological Database [PBDB] 2022). Reviews of published literature, the PBDB (2022), and museum previously recorded locality search results (Natural History Museum of Los Angeles [NHMLA] 2021) were conducted to identify information on paleontological resources known from the project site or nearby within similar geologic units that may be impacted by the project.

**Figure 4.7-4. Geologic units map.**

Based on these reviews 21 paleontological localities from San Luis Obispo County occur within Pleistocene-aged geologic units, but no previously recorded localities are recorded within the Specific Plan Area (Guthrie 1998; Jefferson 1991; Jefferson et al. 1992; PBDB 2022; NHMLA 2021). A Columbian mammoth (*Mammuthus columbi*) left dentary with tooth was recovered from indeterminate Quaternary-aged units near Nipomo and is understood to be the closest known locality (LACM 4089) to the project site. The next closest locality (LACM 5790) occurs approximately 9.5 miles northeast of the project site; from older Plio-Pleistocene deposits. At this location, paleontologists recovered *Mammuthus* sp. bone fragments from a distal humerus and possibly a scapula (Jefferson et al. 1992). Tables 4.7-2 and 4.7-3 contain lists of other Pleistocene-aged vertebrate localities from the San Luis Obispo County region.

**Table 4.7-2. Overview of Pleistocene Localities of San Luis Obispo County**

| Locality Name | Recovered Fauna |
|---|---|
| Arborgast Ranch, Salinas River Valley | Mammoth, horse, antique bison |
| Carizzo Plains School | Mastodon, mammoth, camel, long-horned bison |
| Cayucos | Squirrel |
| Chorro Creek, Morro Bay | Mammoth |
| Creston | Mammoth |
| Crowbar Canyon (Montana del Oro State Park) | Cod |
| Irish Canyon, Point San Luis area | Horse, antique bison |
| Mankin, Ranchita Cattle Company (LACM 5790) | Mammoth |
| Nipomo (LACM 4089) | Mammoth |
| Pecho Creek, Diablo Canyon area | Horse, giant ground sloth, camel, dolphin, extinct sea cow |
| Point San Luis | Whale |
| Salinas River Sand Site | Mammoth |
| San Miguel, Salinas River Valley | California condor, puffin, auklet, flightless sea duck, bald eagle, barn owl, vole, mammoth, camel, sea otter |

Source: Delattre and Wiegers (2014); Holland (2013)

**Table 4.7-3. NHMLA Records Search Localities**

| Locality Number | Approximate miles from the project site based on NHMLA Location Descriptions | Formation | Taxa | Depth |
|---|---|---|---|---|
| LACM VP 7860 | 14.0 | Paso Robles Formation | Mammoth (*Mammuthus*); horse (*Equus*); artiodactyl (Artiodactyla) | Unknown |
| LACM VP 6165 | 17.3 | Unknown formation (Pleistocene-landslide or colluvial fan deposit. Mud; silt; gravel; cobbles) | Elephant family (Elephantidae) | Surface - shallow subsurface |
| LACM VP 3518 | 22.5 | Unknown formation (Pleistocene) | Horse (*Equus*), turtle (Testudinidae) | Unknown |
| LACM VP 3517 | 25.8 | Unknown formation (Pleistocene) | Ground sloth (*Paramylodon*) | Unknown |
| LACM VP 5799 | 31.5 | Paso Robles Formation | Gomphothere family (Gomphotheriidae) | Unknown |

Source: NHMLA 2021

### *4.7.1.3 Off-Site Improvements Geologic Setting*

The exact location of proposed off-site transportation and NCSD water system and wastewater system improvements is currently not known; however, proposed off-site transportation improvements would be required at DRSP roadway connections to Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way. Proposed water system improvements are anticipated to be located within previously developed roadways and other disturbed road shoulder areas along North Oakglen Avenue and Tefft Street, and proposed wastewater system improvements are anticipated to occur along North Frontage Road and within existing NCSD facilities (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*).

Elevations of off-site transportation improvements range from approximately 355 to 400 feet amsl. Elevations at off-site wastewater system improvement areas range from approximately 300 to 360 feet amsl, and elevations at off-site water system improvement areas range from 340 to 520 feet amsl. Topography of off-site improvement areas is characterized by relatively flat to moderately sloping areas. Based on the County's Land Use View database, off-site improvement areas are not located within the County's GSA combining designation.

#### 4.7.1.3.1 SEISMIC HAZARDS

##### Fault Rupture

There are no known Holocene-Active faults within the proposed improvement areas that are included in state A-P Zones or County special studies zones. As discussed above, there are three active faults in San Luis Obispo County that are currently zoned under the Alquist-Priolo Act: San Andreas, Hosgri-San Simeon, and Los Osos (County of San Luis Obispo 1999). The nearest active fault is the Los Osos, located approximately 4 to 7 miles northwest of proposed off-site improvement areas. Based on the Geotechnical Engineering Report, the San Luis Range Fault is likely located on the northeast side of US 101, aligned with Nipomo Creek, near proposed water system improvement areas (ESP 2021b). The San Luis Range Fault is considered active but is not classified as "sufficiently active and well defined" to be included in an Alquist-Priolo Special Studies Zone.

##### Ground Shaking

Ground shaking refers to the motion that occurs in response to regional and local earthquakes (County of San Luis Obispo 1999). Off-site improvement areas are located in a seismically active region with the potential for ground shaking to occur.

##### Liquefaction

Liquefaction is the loss of soil strength caused by a significant seismic event and occurs primarily in loose, fine- to medium-grained sands, and in very soft to medium stiff silts that are saturated by groundwater. Additionally, seismically induced settlement of dry sand is also caused by significant seismic events and may occur in lower-density and sand and silt soils that are not saturated by groundwater. According to the Safety Element maps, off-site improvement areas are characterized by low to moderate liquefaction potential (see Figure 4.7-2).

##### Landslide and Slope Instability

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 (County of San Luis Obispo 1999). Landslides typically occur in weak soils and rocks on sloping

terrain (CDOC 2019). Off-site improvement areas include previously developed areas and consist of relatively flat to moderately sloping topography. According to the Safety Element maps, off-site improvement areas are characterized by a low potential for landslide (see Figure 4.7-3).

#### 4.7.1.3.2 SOILS

According to the NRCS Soil Survey, off-site improvement areas are primarily underlain by the following soil types (NRCS 2021):

- **Oceano sand, 0 to 9 percent slopes:** This very deep, excessively drained soil has a depth to restrictive feature of more than 80 inches. The typical soil profile consists of sand. This soil is characterized by rapid permeability, slow to medium surface water runoff, and high potential for soil blowing. Soil erosion can be reduced by maintaining vegetative cover at all times (USDA 1984).
- **Oceano sand, 9 to 30 percent slopes:** This very deep, excessively drained soil has a very low runoff class and a depth to restrictive feature of more than 80 inches (USDA 1984; NRCS 2021). The typical soil profile consists of sand. Erosion of drainage channels is a very common characteristic of this soil during the wet season. Soil erosion can be reduced by always maintaining vegetative cover (USDA 1984).
- **Cropley clay, 2 to 9 percent slopes, Major Land Resource Area (MLRA) 14:** This soil type is moderately well drained and has a medium runoff class. The typical soil profile consists of clay and sandy clay loam and the depth to restrictive feature is more than 80 inches. Due to the high clay content, this soil has a high shrink/swell potential (USDA 1984).
- **Diablo clay, 5 to 9 percent slopes, MRLA 15:** This soil type is well drained and has a very high runoff class. The typical soil profile consists of clay and bedrock and the depth to restrictive feature is 40 to 59 inches to lithic bedrock. Due to the high clay content, this soil has a high shrink/swell potential (USDA 1984).
- **Diablo and Cibo clays, 9 to 15 percent slopes:** This soil type is well drained and has a very high runoff class. The typical soil profile consists of clay and weathered bedrock and the depth to restrictive feature is 45 to 58 inches to lithic bedrock. This soil has a high shrink/swell potential and is subject to slippage when wet (USDA 1984).
- **Marimel silty clay loam, drained:** This soil is well drained and has a medium runoff class. The typical soil profile consists of silty clay loam, stratified loam, and clay loam. The depth to restrictive feature is more than 80 inches. This soil has a slight water erosion hazard (USDA 1984).
- **Santa Lucia very shaly clay loam, 9 to 15 percent slopes:** This soil type is well drained and has a high runoff class and depth to restrictive feature of 20 to 40 inches. The typical soil profile consists of very channery clay loam and unweathered bedrock. This soil has a slight to moderate water erosion hazard. This soil type is not well suited to support septic systems due to its limited depth to lithic bedrock (USDA 1984).

### Soil Erosion

Potential for erosion to occur at a particular site may depend on, but is not limited to, type of soils present, existing uses, and vegetative cover. Soils that consist of loose materials, such as sand, are generally considered highly erodible. Soils that contain more compact materials, such as clay, would be less erodible. Off-site transportation and wastewater system improvement areas occur in sandy soils and would be considered highly erodible. Off-site water system improvements primarily occur in sandy soil

west of Nipomo Creek; however, they would also extend through clay soil types along Tefft Street east of Nipomo Creek, which have lower potential for erosion.

### Expansive Soil

Typically, soils with high potential for expansion largely consist of clay and clay materials. Shrinking and swelling of soils can cause damage to building foundations, roads, and other structures. Off-site transportation and wastewater system improvements would primarily occur in sandy soils with low potential for expansion. Off-site water system improvements would occur in sandy soils west of Nipomo Creek; however, they would also extend through clay soils types along Tefft Street east of Nipomo Creek with high potential for expansion.

## 4.7.1.3.3 PALEONTOLOGICAL SETTING

According to previous geologic mapping, off-site areas are underlain by six geologic units: Holocene to Late Pleistocene alluvium (Qya), Pleistocene old eolian deposits (Qoe) and older alluvial deposits (Qoa), Tertiary (=Paleogene) siliceous shales of the Monterey Formation (Tmc), and multiple units of the Obispo Formation, including tuff and tuffaceous alluvium (Tot) and mafic volcanics interlayered with rhyolitic tuffs (Tob) (Delattre and Wieger 2014). Table 4.7-4 provides a summary of these units and their paleontological potential. The off-site transportation and wastewater improvement areas are underlain by the same geologic unit as the Specific Plan Area. Since the off-site areas are concentrated along existing roads and infrastructure, some of the immediately underlying deposits are possibly previously disturbed and may lack scientifically significant paleontological resources, as they would not be in their original stratigraphic or geographic position.

**Table 4.7-4. Geologic Units and Paleontological Potential Underlying Off-Site Improvement Areas**

| Geologic Unit Label | Geologic Unit Name | Age | Paleontological Potential |
|---|---|---|---|
| Qya | Younger Alluvial Deposits | Holocene to Late Pleistocene | Low to High, increasing with depth (and age) |
| Qoe | Old Eolian Deposits | Late Pleistocene | Low |
| Qoa | Older Alluvial Deposits | Late to Middle Pleistocene | Low to High, increasing with depth (and age) |
| Tmc | Monterey Formation, siliceous shale | Upper to Middle Miocene | High |
| Tob | Obispo Formation, mafic volcanic rocks | Lower Miocene | None to Low, primarily in rhyolitic tuffs |
| Tot | Obispo Formation, tuff | Lower Miocene | Low |

Source: Delattre and Wiegers (2014); Holland (2013)

Section 4.7.1.2.3, *Soils*, describes Pleistocene paleontological resources of San Obispo County and the general project location in detail and are similar for the Quaternary units underlying the off-site areas. The Monterey Formation (not mapped within the Specific Plan Area), which may be crossed by the off-site infrastructure, has a long history of paleontological research. Numerous invertebrate, fish, and marine mammal fossils have been recovered (Eisentraut and Cooper 2002). Paleontological resources are rare in volcanic rocks except under certain conditions; for instance, there are documented fossils of marine pelecypods (bivalves) from Obispo Formation rhyolitic tuffs and breccias (Hall et al. 1966). Based on the results of the literature, previous locality data, and geologic map reviews, no known fossil localities are present within the off-site areas (NHMLA 2021; PBDB 2022; Jefferson 1991; Jefferson et al. 1992).

# 4.7.2 Regulatory Setting

## *4.7.2.1 Federal*

There are no federal regulations related to geology and soils applicable to the project.

## *4.7.2.2 State*

### 4.7.2.2.1 ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING ACT

Chapter 7.5 of Division 2, Geology, Mines and Mining, of the PRC, also known as the Alquist-Priolo Act of 1972, was created with the purpose of providing policies and criteria to assist state agencies, counties, and cities in prohibiting development for human occupancy across active faults. It is also the intent of the act to increase public safety by minimizing the loss of life due to earthquakes by facilitating seismic retrofitting to strengthen buildings against ground shaking. The Alquist-Priolo Act delineated active faults, which is defined as a fault that has ruptured in the past 11,000 years.

### 4.7.2.2.2 SEISMIC HAZARDS MAPPING ACT

The Seismic Hazards Mapping Act (SHMA) of 1990 (PRC Chapter 7.8, Sections 2690–2699.6) authorizes the CDOC and CGS to identify and map areas prone to seismic hazards, including amplified ground-shaking, liquefaction, and earthquake-induced landslide. The purpose of SHMA is to reduce the threat to public safety and minimize the loss of life and property by identifying and mitigating seismic hazards (CDOC 2019).

The SHMA requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). Following creation of the maps, they are distributed to all affected state agencies, counties, and cities for their use in planning and controlling construction and development (CDOC 2019).

### 4.7.2.2.3 CALIFORNIA BUILDING CODE

Section 1613 of the CBC identifies building requirements that new development must meet to withstand earthquake loads, including liquefaction. According to Section 1613 of the CBC, all structures, including nonstructural components that are permanently attached to structures and their supports and attachments, shall be designed and constructed to resist the effects of earthquake motions in accordance with this section.

Section 1803 of the CBC requires geotechnical investigations in accordance with Section 1803.2 and reporting in accordance with Section 1803.6. Section 1803 of the CBC states that geotechnical investigations shall be conducted in accordance with the following requirements:

> **1803.2 Investigations Required.** Geotechnical investigations shall be conducted in accordance with Sections 1803.3 through 1803.5.
>
> **1803.3 Basis of Investigation.** Soil classification shall be based on observation and any necessary tests of the materials disclosed by borings, test pits or other subsurface exploration made in appropriate locations. Additional studies shall be made as necessary to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction and expansiveness.

**1803.3.1 Scope of Investigation.** The scope of the geotechnical investigation including the number and types of borings or soundings, the equipment used to drill or sample, the in-situ testing equipment and the laboratory testing program shall be determined by a registered design professional.

**1803.4 Qualified Representative.** The investigation procedure and apparatus shall be in accordance with generally accepted engineering practice. The registered design professional shall have a fully qualified representative on site during all boring or sampling operations.

**1803.5.2 Questionable Soil.** Where the classification, strength or compressibility of the soil is in doubt or where a load-bearing value superior to that specified in this code is claimed, the building official shall be permitted to require that a geotechnical investigation be conducted.

**1803.5.3 Expansive Soil.** In areas likely to have expansive soil, the building official shall require soil tests to determine where such soils do exist.

**1803.5.4 Ground-Water Table.** A subsurface soil investigation shall be performed to determine whether the existing ground-water table is above or within 5 feet (1524 mm) below the elevation of the lowest floor level where such floor is located below the finished ground level adjacent to the foundation.

**1803.5.5 Deep Foundations.** Where deep foundations will be used, a geotechnical investigation shall be conducted and shall include all of the following, unless sufficient data upon which to base the design and installation is otherwise available:

1. Recommended deep foundation types and installed capacities
2. Recommended center-to-center spacing of deep foundation elements
3. Driving criteria
4. Installation procedures
5. Field inspection and reporting procedures (to include procedures for verification of the installed bearing capacity where required)
6. Load test requirements
7. Suitability of deep foundation materials for the intended environment
8. Designation of bearing stratum or strata
9. Reductions for group action, where necessary

**1803.6 Reporting.** Where geotechnical investigations are required, a written report of the investigations shall be submitted to the building official by the permit applicant at the time of permit application. This geotechnical report shall include, but need not be limited to, the following information:

1. A plot showing the location of the soil investigations.
2. A complete record of the soil boring and penetration test logs and soil samples.
3. A record of the soil profile.
4. Elevation of the water table, if encountered.

5. Recommendations for foundation type and design criteria, including but not limited to: bearing capacity of natural or compacted soil; provisions to mitigate the effects of expansive soils; mitigation of the effects of liquefaction, differential settlement and varying soil strength; and the effects of adjacent loads.
6. Expected total and differential settlement.
7. Deep foundation information in accordance with Section 1803.5.5.
8. Special design and construction provisions for foundations of structures founded on expansive soils, as necessary.
9. Compacted fill material properties and testing in accordance with Section 1803.5.8.
10. Controlled low-strength material properties and testing in accordance with Section 1803.5.9.
11. The report shall consider the effects of seismic hazard in accordance with Section 1803.7.

#### 4.7.2.2.4 CALIFORNIA PUBLIC RESOURCES CODE SECTION 5097.5

PRC Section 5097.5 prohibits any persons from knowingly or willfully excavating upon, removing, destroying, injuring, or defacing any historic or prehistoric ruins, including a vertebrate paleontological site, fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological, or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands. Anyone who violates this section of the PRC would be subject to the payment of fines or imprisonment.

### *4.7.2.3 Local*

#### 4.7.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

##### Safety Element

The County's Safety Element has two basic principles: to be ready for disaster, and to manage development to reduce risk. The Safety Element provides goals, policies, and programs to reduce the risk of loss due to potential natural hazards, including seismic hazards, within the county, with the purpose of providing standards for reducing the risk of exposure to hazards.

##### Conservation and Open Space Element

The County's COSE identifies goals, policies, and implementation strategies aimed at preserving and protecting natural resources throughout the county. The COSE includes goals, policies, and implementation strategies for the protection of soil and paleontological resources. COSE Chapter 8, *Soil Resources*, identifies resource management goals, policies, and strategies that preserve and protect soil resources from degradation or loss by wind and water erosion, preserve and protect watershed function and ecological health through soil conservation, and protect agricultural soils from conversion to non-agricultural uses.

#### 4.7.2.3.2 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

The County's LUO, Title 22 of the County Code, includes regulations that have been adopted by the County to implement the General Plan and to guide and manage the future growth of the county in compliance with the General Plan; to regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county; to minimize adverse effects on the public resulting from the inappropriate creation, location, use, or design of building sites, buildings, land uses, parking areas, or other forms of land development by providing appropriate standards for development; to protect and enhance the significant natural, historic, archaeological, and scenic resources within the county as identified by the General Plan; and to assist the public in identifying and understanding regulations affecting the development and use of land.

Chapter 22.52 of the LUO includes specific regulations pertaining to grading and drainage within the county. The purpose of Chapter 22.52 is to establish standards to safeguard the public health, safety and general welfare; minimize erosion and sedimentation; minimize fugitive dust emissions; prevent the loss of agricultural soils; reduce the harmful effects of stormwater runoff; encourage groundwater recharge; protect fish and wildlife; reduce hazards to life and property; reduce drainage problems from new development; enhance slope stability; protect natural, scenic, and cultural resources; prevent environmental damage to public and private property; and to otherwise protect the natural environment.

Section 22.14.070 of the LUO contains specific regulations related to the GSA combining designation. The GSA is applied to areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. Potential geologic hazards include seismic hazards, landslide hazards, and liquefaction hazards.

### *4.7.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Geology and Soils*

Table 4.7-5 lists applicable state, regional, and local land use policies and regulations pertaining to geology and soils that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.7.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.7-5 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.7.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

## Table 4.7-5. Preliminary Policy Consistency Evaluation

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Safety Element** | | |
| **Policy S-18 Fault Rupture Hazards.** Locate new development away from active and potentially active faults to reduce damage from fault rupture. Fault studies may need to include mapping and exploration beyond project limits to provide a relatively accurate assessment of a fault's activity. The County will enforce applicable regulations of the Alquist-Priolo Earthquake Fault Zoning Act pertaining to fault zones to avoid development on active faults. | The intent of this policy is to avoid hazards associated with rupture of an active fault. | **Potentially Consistent**. There are no known active or potentially active faults located under the Specific Plan Area or immediately adjacent to the Specific Plan Area. Therefore, future buildout of residential and mixed-use development on-site would not be at risk of loss, injury, or death involving rupture of an active fault. |
| **Policy S-19 Reduce Seismic Hazards.** The County will enforce applicable building codes relating to the seismic design of structures to reduce the potential for loss of life and reduce the amount of property damage. | The intent of this policy is to reduce hazards associated with seismic events. | **Potentially Consistent.** The project is located within a seismically active region. A Geotechnical Engineering Report and Geology Report were prepared for the project (ESP 2021a, 2021b). The project would have the potential to result in substantial adverse effects in the event of strong seismic ground shaking. Mitigation has been identified to ensure future development is designed and constructed with foundations that would reduce risk of loss, injury, or death involving strong seismic shaking or seismic-related ground failure. |
| **Policy S-20 Liquefaction and Seismic Settlement.** The County will require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the currently adopted Uniform Building Code. | The intent of this policy is to reduce risk associated with liquefaction and seismic settlement. | **Potentially Consistent.** The project is located in a seismically active area with low to moderate liquefaction potential. The project would be subject to Chapter 1613 of the 2019 CBC, which requires buildings, building foundations, and any other associated structures to be constructed to withstand earthquake loads, including liquefaction. According to the Geotechnical Engineering Report prepared for the project, based on a project-specific analysis, project soils are non-liquefiable; therefore, the potential for liquefaction to cause dynamic settlement, lateral spreading, or loss of soil bearing is negligible (ESP 2021a). In addition, the project area has not been identified as an area of concern for known land subsidence (USGS 2021; ESP 2021a). |
| **Policy S-21 Slope Instability.** The County acknowledges that areas of known landslide activity are generally not suitable for residential development. The County will avoid development in areas of known slope instability or high landslide risk when possible and continue to encourage that developments on sloping ground use design and construction techniques appropriate for those areas. | The intent of this policy is to reduce risk associated with slope instability. | **Potentially Consistent.** The project is not located in an area identified as having landslide or slope stability risk. Future development would be required to construct foundations and other surface improvements on relatively uniform material, which may be accomplished by overexcavation, scarification, moisture conditioning, and compaction of upper soils (ESP 2021a). Mitigation Measures GEO/mm-5.1 and GEO/mm-5.2 have been included to require future site preparation and grading to incorporate recommendations identified in the Geotechnical Engineering Report prepared |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | for the project (ESP 2021a, 2021b). Implementation of the recommendations would minimize the potential for settlement and hydroconsolidation. In addition, future buildout of the project would be required to comply with all applicable CBC standards. |
| **Policy S-22 Readiness and Response.** Fire and law enforcement agencies will maintain and improve their ability to respond to seismic emergencies throughout the County | The intent of this policy is to improve emergency response following seismic emergencies. | **Potentially Consistent.** As described in Section 4.15, *Public Services*, the project would result in an increased need for fire and police protection services, which would be offset through payment of Public Facilities Fees. Further, increased demand on fire protection services would be offset through implementation of identified mitigation to provide land for future development of a new fire station. Transportation improvements proposed as part of development of the Specific Plan Area would improve emergency access in the event of an emergency. |
| **Conservation and Open Space Element** | | |
| **Policy CR 4.5 Paleontological resources.** Protect paleontological resources from the effects of development by avoiding disturbance where feasible.<br>**Implementation Strategy CR 4.5.1 Paleontological Studies.** Require a paleontological resource assessment and mitigation plan to 1) identify the extent and potential significance of the resources that may exist within the proposed development and 2) provide mitigation measures to reduce potential impacts when existing information indicates that a site proposed for development may contain biological, paleontological, or other scientific resources.<br>**Implementation Strategy CR 4.5.2 Paleontological Monitoring.** Require a paleontologist and/or registered geologist to monitor site-grading activities when paleontological resources are known or likely to occur. The monitor will have the authority to halt grading to determine the appropriate protection or mitigation measures. Measures may include collection of paleontological resources, curation of any resources collected with an appropriate repository, and documentation with the County. | The intent of this policy is to protect paleontological resources. | **Potentially Consistent.** The project includes ground-disturbing activities, which has limited but some potential to disturb paleontological resources if present on-site. Therefore, the project includes mitigation to reduce the potential to disturb paleontological resources during project construction, consistent with this policy. |
| **Policy SL 1.1 Prevent loss of topsoil in all land uses.** Minimize the loss of topsoil by encouraging broad-based cooperation between property owners, agricultural operators, agencies, and organizations that will lead to effective soil conservation practices on all lands, including County-controlled properties. | The intent of this policy is to minimize the loss of topsoil. | **Potentially Consistent.** The project would be required to comply with LUO Section 22.52.120, which requires all construction and grading permit projects to prepare and implement an Erosion and Sedimentation Control Plan (ESCP) to address pre-, during, and post-construction measures for erosion and sedimentation control. The ESCP would include erosion control measures, such as the installation of silt fencing and sediment rolls, hydroseeding and application of straw following seeding to stabilize soils, and storm drain inlet protection including filter fabric or silt sacks installed around the inlet and on top |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | of the storm drain grate and catch basin to minimize risks of loss of topsoil. |
| **Policy SL 1.2 Promote soil conservation practices in all land uses.** Require erosion and sediment control practices during development or other soil-disturbing activities on steep slopes and ridgelines. These practices should disperse stormwater so that it infiltrates the soil rather than running off and protect downslope areas from erosion. | The intent of this policy is to utilize erosion and sediment control practices and encourage stormwater infiltration. | **Potentially Consistent.** The project would be required to comply with LUO Section 22.52.120, which requires all construction and grading permit projects to prepare and implement an ESCP to address pre-, during, and post-construction measures for erosion and sedimentation control. The ESCP would include erosion control measures, such as the installation of silt fencing and sediment rolls, hydroseeding and application of straw following seeding to stabilize soils, and storm drain inlet protection including filter fabric or silt sacks installed around the inlet and on top of the storm drain grate and catch basin to minimize risks of loss of topsoil. The project site does not include steep slopes or ridgelines. |
| **Policy SL 1.3 Minimize erosion associated with new development.** Avoid development, including roads and driveways, on the steeper portions of a site except when necessary to avoid flood hazards, protect prime soils, and protect sensitive biological and other resources. Avoid grading and site disturbance activities on slopes over 30%. Minimize site disturbance and protect existing vegetation as much as possible. | The intent of this policy is to minimize erosion during construction activities. | **Potentially Consistent.** The project would be required to comply with LUO Section 22.52.120, which requires all construction and grading permit projects to prepare and implement an ESCP to address pre-, during, and post-construction measures for erosion and sedimentation control. The ESCP would include erosion control measures, such as the installation of silt fencing and sediment rolls, hydroseeding and application of straw following seeding to stabilize soils, and storm drain inlet protection including filter fabric or silt sacks installed around the inlet and on top of the storm drain grate and catch basin to minimize risks of loss of topsoil. The project area does not include steep slopes or prime soils and measures have been identified to protect biological and other resources. |
| ***San Luis Obispo County Multi-Jurisdictional Hazard Mitigation Plan*** | | |
| **Goal 2.** Mitigate hazard impacts to existing and future development. | The intent of this policy is to mitigate potential hazards to existing and future development. | **Potentially Consistent.** The project is located within a seismically active region. A Geotechnical Engineering Report and Geology Report were prepared for the project (ESP 2021a, 2021b). The project would have the potential to result in substantial adverse effects in the event of strong seismic ground shaking. Mitigation has been identified to ensure future development is designed and constructed with foundations that would reduce risk of loss, injury, or death. |
| **Objective 2.1.** Limit new development in hazard areas, and as permissible, build to standards that will prevent or reduce damage. | The intent of this policy is to mitigate potential hazards to new development. | **Potentially Consistent.** The project would have the potential to result in substantial adverse effects in the event of strong seismic ground shaking. Future development would be required to construct foundations and other surface improvements on relatively uniform material, which may be accomplished by overexcavation, scarification, moisture conditioning, and compaction of upper soils (ESP 2021a). Mitigation Measures GEO/mm-5.1 and GEO/mm-5.2 have been |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | included to require future site preparation and grading to incorporate recommendations identified in the Geotechnical Engineering Report and Geology Report prepared for the project (ESP 2021a, 2021b). Implementation of the recommendations would minimize the potential for potential ground-failure events, including seismically induced ground failure. In addition, future buildout of the project would be required to comply with all applicable CBC standards. |
| **Goal 4.** Minimize the level of injury and loss of life and damage to existing and future critical facilities, property and infrastructure due to natural hazards. | The intent of this policy is to minimize risk as a result of natural hazards. | **Potentially Consistent.** The project is located within a seismically active region. The project would have the potential to result in substantial adverse effects in the event of strong seismic ground shaking. Mitigation has been identified to ensure future development is designed and constructed with foundations that would reduce risk of loss, injury, or death. In addition, future buildout of the project would be required to comply with all applicable CBC standards. |

## 4.7.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on geology and soils if the effects exceed the significance criteria described below:

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.

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.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Each of these thresholds is discussed under Section 4.7.5, *Project-Specific Impacts and Mitigation Measures*, below.

As discussed in the IS/NOP, the County has determined that the proposed project would not have significant impacts related to landslide hazard because the project site is located in an area with low

potential for landslides to occur. In addition, the project does not require the installation of septic tanks; therefore, there would be no potential impacts related to installation of septic tanks. Therefore, issues related to the following thresholds of significance are not discussed further in the EIR:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    iv. Landslides.

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.

See EIR Appendix B, *Notice of Preparation for the Draft Environmental Impact Report and Comment Letters*, for more information.

## 4.7.4 Impact Assessment and Methodology

The following evaluation is based, in part, on the results of the 2021 Geotechnical Engineering Report and Geology Report prepared for the proposed project (ESP 2021a, 2021b; see EIR Appendix G). The Geotechnical Engineering Report includes findings based on field and laboratory tests conducted on soils at the site. Existing site conditions, potential hazards, and building design recommendations are included and incorporated into the evaluation below to identify the appropriate engineering solutions to minimize or avoid any potential geologic hazards or other soil-related factors that would inhibit development of the project area.

## 4.7.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT RESULT IN 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?

### Specific Plan Area

#### *GEO Impact 1: The project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground shaking, or seismic-related ground failure. Impacts would be less than significant with mitigation (Class II).*

The County's Safety Element describes fault rupture as the displacement of the ground surface along a fault trace, which would result in risk to life and property if buildings, structures, or lifeline facilities are constructed on, or cross over, a fault (County of San Luis Obispo 1999). The proposed project would have a potentially significant impact related to risk of loss, injury, or death involving fault rupture, if future development were to be constructed on a fault. Based on the Geotechnical Engineering Report prepared for the project (ESP 2021a) and the CDOC Fault Activity Map of California, the Specific Plan Area is not located on or near an Alquist-Priolo fault. Because there are no active or potentially active

faults located under the Specific Plan Area, future buildout of residential and mixed-use development would not be at risk of loss, injury, or death involving rupture of an active fault.

According to the Safety Element, ground shaking refers to the motion that occurs in response to regional and local earthquakes and can endanger life and safety by causing damage or collapse of buildings, structures, or lifeline facilities. The proposed project would have a significant impact if future development would result in risk of loss, injury, or death due to building and/or structure collapse caused by seismic ground shaking. The project site is located in a seismically active region; therefore, there is always potential for ground shaking to occur. Future buildout would result in the development of up to 1,291 potential residential units and 110,000 to 203,000 potential square feet of commercial and nonresidential development. It is anticipated that future residential and commercial and other nonresidential development would be at risk of seismic ground shaking at some point(s) during the lifetime of the project.

Based on the Safety Element maps, the project site has moderate potential for liquefaction. As identified in the Safety Element, areas with moderate or high liquefaction potential are required to perform geotechnical studies for habitable or important structures. A Geotechnical Engineering Report and Geology Report were prepared for the project (ESP 2021a, 2021b). Based on the Geotechnical Engineering Report, soils at the project site are non-liquefiable; therefore, the potential for liquefaction to cause dynamic settlement, lateral spreading, or loss of soil bearing is negligible (ESP 2021a).

The project would be subject to Chapter 1613 of the 2019 CBC, which requires buildings, building foundations, and any other associated structures to be constructed to withstand earthquake loads, including liquefaction. In addition, future buildout of the project would be required to comply with the building and design recommendations included in the Geotechnical Engineering Report and associated reports prepared for the project (ESP 2021a, 2021b). Mitigation Measure GEO/mm-1.1 requires recommendations provided for foundational design be implemented into the future project design criteria to reduce the risk of collapse or other damage due to seismic activity and would further reduce the risk of damage caused by potential liquefaction at the site. Therefore, with required adherence to Section 1613 of the CBC and implementation of Mitigation Measure GEO/mm-1.1, future development associated with the DRSP would be compliant with relevant seismic design standards, which would reduce the risk of loss, injury, or death involving seismic ground shaking or seismic-related ground failure. Therefore, impacts would be *less than significant with mitigation*.

| **GEO Impact 1 (Class II)** | |
|---|---|
| The project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground shaking, or seismic-related ground failure. | |
| ***Mitigation Measures*** | |
| *GEO/mm-1.1* | ***Foundations.*** *The following recommendations shall be incorporated into the design criteria for future development of the Specific Plan Area:*<br>*1. Conventional continuous and spread footings bearing on compacted soils may be used to support the new structures. Grade beams shall also be placed across all large entrances into the buildings. Footings and grade beams shall have a minimum depth of 12 inches below lowest adjacent grade; however, footings and grade beams for commercial buildings and residential buildings two stories or greater shall have a minimum depth of 18 inches below lowest adjacent grade. All spread footings shall be a minimum of 2 square feet. Footing and grade beam dimensions shall also conform to the applicable requirements of Section 1809 of the 2019 California Building Code. Footing reinforcement shall be in accordance with the requirements of the architect/engineer; minimum continuous footing and grade beam reinforcement shall consist of two No. 4 rebar, one near the top and one near the bottom of the footing.* |

**GEO Impact 1 (Class II)**

2. *Footings shall be designed using a maximum allowable bearing capacity of 2,000 pounds per square foot (psf) dead plus live load. The allowable bearing capacity may be increased by 200 psf for each additional 6 inches of embedment below a depth of 12 inches below lowest adjacent grade. The allowable bearing capacity shall not exceed 3,000 psf dead plus live loads. Using these criteria, maximum total and differential settlement under static conditions are expected to be on the order of 3/4-inch and 1/4-inch in 25 feet, respectively. Footings shall also be designed to withstand total and differential dynamic settlement of 1/2-inch and 1/4-inch across the largest building dimension, respectively.*
3. *Lateral loads may be resisted by soil friction and by passive resistance of the soil acting on foundations. Lateral capacity is based on the assumption that backfill adjacent to foundations is properly compacted. A passive equivalent fluid pressure of 375 pounds per cubic foot (pcf) and a coefficient of friction of 0.39 may be used in design. No safety, load, and/or other factors have been applied to any of the values.*
4. *The allowable bearing capacity may be increased by one-third when transient loads, such as wind or seismicity, are included if the structural engineer determines they are allowed per Sections 1605.3.1 and 1605.3.2 of the 2019 California Building Code. The following seismic parameters are presented for use in structural design.*

| 2019 Mapped CBC Values | | Site Class "D" Adjusted Values | | | | Design Values | |
|---|---|---|---|---|---|---|---|
| **Seismic Parameters** | **Values (g)** | **Site Coefficients** | **Values (g)** | **Seismic Parameters** | **Values (g)** | **Seismic Parameters** | **Values (g)** |
| $S_S$ | 1.056 | $F_a$ | 1.078* | $S_{MS}$ | 1.138 | $S_{DS}$ | 0.759* |
| $S_1$ | 0.386 | $F_V$ | 1.914 | $S_{M1}$ | 0.739 | $S_{D1}$ | 0.493 |

Peak Mean Ground Acceleration ($PGA_M$) = 0.527g

Seismic Design Criteria = D

*$F_a$ should be taken as 1.4 and $S_{DS}$ as 0.996 if the Simplified Lateral Force Analysis Procedure in Section 12.14.8 of the American Society of Civil Engineers Publications is used in structural design

5. *Foundation excavations shall be observed by the geotechnical engineer prior to placement of reinforcing steel or any formwork. Foundation excavations shall be thoroughly moistened prior to Portland cement concrete placement and no desiccation cracks shall be present.*

***Residual Impacts***

*With implementation of Mitigation Measure GEO/mm-1.1, residual impacts would be considered less than significant (Class II).*

## Off-Site Improvements

### *GEO Impact 2: Off-site improvements could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground shaking, or seismic-related ground failure. Impacts would be less than significant with mitigation (Class III).*

Proposed off-site improvements would be located in a seismically active region with the potential for earthquakes and associated risk to occur, such as fault rupture, ground shaking, and liquefaction. Off-site improvement areas are not underlain by an Alquist-Priolo fault; therefore, proposed improvements would not result in the risk of loss, injury, or death as a result of rupture of a known Alquist-Priolo fault. Proposed off-site improvements would primarily be limited to installation of minor transportation improvements (e.g., blending of roadway connections, minor road widening, installation of stop- and

signal-control facilities) and installation of underground water and wastewater infrastructure. Additional proposed aboveground development for off-site improvements includes development of an additional water storage tank at the Joshua Road pump station, near the intersection of Tefft Street and North Dana Foothill Road. Proposed improvements would not result in any occupiable buildings or structures that would result in the risk of loss, injury, or death to any project occupants. Proposed off-site infrastructure improvements would be subject to Section 1613 of the CBC in effect at the time of development and relevant County requirements to adequately withstand risks associated with earthquakes, including ground shaking and liquefaction. Required compliance with the CBC and County requirements would reduce the risk of loss, injury, and/or death associated with installation of proposed improvements; therefore, potential impacts would be *less than significant*.

| **GEO Impact 2 (Class III)** |
|---|
| Off-site improvements could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground shaking, or seismic-related ground failure. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with seismic design standards, residual impacts would be considered less than significant (Class III).* |

## WOULD THE PROJECT RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?

### Specific Plan Area

#### *GEO Impact 3: The project could result in substantial soil erosion or the loss of topsoil during future construction activities. Impacts would be less than significant (Class III).*

The project site is characterized by topography that ranges from nearly level to gently rolling hills and supports coast live oak woodland, chapparal, and grassland communities. The Specific Plan Area is underlain by sandy soils, which are highly susceptible to erosion (ESP 2021a). Grading, vegetation removal, and other ground-disturbing activities on the approximately 288-acre Specific Plan Area would result in the temporary disturbance of project soils, which would likely increase soil erosion at the project site.

The project would be required to comply with County LUO Section 22.52.120, which requires all construction and grading permit projects to prepare and implement an Erosion and Sedimentation Control Plan (ESCP) to address pre-, during, and post-construction measures for erosion and sedimentation control. The project would also be required to comply with LUO Section 22.52.130 and prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the State Water Resources Control Board (SWRCB) General Construction Permit. The SWPPP would be required to include Best Management Practices (BMPs) for erosion control during and following construction activities. Per LUO Section 22.52.130(F)(2), the SWPPP shall include a copy of the ESCP required by LUO Section 22.52.120. Based on required compliance with existing regulations, construction of the project is not anticipated to result in substantial soil erosion. Following preliminary infrastructure and construction activities, the Specific Plan Area would be constructed with buildings, landscaping, roads,

sidewalks, and other hardscapes that would significantly reduce the potential for long-term soil erosion to occur at the project site. Therefore, based on required compliance with existing regulations, temporary ground-disturbing activities would not result in substantial erosion or loss of topsoil, and impacts would be *less than significant*.

| **GEO Impact 3 (Class III)** |
|---|
| The project could result in substantial soil erosion or the loss of topsoil during future construction activities. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Potential impacts related to erosion or the loss of topsoil would be less than significant through compliance with existing regulations, and residual impacts would be less than significant (Class III).* |

## Off-Site Improvements

### *GEO Impact 4: Off-site improvements could result in substantial soil erosion or the loss of topsoil during future construction activities. Impacts would be less than significant (Class III).*

Off-site improvement areas are characterized by previously developed or otherwise disturbed areas on nearly level to gently sloping land. Construction for proposed improvements would require temporary construction activities that have the potential to result in increased erosion or loss of topsoil at proposed improvement areas. Further, proposed water system improvements would require work adjacent to Nipomo Creek, which has the potential to result in increased erosion that may runoff into the creek.

Proposed off-site improvements would be required to comply with County LUO Section 22.52.120, which requires all construction and grading permit projects to prepare and implement an ESCP to address pre-, during, and post-construction measures for erosion and sedimentation control. Proposed improvements that require more than 1 acre of ground disturbance would be required to comply with LUO Section 22.52.130, which requires preparation and implementation of a SWPPP with BMPs in accordance with the SWRCB General Construction Permit. Following temporary construction activities, proposed off-site improvement areas would be returned to preconstruction conditions to the extent feasible to avoid and/or minimize the potential for long-term erosion to occur at off-site improvement areas. Therefore, based on required compliance with the County's LUO, off-site NCSD improvements are not anticipated to result in substantial erosion or the loss of topsoil, and impacts would be *less than significant*.

| **GEO Impact 4 (Class III)** |
|---|
| Off-site improvements could result in substantial soil erosion or the loss of topsoil during future construction activities. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |

| GEO Impact 4 (Class III) |
|---|
| ***Residual Impacts*** |
| *Potential impacts related to erosion or the loss of topsoil would be less than significant through compliance with existing regulations, and residual impacts would be less than significant (Class III).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

#### *GEO Impact 5: The project may 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. Impacts would be less than significant with mitigation (Class II).*

According to the Geotechnical Engineering Report prepared for the project (ESP 2021a), based on the type of soils and conditions present, the Specific Plan Area is at risk for liquefaction, settlement, hydroconsolidation, and seismically induced settlement. However, based on a project-specific analysis, project soils are non-liquefiable; therefore, the potential for liquefaction to cause dynamic settlement, lateral spreading, or loss of soil bearing is negligible (ESP 2021a). In addition, the project area has not been identified as an area of concern for known land subsidence (USGS 2021; ESP 2021a).

Future development would be required to construct foundations and other surface improvements on relatively uniform material, which may be accomplished by overexcavation, scarification, moisture conditioning, and compaction of upper soils (ESP 2021a). Mitigation Measures GEO/mm-5.1 and GEO/mm-5.2 have been included to require future site preparation and grading to incorporate recommendations included in the Geotechnical Engineering Report. Implementation of the recommendations would minimize the potential for settlement and hydroconsolidation. Mitigation Measure GEO/mm-5.3 requires the applicant to retain a qualified geotechnical engineer to provide consultation during the design phase, aid in incorporating recommendations of this report in future project design, review final plans once they are available, interpret this report during construction, and provide construction monitoring in the form of testing and observation. In addition, future buildout of the project would be required to comply with all applicable CBC standards, including Section 1613 of the CBC to reduce or avoid risk associated with development on potentially unstable soils, including liquefaction. The project would also be required to implement Mitigation Measure GEO/mm-1.1, which requires recommendations for building foundations to be implemented into future project design criteria to reduce the risk of collapse or other damage due to liquefaction or settlement.

Therefore, with required adherence to the CBC and implementation of Mitigation Measures GEO/mm-1.1 and GEO/mm-5.1 through GEO/mm-5.3, future development associated with the Specific Plan Area would not be at risk due to potential ground failure. Therefore, impacts would be *less than significant with mitigation*.

| GEO Impact 5 (Class II) |
|---|
| The project may 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. |

| **GEO Impact 5 (Class II)** |
|---|
| ***Mitigation Measures*** |
| *Implement Mitigation Measure GEO/mm-1.1.* |
| *GEO/mm-5.1* ***Site Preparation.***<br>1. *The existing ground surface in the building and surface improvements areas shall be prepared for construction by removing existing improvements, vegetation, large roots, debris, and other deleterious material. Any existing fill soils shall be completely removed and replaced as compacted fill. Any existing utilities that will not remain in service shall be removed or properly abandoned; the appropriate method of utility abandonment will depend upon the type and depth of the utility. Recommendations for abandonment can be made as necessary.*<br>2. *Voids created by the removal of materials or utilities, and extending below the recommended overexcavation depth, shall be immediately called to the attention of the geotechnical engineer. No fill shall be placed unless the geotechnical engineer has observed the underlying soil.* |
| *GEO/mm-5.2* ***Grading.***<br>1. *Following site preparation, the soils in the building area for one- and two-story buildings shall be removed to a level plane at a minimum depth of 3 feet below the bottom of the deepest footing or 4 feet below existing grade, whichever is deeper. The soils in the building area for three- and four-story buildings shall be removed to a level plane at a minimum depth of 4 feet below the bottom of the deepest footing or 5 feet below existing grade, whichever is deeper. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.*<br>2. *In addition to the recommendations of measure 1, all cut or cut/fill transition areas shall be overexcavated such that a minimum of 5 feet of compacted fill is provided within all the building areas. Also, the minimum depth of the fill below the building area shall not be less than half of the maximum depth of fill below the building area. For example, if the maximum depth of fill below the building area is 20 feet, then the minimum depth of fill below the same building area grades shall be no less than 10 feet. In no case shall the depth of fill be less than 5 feet on the building areas.*<br>3. *Following site preparation, the soils in the surface improvement area shall be removed to a level plane at a minimum depth of 1 foot below the proposed subgrade elevation or 2 feet below the existing ground surface, whichever is deeper. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.*<br>4. *Following site preparation, the soils in fill areas beyond the building and surface improvement areas shall be removed to a depth of 2 feet below existing grade. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.*<br>5. *Voids created by dislodging cobbles and/or debris during scarification shall be backfilled and compacted, and the dislodged materials shall be removed from the area of work.*<br>6. *On-site material and approved import materials may be used as general fill. All imported soil shall be non-expansive. The proposed imported soils shall be evaluated by the geotechnical engineer before being used, and on an intermittent basis during placement on the site.*<br>7. *All materials used as fill shall be cleaned of any debris and rocks larger than 6 inches in diameter. No rocks larger than 3 inches in diameter shall be used within the upper 3 feet of finish grade. When fill material includes rocks, the rocks shall be placed in a* |

| **GEO Impact 5 (Class II)** | |
|---|---|
| | *sufficient soil matrix to ensure that voids caused by nesting of the rocks will not occur and that the fill can be properly compacted.*<br>*Soils are estimated to shrink by approximately 15% to 20% when prepared and graded as recommended above.* |
| *GEO/mm-5.3* | ***Project Design, Construction Observation, and Testing.***<br>1. *A geotechnical engineer shall be retained to provide consultation during the design phase, aid in incorporating recommendations of this report in future project design, review final plans once they are available, interpret this report during construction, and provide construction monitoring in the form of testing and observation.*<br>2. *At a minimum, the geotechnical engineer shall be retained to provide:*<br>a. *Review of final grading, utility, and foundation plans;*<br>b. *Professional observation during grading, foundation excavations, and trench backfill;*<br>c. *Oversight of compaction testing during grading; and*<br>d. *Oversight of special inspection during grading;*<br>3. *Special inspection of grading shall be provided as per California Building Code Section 1705.6 and Table 1705.6. The special inspector shall be under the direction of the geotechnical engineer. Special inspection of the following items shall be provided by the special inspector:*<br>a. *Stripping and clearing of vegetation*<br>b. *Overexcavation to the recommended depths*<br>c. *Scarification, moisture conditioning, and compaction of the soil*<br>d. *Fill quality, placement, and compaction*<br>e. *Utility trench backfill*<br>f. *Retaining wall drains and backfill*<br>g. *Foundation excavations*<br>h. *Subgrade and aggregate base compaction and proof rolling*<br>4. *A program of quality control shall be developed prior to beginning grading. The contractor or project manager shall determine any additional inspection items required by the architect/engineer or the governing jurisdiction.*<br>5. *Locations and frequency of compaction tests shall be as per the recommendation of the geotechnical engineer at the time of construction. The recommended test location and frequency may be subject to modification by the geotechnical engineer, based on soil and moisture conditions encountered, size and type of equipment used by the contractor, the general trend of the results of compaction tests, or other factors.*<br>6. *The geotechnical engineer shall be notified at least 48 hours prior to beginning construction operations.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures GEO/mm-1.1 and GEO/mm-5.1 through GEO/mm-5.3, residual impacts would be considered less than significant (Class II).* | |

## Off-Site Improvements

### *GEO Impact 6: The project may 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. Impacts would be less than significant with mitigation (Class II).*

According to the Safety Element maps, off-site improvement areas are located in areas with a low to moderate risk of liquefaction and a low risk of landslide. In addition, the project area has not been identified as an area of concern for known land subsidence (USGS 2021). Proposed improvement areas would be located in previously developed or otherwise disturbed areas, which reduces the potential for liquefaction, landslide, or other ground failure to occur due to previously constructed foundations. Proposed off-site improvements would not result in the development of any occupiable buildings or structures that could result in direct risk to project occupants. Proposed off-site improvements would be subject to relevant CBC and County Public Works Department requirements to avoid indirect hazards associated with liquefaction, landslide, or other ground failure events. Based on required compliance with the CBC and County Public Works Department requirements, potential impacts related to ground failure would be *less than significant*.

| **GEO Impact 6 (Class III)** |
|---|
| Off-site improvements may 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. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with state and local requirements and standard building regulations, residual impacts would be considered less than significant (Class III).* |

## WOULD THE PROJECT 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?

### *Specific Plan Area*

The project site is underlain by Oceano sand, 0 to 9 percent slopes, and Oceano sand, 9 to 30 percent slopes (NRCS 2021). Typically, soils with a high clay content display expansive property. Soils at the project site consist solely of sand and have been identified by the Geotechnical Engineering Report to be non-expansive (ESP 2021a). Since future development would not be located on expansive soils, there would be *no impact* related to indirect risks to life or property.

## Off-Site Improvements

### *GEO Impact 7: Off-site improvements may 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. Impacts would be less than significant (Class III).*

Proposed transportation and NCSD wastewater improvements would be located within Oceano sand, which has a soil profile that consists entirely of sand; therefore, off-site transportation and wastewater improvements would not be located on expansive soils. Proposed water system improvements would be located on multiple different soil types, some of which consist of clay and clay materials (these soils are generally located east of Nipomo Creek). Therefore, there is potential for water system improvements to be located on expansive soils. However, proposed off-site NCSD water system improvements do not include the development of any occupiable buildings or structures that would result in the direct risk of life or property due to development on expansive soils. Proposed NCSD improvements would be subject to CBC requirements for utility installation to adequately withstand and minimize risk associated with development on expansive soils. Based on required compliance with the CBC requirements, potential impacts would be *less than significant*.

| **GEO Impact 7 (Class III)** |
|---|
| Off-site improvements may 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. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Through compliance with existing regulations and standard building requirements, residual impacts related to development within expansive soils would be considered less than significant (Class III).* |

## WOULD THE PROJECT DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?

## Specific Plan Area

### *GEO Impact 8: Paleontological resources could be present in geological units that underlay the Specific Plan Area, and ground-disturbing activities could damage paleontological resources that may be present below the surface. Impacts would be less than significant with mitigation (Class II).*

As documented in Section 4.7.1.3, *Off-Site Improvements Geologic Setting*, the geologic deposits underlying the project site and immediately surrounding areas include Pleistocene-aged eolian sand dune deposits (Qoe) and Pleistocene-aged alluvial deposits (Qoa) at unknown depths. In accordance with criteria set forth by the SVP (2010), Pleistocene eolian sand dune deposits (Qoe) typically have low paleontological potential because they are unlikely to preserve and fossilize remains, while Pleistocene-aged alluvial deposits (Qoa) have a low to high potential to preserve and fossilize remains. While there are documented fossils preserved at localities with similarly aged but differently mapped alluvial sediments, no localities occur directly within or immediately adjacent to the project within documented Pleistocene-aged alluvial deposits (Qoa). Since Pleistocene-aged alluvial deposits (Qoa) occur at an

unknown depth from the surface, it may not be impacted if the depth it occurs at is not surpassed by ground disturbance; therefore, the unit qualifies as having low paleontological potential at shallow depths but increases with depth (and geologic age).

Based on the paleontological resource assessment of the geological units expected to be impacted, a low paleontological potential is recommended for the project. This assessment could be altered if unanticipated paleontological resources are uncovered during ground-disturbing activities, resulting in the implementation of additional mitigation steps to reduce the impact. However, higher sensitivity formations (Qoa) are located in close proximity to the project site, and it is possible that deposits also underlie the Specific Plan Area. Therefore, based on required compliance with existing regulations, ground-disturbing activities could uncover paleontological resources in previously undisturbed geologic deposits, and, if improperly handled, such resources could be damaged or destroyed, a potentially significant impact. Therefore, mitigation has been identified requiring compliance with COSE Policy CR 4.5, and potential impacts to paleontological resources would be *less than significant with mitigation*.

| **GEO Impact 8 (Class II)** | |
|---|---|
| Paleontological resources could be present in geological units that underlay the Specific Plan Area, and ground-disturbing activities could damage paleontological resources that may be present below the surface. | |
| ***Mitigation Measures*** | |
| *GEO/mm-8.1* | ***Preparation of a Paleontological Resources Monitoring and Mitigation Plan.*** *A qualified paleontologist, meeting the standards of the Society of Vertebrate Paleontology (2010), shall be retained prior to the approval of grading permits. The qualified paleontologist shall develop a Paleontological Resources Monitoring and Mitigation Plan for all ground-disturbing activities, provide mitigation measures to reduce potential impacts when existing information indicates that a site proposed for development may contain paleontological resources, and report to the site in the event potential paleontological resources are encountered.* |
| *GEO/mm-8.2* | ***Worker Environmental Awareness Program.*** *The qualified paleontologist shall conduct a Worker Environmental Awareness Program for all construction workers prior to the start of ground-disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. This information may be presented to contractors and their staff through the use of in-person "tailgate" meetings or other mechanisms (e.g., handouts). Documentation shall be retained demonstrating that all construction personnel attended the training.* |
| *GEO/mm-8.3* | ***Paleontological Monitoring and Handling of Resources Inadvertently Discovered during Ground-Disturbing Activities.*** *Part-time/on-call paleontological resources monitoring shall be conducted by a qualified paleontologist who meets the standards of the Society of Vertebrate Paleontology (2010), for all ground-disturbing activities that occur in previously undisturbed sediments, as outlined in the Paleontological Resources Monitoring and Mitigation Plan prepared to satisfy Mitigation Measure GEO/mm-8.1. If required per the requirements of the Paleontological Resources Monitoring and Mitigation Plan, the qualified paleontologist shall spot check the excavation on an intermittent basis and recommend whether the depth of required monitoring shall be revised based on his/her observations. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils in order to recover the fossil specimens. Any significant fossils collected during project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage as designated in the Paleontological Resources Monitoring and Mitigation Plan. Monitors shall prepare daily logs detailing the types of activities and soils observed and any discoveries. The qualified paleontologist shall prepare a final monitoring and mitigation report to document the results of the monitoring effort.*<br><br>*If construction or other project personnel discover any potential fossils during construction, regardless of the depth of work or location, work at the discovery location shall cease in a* |

| GEO Impact 8 (Class II) |
|---|
| *50-foot radius of the discovery until the qualified paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. If the find is deemed significant, it shall be salvaged following the standards of the Society of Vertebrate Paleontology (2010) and curated with a certified repository.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures GEO/mm-8.1, GEO/mm-8.2, and GEO/mm-8.3, residual impacts would be considered less than significant (Class II).* |

## Off-Site Improvements

### *GEO Impact 9: Paleontological resources could be present in geological units that underlay the area of off-site improvements, and ground-disturbing activities could damage paleontological resources that may be present below the surface. Impacts would be less than significant with mitigation (Class II).*

Proposed off-site transportation, water, and wastewater system improvements would be mostly located along previously developed or otherwise disturbed areas (existing roads) and would pass through multiple geologic units, including those found within the Specific Plan Area (Qoe and Qoa), as well as younger alluvium (Qya), Monterey Formation (Tmc) and the Obispo Formation (Tot and Tob) (Delattre and Wieger 2014). Utilizing the SVP (2010) standards and guidelines, these geologic units have high (Tmc), low to high (Qya), low (Tot), and none to low (Tob) paleontological resource potential, based on sedimentological descriptions (Delattre and Wieger 2014) and the results of previous locality searches (NHMLA 2021; PBDB 2022; Jefferson 1991; Jefferson et al. 1992). In areas of previous ground disturbance, paleontological resource potential is low to none do to the altered stratigraphic and geologic context of any paleontological resource which may be present. However, if construction activities during installation of off-site improvements impact previously undisturbed geologic deposits containing scientifically important fossils, and these resources are improperly handled, such resources could be damaged or destroyed, a potentially significant impact. Therefore, mitigation has been identified requiring compliance with COSE Policy CR 4.5; based on required compliance with existing regulations, impacts would be *less than significant with mitigation*.

| GEO Impact 9 (Class II) |
|---|
| Paleontological resources could be present in geological units that underlay the area of off-site improvements, and ground-disturbing activities could damage paleontological resources that may be present below the surface. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures GEO/mm-8.1 through GEO/mm-8.3.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures GEO/mm-8.1 through GEO/mm-8.3, residual impacts would be considered less than significant (Class II).* |

## 4.7.6 Cumulative Impacts

### *GEO Impact 10: The project would not result in a cumulatively considerable impact to geology and soils. Impacts would be less than cumulatively considerable and less than significant (Class III).*

Cumulative impacts related to geology and soils would result if project-related impacts, when combined with other projects identified in Chapter 3, *Environmental Setting*, would cumulatively increase the potential for geologic hazards, such as ground shaking; increase soil impacts, such as erosion; or cumulatively increase the risk of impacts to paleontological resources. Any structure built in the seismically active region of the Central Coast is naturally at risk to damage during major seismic events, though requirements in the CBC are intended to protect life, ensure safety, and prevent building collapse. All discretionary future development within the Specific Plan Area would be subject to the CBC, which requires buildings, building foundations, and any other associated structures to be constructed to withstand earthquake loads, including liquefaction. In addition, future buildout of the project would be required to comply with the building and design recommendations included in the Geotechnical Engineering Report and associated reports prepared for the project (ESP 2021a, 2021b), as required by Mitigation Measures GEO/mm-1.1, GEO/mm-5.1, GEO/mm-5.2, and GEO/mm-5.3. The project would be required to comply with County LUO Section 22.52.120, which requires all construction and grading permit projects to prepare and implement an ESCP to address pre-, during, and post-construction measures for erosion and sedimentation control. Future development within the Specific Plan Area would also be required to comply with LUO requirements for preparation of a SWPPP, when required by the SWRCB General Construction Permit. Compliance with these existing regulations and implementation of mitigation measures identified above would ensure the project's potential impacts were not cumulatively considerable when considered in combination with other similar projects. The low potential for impacts to paleontological resources would be avoided through implementation of identified mitigation measures; therefore, project impacts would not be cumulatively considerable. Therefore, cumulative impacts related to the DRSP would be *less than significant with mitigation* and *less than cumulatively considerable*.

| **GEO Impact 10 (Class II)** |
|---|
| The project would potentially result in a cumulatively considerable impact to geology and soils. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures GEO/mm-1.1, GEO/mm-5.1, GEO/mm-5.2, and GEO/mm-5.3, GEO/mm-8.1, GEO/mm-8.2, and GEO/mm-8.3.* |
| ***Residual Impacts*** |
| *Cumulative impacts would be avoided through compliance with identified project-specific mitigation; no additional mitigation is needed to avoid or minimize potential cumulative impacts. Therefore, residual impacts would be less than significant (Class II).* |

# 4.8 GREENHOUSE GAS EMISSIONS

The following setting and impact discussion is based, in part, on the *Air Quality and Greenhouse Gas Impact Assessment* prepared for the DRSP (AMBIENT 2022; EIR Appendix D). The *Air Quality and Greenhouse Gas Impact Assessment* includes an in-depth assessment of existing conditions related to GHG emissions, the pertinent regulatory framework, and potential GHG impacts associated with the proposed project.

## 4.8.1 Existing Conditions

### *4.8.1.1 Overview of Greenhouse Gas Emissions*

To fully understand global climate change, it is important to recognize the naturally occurring "greenhouse effect" and to define the GHGs that contribute to this phenomenon. Various gases in the earth's atmosphere, classified as atmospheric GHG emissions, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide ($CO_2$), methane ($CH_4$), nitrous oxide ($N_2O$), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride ($SF_6$). Primary GHGs attributed to global climate change, are discussed, as follows:

- **Carbon Dioxide.** $CO_2$ is a colorless, odorless gas that is emitted in a number of ways, both naturally and through human activities. The largest source of $CO_2$ emissions globally is the combustion of fossil fuels, such as coal, oil, and gas in power plants, automobiles, industrial facilities, and other sources. A number of specialized industrial production processes and product uses, such as mineral production, metal production, and the use of petroleum-based products, can also lead to $CO_2$ emissions. The atmospheric lifetime of $CO_2$ is variable because it is so readily exchanged in the atmosphere.
- **Methane.** $CH_4$ is a colorless, odorless gas that is not flammable under most circumstances. $CH_4$ is the major component of natural gas, about 87% by volume. It is also formed and released to the atmosphere by biological processes occurring in anaerobic environments. $CH_4$ is emitted from a variety of both human-related and natural sources. Human-related sources include fossil fuel production, animal husbandry (enteric fermentation in livestock and manure management), rice cultivation, biomass burning, and waste management. These activities release significant quantities of $CH_4$ to the atmosphere. Natural sources of $CH_4$ include wetlands, gas hydrates, permafrost, termites, oceans, freshwater bodies, non-wetland soils, and other sources, such as wildfires. The atmospheric lifetime of $CH_4$ is approximately 12 years.
- **Nitrous Oxide.** $N_2O$ is a clear, colorless gas with a slightly sweet odor that is produced by both natural and human-related sources. Primary human-related sources of $N_2O$ are agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuels, adipic acid production, and nitric acid production. $N_2O$ is also produced naturally from a wide variety of biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of $N_2O$ is approximately 120 years.
- **Hydrofluorocarbons.** HFCs are man-made chemicals, many of which have been developed as alternatives to ozone-depleting substances for industrial, commercial, and consumer products.

The only significant emissions of HFCs before 1990 were of the chemical HFC-23, which is generated as a byproduct of the production of HCFC-22 (or Freon 22, used in air conditioning applications). The atmospheric lifetime for HFCs varies from just over 1 year for HFC-152a to 270 years for HFC-23. Most of the commercially used HFCs have atmospheric lifetimes of less than 15 years (e.g., HFC-134a, which is used in automobile air conditioning and refrigeration, has an atmospheric life of 14 years).

- **Perfluorocarbons.** PFCs are colorless, highly dense, chemically inert, and non-toxic. There are seven PFC gases: perfluoromethane ($CF_4$), perfluoroethane ($C_2F_6$), perfluoropropane ($C_3F_8$), perfluorobutane ($C_4F_{10}$), perfluorocyclobutane ($C_4F_8$), perfluoropentane ($C_5F_{12}$), and perfluorohexane ($C_6F_{14}$). Natural geological emissions have been responsible for the PFCs that have accumulated in the atmosphere in the past; however, the largest current source is aluminum production, which releases $CF_4$ and $C_2F_6$ as byproducts. The estimated atmospheric lifetimes for PFCs range from 2,600 to 50,000 years.
- **Nitrogen Trifluoride.** Nitrogen trifluoride ($NF_3$) is an inorganic, colorless, odorless, toxic, nonflammable gas that is used as an etchant in microelectronics. $NF_3$ is predominantly employed in the cleaning of the plasma-enhanced chemical vapor deposition chambers in the production of liquid crystal displays and silicon-based thin-film solar cells. It has a global warming potential (GWP) of 16,100 carbon dioxide equivalents ($CO_2e$). While $NF_3$ may have a lower GWP than other chemical etchants, it is still a potent GHG. In 2009 $NF_3$ was listed by California as a high GWP GHG to be listed and regulated under AB 32 (Section 38505 Health and Safety Code).
- **Sulfur Hexafluoride.** $SF_6$ is an inorganic compound that is colorless, odorless, non-toxic, and generally non-flammable. $SF_6$ is primarily used as an electrical insulator in high-voltage equipment. The electric power industry uses roughly 80% of all $SF_6$ produced worldwide. Leaks of $SF_6$ occur from aging equipment and during equipment maintenance and servicing. the atmospheric life of $SF_6$ is approximately 3,200 years.
- **Black Carbon.** Black carbon is the strongest light-absorbing component of PM emitted from burning fuels, such as coal, diesel, and biomass. Black carbon contributes to climate change both directly by absorbing sunlight and indirectly by depositing on snow and by interacting with clouds and affecting cloud formation. Black carbon is considered a short-lived species, which can vary spatially and, consequently, is very difficult to quantify associated GWPs. The main sources of black carbon in California are wildfires, off-road vehicles (e.g., locomotives, marine vessels, tractors, excavators, dozers, etc.), on-road vehicles (cars, trucks, and buses), fireplaces, agricultural waste burning, and prescribed burning (planned burns of forest or wildlands).

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Often, estimates of GHG emissions are presented in $CO_2e$, which weighs each gas by its GWP. Expressing GHG emissions in $CO_2e$ takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only $CO_2$ were being emitted. Table 4.8-1 provides a summary of the GWP for GHG emissions of typical concern with regard to community development projects, based on a 100-year time horizon. As indicated, $CH_4$ traps over 25 times more heat per molecule than $CO_2$, and $N_2O$ absorbs roughly 298 times more heat per molecule than $CO_2$. Additional GHGs with high GWP include $NF_3$, $SF_6$, PFCs, and black carbon.

**Table 4.8-1. Global Warming Potential for GHGs**

| Greenhouse Gas | Global Warming Potential (100-year)* |
|---|---|
| Carbon Dioxide ($CO_2$) | 1 |
| Methane ($CH_4$) | 25 |
| Nitrous Dioxide ($N_2O$) | 298 |

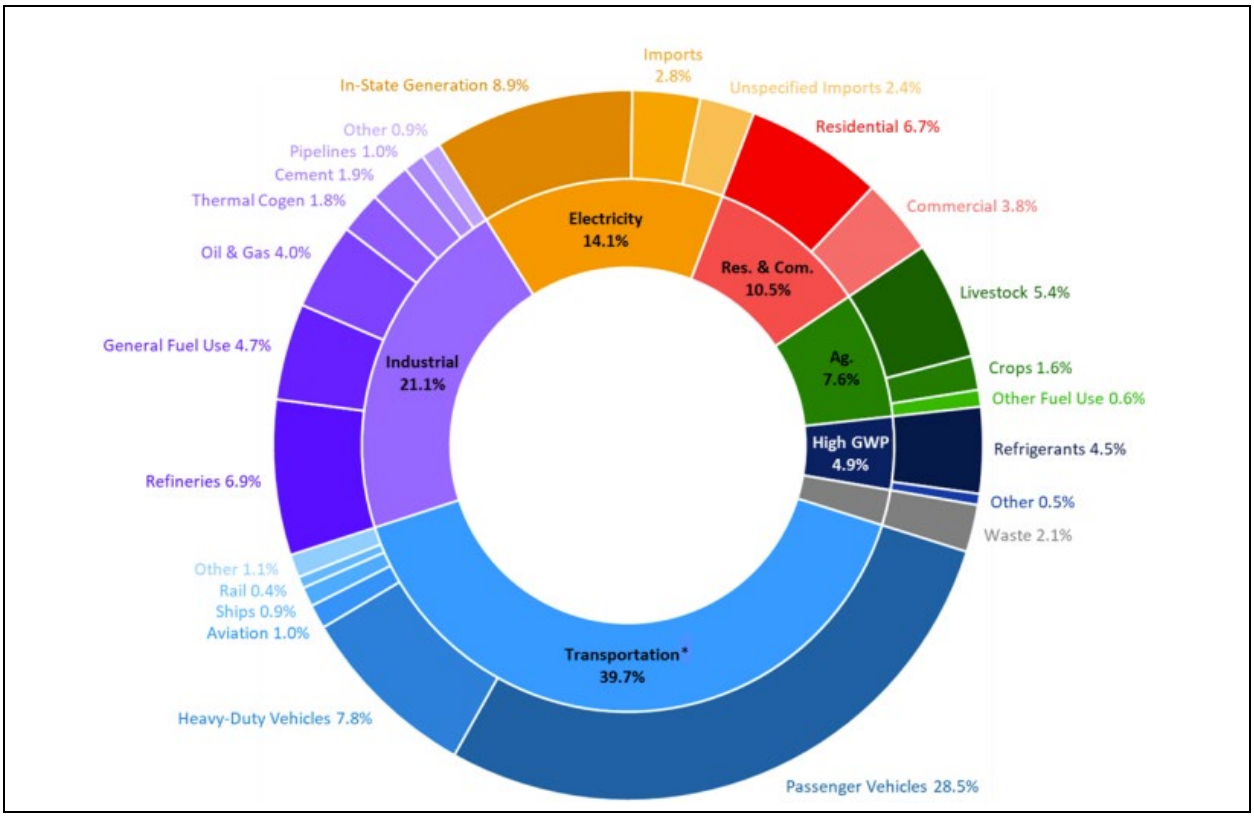
Source: AMBIENT (2022)

* Based on Intergovernmental Panel on Climate Change (IPCC) GWP values for a 100-year time horizon

#### 4.8.1.1.1 SOURCES OF GHG EMISSIONS

On a global scale, GHG emissions are predominantly associated with activities related to energy production; changes in land use, such as deforestation and land clearing; industrial sources; agricultural activities; transportation; waste and wastewater generation; and commercial and residential land uses. Worldwide, energy production, including the burning of coal, natural gas, and oil for electricity and heat, is the largest single source of global GHG emissions.

In 2019 GHG emissions within California totaled 418.2 million metric tons of $CO_2e$ ($MMTCO_2e$). GHG emissions, by sector, are summarized in Figure 4.8-1. Within California, the transportation sector is the largest contributor, accounting for approximately 40% of the total statewide GHG emissions. Emissions associated with industrial uses are the second largest contributor, totaling roughly 21%. Electricity generation totaled roughly 14% (AMBIENT 2022).




Source: CARB (2021)

**Figure 4.8-1. California GHG emissions inventory by scoping plan sector.**

#### 4.8.1.1.2 SHORT-LIVED CLIMATE POLLUTANTS

Short-lived climate pollutants (SLCPs), such as black carbon, fluorinated gases, and $CH_4$ also have a dramatic effect on climate change. Though short-lived, these pollutants create a warming influence on the climate that is many times more potent than that of carbon dioxide. As part of the CARB's efforts to address SLCPs, the CARB has developed a statewide emission inventory for black carbon. The black carbon inventory will help support the implementation of the SLCP Strategy, but it is not part of the state's GHG inventory that tracks progress towards the state's climate targets. In 2013 off-road mobile sources account for a majority of black carbon emissions totaling roughly 36% of the inventory. Other major anthropogenic sources of black carbon include on-road transportation, residential wood burning, fuel combustion, and industrial processes (AMBIENT 2022).

#### 4.8.1.1.3 EFFECTS OF GLOBAL CLIMATE CHANGE

There are uncertainties as to exactly what the climate changes will be in various local areas of the earth. There are also uncertainties associated with the magnitude and timing of other consequences of a warmer planet: sea-level rise, spread of certain diseases out of their usual geographic range, the effect on agricultural production, water supply, sustainability of ecosystems, increased strength and frequency of storms, extreme heat events, increased air pollution episodes, and the consequence of these effects on the economy.

Within California, climate changes would likely alter the ecological characteristics of many ecosystems throughout the state. Such alterations would likely include increases in surface temperatures and changes in the form, timing, and intensity of the precipitation. For instance, historical records are depicting an increasing trend toward earlier snowmelt in the Sierra Nevada. This snowpack is a principal supply of water for the state, providing roughly 50% of the state's annual runoff. If this trend continues, some areas of the state may experience an increased danger of floods during the winter months and possible exhaustion of the snowpack during spring and summer months. Earlier snowmelt would also impact the state's energy resources. Currently, approximately 20% of California's electricity comes from hydropower. Early exhaustion of the Sierra snowpack may force electricity producers to switch to more costly or nonrenewable forms of electricity generation during spring and summer months. A changing climate may also impact agricultural crop yields, coastal structures, and biodiversity. The resulting changes in climate will likely have detrimental effects on some of California's largest industries, including agriculture, wine, tourism, skiing, recreational and commercial fishing, and forestry.

### *4.8.1.2 Local Setting*

The Specific Plan Area and associated off-site NCSD improvement areas are located within the community of Nipomo, which is located within the SCCAB and is under the jurisdiction of the SLOAPCD. According to the USEPA Greenbook and the CARB, San Luis Obispo County is currently not in attainment for 8-hour ozone (USEPA 2022; CARB 2020).

# 4.8.2 Regulatory Setting

## *4.8.2.1 Federal*

### 4.8.2.1.1 EXECUTIVE ORDER 13514

EO 13514 is focused on reducing GHGs internally in federal agency missions, programs, and operations. In addition, the executive order directs federal agencies to participate in the Interagency Climate Change Adaptation Task Force, which is engaged in developing a national strategy for adaptation to climate change.

On April 2, 2007, in Massachusetts v. USEPA, 549 U.S. 497 (2007), the U.S. Supreme Court found that GHGs are air pollutants covered by the FCAA and that the USEPA has the authority to regulate GHGs. The court held that the USEPA Administrator must determine whether or not emissions of GHGs from new motor vehicles cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision.

On December 7, 2009, the USEPA Administrator signed two distinct findings regarding GHGs under Section 202(a) of the FCAA:

- Endangerment Finding: The Administrator found that the current and projected concentrations of the six key well-mixed GHGs ($CO_2$, $CH_4$, $N_2O$, HFCs, PFCs, and $SF_6$) in the atmosphere threaten the public health and welfare of current and future generations.
- Cause or Contribute Finding: The Administrator found that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution which threatens public health and welfare.

Although these findings did not themselves impose any requirements on industry or other entities, this action was a prerequisite to finalizing the USEPA's Proposed Greenhouse Gas Emission Standards for Light-Duty Vehicles, which was published on September 15, 2009. On May 7, 2010, the final Light-Duty Vehicle Greenhouse Gas Emissions Standards and CAFE Standards were published in the *Federal Register*.

The USEPA and National Highway Traffic Safety Administration (NHTSA) are taking coordinated steps to enable the production of a new generation of clean vehicles with reduced GHG emissions and improved fuel efficiency from on-road vehicles and engines. These next steps include developing the first-ever GHG regulations for heavy-duty engines and vehicles, as well as additional light-duty vehicle GHG regulations. These steps were outlined by President Obama in a Presidential Memorandum on May 21, 2010.

The final combined USEPA and NHTSA standards that make up the first phase of this national program apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. The standards require these vehicles to meet an estimated combined average emissions level of 250 grams of $CO_2$ per mile (the equivalent to 35.5 mpg if the automobile industry were to meet this $CO_2$ level solely through fuel economy improvements). Together, these standards will cut GHG emissions by an estimated 960 MMT and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012–2016). On August 28, 2012, the USEPA and NHTSA issued their joint rule to extend this national program of coordinated GHG and fuel economy standards to model years 2017 through 2025 passenger vehicles.

## *4.8.2.2 State*

### 4.8.2.2.1 CALIFORNIA ASSEMBLY BILL 1493

AB 1493 (Pavley) of 2002 (Health and Safety Code Sections 42823 and 43018.5) required the CARB to develop and adopt the nation's first GHG emission standards for automobiles; these standards are also known as Pavley I. The California Legislature declared in AB 1493 that global warming is a matter of increasing concern for public health and the environment. It cites several risks that California faces from climate change, including a reduction in the state's water supply; an increase in air pollution caused by higher temperatures; harm to agriculture; an increase in wildfires; damage to the coastline; and economic losses caused by higher food, water, energy, and insurance prices. The bill also states that technological solutions to reduce GHG emissions would stimulate California's economy and provide jobs. In 2004 the State of California submitted a request for a waiver from federal clean air regulations, as the state is authorized to do under the FCAA, to allow the state to require reduced tailpipe emissions of $CO_2$. In late 2007, the USEPA denied California's waiver request and declined to promulgate adequate federal regulations limiting GHG emissions. In early 2008, the state brought suit against the USEPA related to this denial.

In January 2009, President Obama instructed the USEPA to reconsider the Bush Administration's denial of California's and 13 other states' requests to implement global warming pollution standards for cars and trucks. In June 2009, the USEPA granted California's waiver request, enabling the state to enforce its GHG emissions standards for new motor vehicles beginning with the current model year.

In 2009 President Obama announced a national policy aimed at both increasing fuel economy and reducing GHG pollution for all new cars and trucks sold in the United States. The new standards covered model years 2012 through 2016 and raised passenger vehicle fuel economy to a fleet average of 35.5 mpg by 2016. California has committed to allowing automakers who show compliance with the national program to also be deemed in compliance with state requirements.

### 4.8.2.2.2 CALIFORNIA EXECUTIVE ORDER NO. S-3-05

EO S-3-05 (State of California) proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the Sierra's snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat those concerns, the executive order established total GHG emission targets. Specifically, emissions are to be reduced to the 2000 level by 2010, to the 1990 level by 2020, and to 80% below the 1990 level by 2050.

The executive order directed the secretary of the California Environmental Protection Agency (CalEPA) to coordinate a multi-agency effort to reduce GHG emissions to the target levels. The secretary will also submit biannual reports to the governor and state legislature describing: (1) progress made toward reaching the emission targets, (2) impacts of global warming on California's resources, and (3) mitigation and adaptation plans to combat these impacts. To comply with the executive order, the secretary of CalEPA created a Climate Action Team made up of members from various state agencies and commissions. The Climate Action Team released its first report in March 2006 and continues to release periodic reports on progress. The report proposed to achieve the targets by building on voluntary actions of California businesses, local government, and community actions, as well as through state incentive and regulatory programs.

#### 4.8.2.2.3 CALIFORNIA EXECUTIVE ORDER NO. N-19-19

EO N-19-19 (State of California) calls for actions from multiple state agencies to reduce GHG emissions and mitigate the impacts of climate change. This includes a direct acknowledgment of the role the transportation sector must play in tackling climate change.

This executive order empowers the California State Transportation Agency (CalSTA) to leverage more than $5 billion in discretionary state transportation funds to reduce GHG emissions in the transportation sector and adapt to climate change. Accordingly, CalSTA will work to align transportation spending with the state's Climate Change Scoping Plan where feasible; direct investments to strategically support smart growth to increase infill housing production; reduce congestion through strategies that encourage a reduction in driving and invest further in walking, biking, and transit; and ensure that overall transportation costs for low-income Californians do not increase as a result of these policies.

#### 4.8.2.2.4 CALIFORNIA EXECUTIVE ORDER NO. N-79-20

EO N-79-20 (State of California) calls to accelerate the transition away from fossil fuels by requiring all new cars sold in California to be zero emission by 2035, all new commercial trucks sold in the state to be zero emission by 2045 for all operations where feasible, and all new off-road vehicles and equipment sold to be zero-emission by 2035 where feasible. EO N-79-20 reaffirms the state's commitment to implementing EO N-19-19.

EO N-79-20 reiterates the message of EO N-19-19 by highlighting three strategies to expand clean transportation options from the Climate Action Plan for Transportation Infrastructure (CAPTI), while also emphasizing the importance of CAPTI and the urgency of climate change. EO N-79-20 furthers the state's climate goals by explicitly pointing to the critical role of transit, passenger rail, active transportation, Complete Streets, and micromobility as tools to expand mobility options, encourage mode shift, and reduce overall VMT.

#### 4.8.2.2.5 CALIFORNIA ASSEMBLY BILL 32: CALIFORNIA GLOBAL WARMING SOLUTIONS ACT

AB 32 of 2006 (Health and Safety Code Sections 38500, 38501, 28510, 38530, 38550, 38560, 38561–38565, 38570, 38571, 38574, 38580, 38590, and 38592–38599) requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. The gases that are regulated by AB 32 include $CO_2$, $CH_4$, $N_2O$, HFCs, PFCs, $NF_3$, and $SF_6$. The reduction to 1990 levels was intended to be accomplished through an enforceable statewide cap on GHG emissions that was phased in beginning in 2012. To effectively implement the cap, AB 32 directs the CARB to develop and implement regulations to reduce statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then the CARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

AB 32 requires that the CARB adopt a quantified cap on GHG emissions representing 1990 emissions levels and disclose how it arrives at the cap, institute a schedule to meet the emissions cap, and develop tracking, reporting, and enforcement mechanisms to ensure that the state achieves reductions in GHG emissions necessary to meet the cap. AB 32 also includes guidance to institute emissions reductions in an economically efficient manner and conditions to ensure that businesses and consumers are not unfairly affected by the reductions.

#### 4.8.2.2.6 CLIMATE CHANGE SCOPING PLAN AND UPDATE

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

The Scoping Plan states that land use planning and urban growth decisions will play important roles in the state's GHG reductions because local governments have primary authority to plan, zone, approve, and permit how land is developed to accommodate population growth and the changing needs of their jurisdictions. The CARB further acknowledges that decisions on how land is used will have large impacts on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emissions sectors. With regard to land use planning, the Scoping Plan expects approximately 5.0 $MMTCO_2e$ will be achieved associated with the implementation of SB 375, which is discussed further below.

The initial Scoping Plan was first approved by the CARB on December 11, 2008, and is updated every 5 years. The *First Update to the Climate Change Scoping Plan* was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) on the road to reach the 2050 goals (CARB 2014). The most recent update released by the CARB is *California's 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 B-30-15. Most notably, the 2017 Scoping Plan encourages zero-net increases in GHG emissions; however, it also recognizes that achieving net-zero increases in GHG emissions may not be feasible or appropriate for all projects and that the inability of a project to mitigate its GHG emissions to zero would not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA.

#### 4.8.2.2.7 CALIFORNIA SENATE BILL 1078 AND GOVERNOR'S ORDER S-14-08

SB 1078 (Public Utilities Code Sections 387, 390.1, 399.25 and Article 16) addresses electricity supply and requires that retail sellers of electricity, including investor-owned utilities and community choice aggregators, provide a minimum 20% of their supply from renewable sources by 2017. This bill will affect statewide GHG emissions associated with electricity generation. In 2008, Governor Schwarzenegger signed EO S-14-08, which set the RPS target to 33% by 2020. It directed state government agencies and retail sellers of electricity to take all appropriate actions to implement this target. EO S-14-08 was later superseded by EO S-21-09 on September 15, 2009. EO S-21-09 directed the CARB to adopt regulations requiring 33% of electricity sold in the state come from renewable energy by 2020. Statute SB X1-2 superseded this executive order in 2011, which obligated all California electricity providers, including investor-owned utilities and publicly owned utilities, to obtain at least 33% of their energy from renewable electrical generation facilities by 2020.

The CARB is required by AB 32 to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020 and an 80% reduction of 1990 levels by 2050. The CEC and CPUC serve in advisory roles to help the CARB develop the regulations to administer the 33% by 2020

requirement. The CARB is also authorized to increase the target and accelerate and expand the time frame.

#### 4.8.2.2.8 MANDATORY REPORTING OF GHG EMISSIONS

AB 32 requires the reporting of GHGs by major sources to the CARB. Major sources required to report GHG emissions include industrial facilities, suppliers of transportation fuels, natural gas, natural gas liquids, liquefied petroleum gas, and carbon dioxide, operators of petroleum and natural gas systems, and electricity retail providers and marketers.

#### 4.8.2.2.9 CAP-AND-TRADE REGULATION

The cap-and-trade regulation is a key element in California's climate plan. It sets a statewide limit on sources responsible for 85% of California's GHG emissions and establishes a price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy. The cap-and-trade rules came into effect on January 1, 2013, and apply to large electric power plants and large industrial plants. In 2015 fuel distributors, including distributors of heating and transportation fuels, also became subject to the cap-and-trade rules. At that stage, the program will encompass around 360 businesses throughout California and nearly 85% of the state's total GHG emissions.

Under the cap-and-trade regulation, companies must hold enough emission allowances to cover their emissions and are free to buy and sell allowances on the open market. California held its first auction of GHG allowances on November 14, 2012. California's GHG cap-and-trade system is projected to reduce GHG emissions to 1990 levels by the year 2020 and would achieve an approximate 80% reduction from 1990 levels by 2050.

#### 4.8.2.2.10 CALIFORNIA SENATE BILL 32

SB 32, signed by Governor Brown on September 8, 2016, effectively extends California's GHG emission-reduction goals from 2020 to 2030. This new emission-reduction target of 40% below 1990 levels by 2030 is intended to promote further GHG reductions in support of the state's ultimate goal of reducing GHG emissions by 80% below 1990 levels by 2050. SB 32 also directs the CARB to update the Climate Change Scoping Plan to address this interim 2030 emission-reduction target.

#### 4.8.2.2.11 CALIFORNIA SENATE BILL 97

SB 97, enacted in 2007, required the California Governor's Office of Planning and Research (OPR) to develop, and the California Natural Resources Agency to adopt, amendments to the State CEQA Guidelines addressing the analysis and mitigation of GHG emissions. Those amendments clarified several points, including the following:

- Lead agencies must analyze the GHG emissions of proposed projects and must reach a conclusion regarding the significance of those emissions.
- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions.
- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change.
- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria.

- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives.

As part of the administrative rulemaking process, the California Natural Resources Agency developed a Final Statement of Reasons explaining the legal and factual bases, intent, and purpose of the State CEQA Guidelines amendments. The amendments to the State CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

#### 4.8.2.2.12 CALIFORNIA SENATE BILL 100

SB 100, signed by Governor Jerry Brown on September 10, 2018, sets a goal of phasing out all fossil fuels from the state's electricity sector by 2045. SB 100 increases how much of California's electricity portfolio must come from renewables by 2030 from 50% to 60%. It establishes a further goal to have an electric grid that is entirely powered by clean energy by 2045, which could include other carbon-free sources, like nuclear power, that are not renewable.

#### 4.8.2.2.13 CALIFORNIA SENATE BILL 375

SB 375 requires MPOs to adopt an SCS or APS that will address land use allocation in that MPOs RTP. The CARB, in consultation with the MPOs, establishes regional reduction targets for GHGs emitted by passenger cars and light trucks for the years 2020 and 2035. These reduction targets will be updated every 8 years but can be updated every 4 years if advancements in emission technologies affect the reduction strategies to achieve the targets. The CARB is also charged with reviewing each MPO's SCS or APS for consistency with its assigned targets. If MPOs do not meet the GHG reduction targets, funding for transportation projects may be withheld. In 2018 the CARB adopted updated SB 375 targets.

#### 4.8.2.2.14 CALIFORNIA BUILDING CODE

The 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 is adopted every 3 years by the CBSC. In the interim, the CBSC also adopts annual updates to make necessary mid-term corrections. The CBC standards apply statewide; however, a local jurisdiction may amend a CBC standard if it makes a finding that the amendment is reasonably necessary due to local climatic, geological, or topographical conditions.

#### 4.8.2.2.15 CALIFORNIA GREEN BUILDING STANDARDS

In essence, green buildings standards are indistinguishable from any other building standards. Both standards are contained in the CBC and regulate the construction of new buildings and improvements. The only practical distinction between the two is that whereas the focus of traditional building standards has been protecting public health and safety, the focus of green building standards is to improve environmental performance.

AB 32, which mandates the reduction of GHG emissions in California to 1990 levels by 2020, increased the urgency around the adoption of green building standards. In its scoping plan for the implementation of AB 32, the CARB identified energy use as the second largest contributor to California's GHG emissions, constituting roughly 25% of all such emissions. In recommending a green building strategy as one element of the scoping plan, the CARB estimated that green building standards would reduce GHG emissions by approximately 26 MMT of CO2e by 2020.

CALGreen was most recently updated in May 2018. Referred to as the 2019 Standards, this most recent update focused on four key areas: smart residential PV systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements. The ventilation measures improve indoor air quality, protecting homeowners from air pollution originating from outdoor and indoor sources. Under the newly adopted standards, nonresidential buildings will use about 30% less energy due mainly to lighting upgrades. The recently updated 2019 Standards also require new homes built after January 1, 2020, to be equipped with solar PV systems. The solar PV systems are to be sized based on the buildings annual electricity demand, the building square footage, and the climate zone within which the home is located. However, under the 2019 Standards, homes may still rely on other energy sources, such as natural gas. Compliance with the 2019 Standards, including the solar PV system mandate, residential dwellings will use approximately 50% to 53% less energy than those under the 2016 Standards. Actual reduction will vary depending on various factors (e.g., building orientation, sun exposure). Nonresidential buildings will use about 30% less energy due mainly to lighting upgrades.

The recently updated 2022 Standards, which were approved in December 2021, encourages efficient electric heat pumps, establishes electric-ready requirements when natural gas is installed and to support the future installation of battery storage, and further expands solar photovoltaic and battery storage standards. The 2022 Standards extend solar PV system requirements, as well as battery storage capabilities for select land uses, including high-rise, multi-family, and non-residential land uses, such as office buildings, schools, restaurants, warehouses, theaters, grocery stores, and more. Depending on the land use and other factors, solar systems should be sized to meet targets of up to 60% of the structure's loads. These new solar requirements will become effective January 1, 2023, and contribute to California's goal of reaching net-zero carbon footprint by 2045.

#### 4.8.2.2.16 SHORT-LIVED CLIMATE POLLUTANT REDUCTION STRATEGY

In March 2017, the CARB adopted the Short-Lived Climate Pollutant Reduction Strategy (SLCP Strategy), establishing a path to decrease GHG emissions and displace fossil-based natural gas use. Strategies include avoiding landfill $CH_4$ emissions by reducing the disposal of organics through edible food recovery, composting, in-vessel digestion, and other processes; recovering $CH_4$ from wastewater treatment facilities and manure $CH_4$ at dairies; and using the $CH_4$ as a renewable source of natural gas to fuel vehicles or generate electricity. The SLCP Strategy also identifies steps to reduce natural gas leaks from oil and gas wells, pipelines, valves, and pumps to improve safety, avoid energy losses, and reduce $CH_4$ emissions associated with natural gas use. Lastly, the SLCP Strategy also identifies measures that can reduce HFC emissions at international and national levels, in addition to state-level action that includes an incentive program to encourage the use of low-GWP refrigerants, and limitations on the use of high-GWP refrigerants in new refrigeration and air conditioning equipment.

### *4.8.2.3 Local*

#### 4.8.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Conservation and Open Space Element

The County's COSE is a comprehensive long-range planning document that sets forth goals, policies, and actions to address the conservation and preservation of public services, air quality, vegetation and wildlife, mineral resources, and visual resources, historic and archeological resources, as well as energy.

#### 4.8.2.3.2 COUNTY OF SAN LUIS OBISPO 2016 ENERGYWISE PLAN

The County's 2016 EWP was adopted by the County Board of Supervisors in November 2011 in order to implement the goals established by the COSE. These goals include reducing GHG emissions from government and community operations by 15% and reducing energy use from County government operations by 20% from baseline levels (2006) by the year 2020. The EWP represents the County's contribution to the state's efforts to reduce GHG emissions as outlined in AB 32, which calls for state agencies to reduce emissions to 1990 levels by 2020 and 40% below 1990 levels by 2030.

#### 4.8.2.3.1 SAN LUIS OBISPO COUNCIL OF GOVERNMENTS 2019 REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY

The 2019 RTP, which was adopted by the SLOCOG Board in June 2019, includes the region's SCS and outlines how the region will meet or exceed its GHG reduction targets by creating more compact, walkable, bike-friendly, transit-oriented communities; preserving important habitat and agricultural areas; and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. Specifically, Policy Objective 6.3, included in the 2019 RTP, identifies the need to reduce GHG emissions from vehicles and improve air quality of the region.

#### 4.8.2.3.2 SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

The SLOAPCD is a local public agency with the primary mission of realizing and preserving clean air for all county residents and businesses. Responsibilities of the SLOAPCD include, but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by federal and state regulatory requirements. Table 4.8-2 includes SLOAPCD GHG thresholds of significance.

**Table 4.8-2. SLOAPCD GHG Thresholds of Significance**

| Operational Year | 2030 |
|---|---|
| Land Use Sectors GHG Emissions Target[1] | 213,000,000 |
| Population[2] | 41,860,549 |
| Employment[3] | 20,729,820 |
| Service Population (SP) | 62,590,369 |
| GHG Efficiency Threshold ($MTCO_2e$/SP/year) | 3.4 |

Source: AMBIENT (2022)

Note: Employment data for interim years are estimated based on proportionality with population trends based on historical data and the AB 32 Scoping Plan's land use inventory sectors for years 2023 and 2030, including transportation sources.

[1] Based on CARB 2017 Climate Scoping Plan Update/SB 32 Scoping Plan Emissions Sector targets.

[2] California Department of Finance Demographic Research Unit. 2019. Report P-1 "State Population Projections (2010 - 2060)" (DOF 2019).

[3] California Employment Development Department. Employment Projections Labor Market Information Resources and Data, "CA Long-Term. 2018-2028 Statewide Employment Projections". Projected year 2030 employment data was projected based on the average-annual increase for years 2018 through 2028.

### *4.8.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Greenhouse Gas Emissions*

Table 4.8-3 lists applicable state, regional, and local land use policies and regulations pertaining to GHG emissions that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.8.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.8-3 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.8.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.8-3. Consistency Analysis for Greenhouse Gas Emissions**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Conservation and Open Space Element** | | |
| **Policy AQ 1.1 Compact Development**. Encourage compact land development by concentrating new growth within existing communities and ensuring complete services to meet local needs. | Development of mixed-used communities with locally serving commercial uses will support regional efforts to reduce VMT. | **Potentially Consistent.** The Specific Plan Area would include new development immediately adjacent to the Nipomo URL in an area planned for housing of varying densities and hotel, retail, and educational land uses and supported by the planned extension of transportation, water, and wastewater infrastructure. |
| **Policy AQ 1.2 Reduce vehicle miles traveled**. Require projects subject to discretionary review to minimize additional vehicle travel. | The intent of this policy is to reduce VMT on a project-by-project basis. | **Potentially Inconsistent.** Buildout of the DRSP would result in an increase in overall VMT and VMT per employee even with implementation of Mitigation Measure TR/mm-3.1. |
| **Policy AQ 1.5 Transportation efficiency.** Improve the operating efficiency of the transportation system by reducing vehicle travel demand and expanding opportunities for multi-modal travel. | The promotion of alternative transportation modes supports regional efforts to maximize the existing transportation network and to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities, a Park and Ride transit center, and transit stops along Collector A. |
| **Policy AQ 1.6 Multi-modal transportation.** Coordinate with other local governments and agencies to develop a multi-modal transportation system. This system should enable convenient and efficient use of transportation alternatives. It should also provide multi-modal transfer sites that incorporate auto, bike parking, transit, pedestrian and bicycle paths, as well as park and ride pickup points. | The promotion of alternative transportation modes supports regional efforts to maximize the efficiency of the existing transportation network and reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities, a Park and Ride transit center, and transit stops along Collector A. |
| **Policy AQ 1.7 Bicycle and pedestrian travel.** Encourage bicycle and pedestrian use by supporting the policies found in the Regional Transportation Plan, County Bikeways Plan, Land Use and Circulation Element, and County Parks and Recreation Element. In addition, support public and private efforts to facilitate | The promotion of walking and bicycling for varied trip purposes supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities, a Park and Ride transit center, and transit stops along Collector A. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| bicycling and walking for transportation and recreation. | | |
| **Policy AQ 1.8 Support SLO Regional Rideshare.** Support San Luis Obispo Regional Rideshare's Transportation Choices Programs that promote transportation alternatives by providing financial or other incentives to employers, employees, and commuters who develop Trip Reduction Plans and implement commute options. | The promotion of carpooling and bicycle use for varied trip purposes (e.g., work, school, household needs) supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would support countywide rideshare as part of a suite of transportation demand management strategies limiting the number of single-occupancy vehicles for work trips. |
| **Policy AQ 3.6 Strategic growth principles.** Ensure that implementation of the Strategic Growth principles and goals are balanced with protection of sensitive receptors near high-volume transportation routes and sources of toxic emissions (i.e., railyards, downtown centers, gasoline development facilities, chrome platers, dry cleaners, and refineries). | The intent of this policy is to reduce emission of criteria air pollutants, PM, TACs, and GHGs. | **Potentially Consistent.** Development of the DRSP would locate residential uses 500 or more feet from the US 101 corridor. Further, buildout of the Specific Plan Area would require implementation of Mitigation Measures AQ/mm-3.1 through AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 to limit construction- and operations-related emissions of criteria air pollutants, PM, and TACs. |
| **Policy AQ 3.7 Reduce vehicle idling.** Encourage the reduction of heavy vehicle idling throughout the county, particularly near schools, hospitals, senior care facilities, and areas prone to concentrations of people, including residential areas. | The intent of this policy is to reduce emission of criteria air pollutants, PM, TACs, and GHGs. | **Potentially Consistent.** With implementation of Mitigation Measure AQ/mm 3-1, projects within the Specific Plan Area, as a compact development with a mix of land uses interconnected by pedestrian and bicycle facilities that connect to public transit stops and a Park and Ride transit center, would support transportation demand management strategies limiting the number of vehicle trips and tailpipe emissions. |
| **Policy AQ 3.8 Reduce dust emissions.** Reduce $PM_{10}$ and $PM_{2.5}$ emissions from unpaved and paved county roads to the maximum extent feasible. | The intent of this policy is to reduce emission of criteria air pollutants, PM, TACs, and GHGs. | **Potentially Consistent.** With implementation of Mitigation Measure AQ/mm-3.2, roads within the Specific Plan Area would be paved and the backbone roadway infrastructure would meet minimum standards identified in the County's Public Improvement Standards. |
| **Policy AQ 4.1 Reduce greenhouse gas emissions**. Implement and enforce State legislative or regulatory standards, policies, and programs designed to reduce greenhouse gas emissions. | The intent of this policy is to reduce emission of criteria air pollutants, PM, TACs, and GHGs. | **Potentially Consistent.** With implementation of Mitigation Measures AQ/mm-3.1 through AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 for infrastructure improvements and development of the mix of land uses, GHGs would be reduced to the maximum extent feasible. |
| **Policy AQ 4.4 Development projects and land use activities.** Reduce greenhouse gas emissions from development projects and other land use activities. | The intent of this policy is to reduce emission of criteria air pollutants, PM, TACs, and GHGs. | **Potentially Consistent.** With implementation of Mitigation Measures AQ/mm-3.1 through AQ/mm-3, GHG/mm-1.1, and TR/mm-3.1 for infrastructure improvements and development of the mix of land uses, GHGs would be reduced to the maximum extent feasible. |
| **Policy E 1.1 Meeting energy needs.** Meet electricity needs through the following prioritized measures:<br>a. Increased conservation and efficiency in all sectors of energy use.<br>b. Development and use of locally appropriate sources of renewable resources from both distributed and large-scale projects. Examples include wind, tidal, wave, solar, | The intent of this policy is to reduce demand for energy resources and promote energy generation from renewable sources. | **Potentially Consistent.** With development of residential and nonresidential uses as all-electric land uses and implementation of Mitigation Measure GHG/mm-1.1, use of nonrenewable energy resources with high GWP would be reduced to the maximum extent feasible. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| micro-hydroelectric, biomass, and geothermal.<br>c. Development of non-renewable sources of energy. | | |
| **Policy E 3.1 Use of renewable energy.** Ensure that new and existing development incorporates renewable energy sources such as solar, passive building, wind, and thermal energy. Reduce reliance on non-sustainable energy sources to the extent possible using available technology and sustainable design techniques, materials, and resources. | The intent of this policy is to reduce demand for energy resources and promote energy generation from renewable sources. | **Potentially Consistent.** With development of residential and nonresidential uses as all-electric land uses and implementation of Mitigation Measure GHG/mm-1.1, use of nonrenewable energy resources with high GWP would be reduced to the maximum extent feasible. |
| **Policy E 3.2 Energy efficient equipment.** Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems. | The intent of this policy is to reduce demand for energy resources in new development. | **Potentially Consistent.** With development of residential and nonresidential uses with on-site renewable energy generation (e.g., solar) and promotion of all-electric buildings and implementation of Mitigation Measure GHG/mm-1.1, use of nonrenewable energy resources with high GWP would be reduced to the maximum extent feasible. |
| **Policy E 4.1 Integrate green building practices.** Integrate green building practices into the design, construction, management, renovation, operations, and demolition of buildings, including publicly funded affordable housing projects, through the development review and building permitting process. | The intent of this policy is to reduce demand for energy resources in the development process from construction to operation. | **Potentially Consistent.** With development of residential and nonresidential uses as all-electric buildings and implementation of Mitigation Measure GHG/mm-1.1, use of nonrenewable energy resources with high GWP would be reduced to the maximum extent feasible. |
| **Policy E 4.4 Solar exposure**. Orient new buildings to maximize solar resources, shading, ventilation, and lighting. | The intent of this policy is to reduce demand for energy through site planning. | **Potentially Consistent.** Development of residential and nonresidential uses would include site planning principles that promote energy conservation and on-site renewable energy generation. |
| **Policy E 5.4 Construction and demolition waste.** Continue to reduce construction and demolition waste in accordance with the County's Construction and Demolition Debris Recycling Ordinance. Support increased diversion rates over time. | The intent of this policy is to reduce demand for landfill space and to preserve the embedded energy in building materials, where possible. | **Potentially Consistent.** With development of residential and nonresidential uses as all-electric land uses and implementation of Mitigation Measure GHG/mm-1.1, use of nonrenewable energy resources with high GWP would be reduced to the maximum extent feasible. |
| **Framework for Planning (Inland)** | | |
| **Principle 4:** Create walkable neighborhoods and towns. | | |
| **Policy 1.** Plan communities with schools, parks, public spaces, transit stops and commercial districts located as focal points within convenient walking distances of neighborhoods. | The planning and development of mixed-used communities with multimodal transportation infrastructure and locally serving commercial uses supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of compatible land uses interconnected by a system of pedestrian, bicycle, and equestrian facilities with links to the Nipomo and county pedestrian and bicycle network. |
| **Policy 2.** Plan for maximum connectivity between different land uses through walkways or other means. | The planning and development of an interconnected multimodal transportation system within mixed-used communities with locally serving commercial uses | **Potentially Consistent.** The DRSP includes a mix of compatible land uses interconnected by a system of pedestrian, bicycle, and equestrian facilities with links to the Nipomo and county pedestrian and bicycle network. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | supports regional efforts to reduce VMT. | |
| **Principle 5:** Provide a variety of transportation choices. | | |
| **Policy 2.** Reduce and minimize the generation of air pollutants and greenhouse gases from existing and future development, with emphasis on reducing vehicle miles traveled. | Compact development with a mix of land uses limits single-occupant vehicle trips and supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of land uses (residential, parks and open space, commercial/retail, and educational) and multimodal transportation infrastructure. Transportation demand strategies identified under Mitigation Measure TR/mm-3.1 would reduce and minimize project-generated VMT per employee and regional VMT. |
| **Policy 4.** Provide public transit, bicycle lanes, multi-use trails and pedestrian walkways that connect destinations within and between communities, to encourage alternative transportation. | Implementation of mixed-use communities with pedestrian and bicycle facilities that connect with transit service support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP would include a backbone roadway infrastructure designed as "Complete Streets" to include pedestrian and bicycle facilities and meet the County's minimum design standards and construction specifications. The DRSP would also include off-street pedestrian paths. |
| **Policy 5.** Make communities more bicycle- and pedestrian-friendly with safe and attractive routes. | Implementation of mixed-use communities with pedestrian and bicycle facilities that connect with the existing facilities support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP would include a backbone roadway infrastructure designed as "Complete Streets" to include pedestrian and bicycle facilities and meet the County's minimum design standards and construction specifications. The DRSP would also include off-street pedestrian paths. |
| **Principle 7:** Encourage mixed land uses. | Coordinated land use and transportation planning support mixed-use developments and regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of land uses (residential, parks and open space, commercial/retail, and educational) and multimodal transportation infrastructure. |
| **South County Inland Area Plan** | | |
| *Circulation Policies* | | |
| a. Transportation should be planned to facilitate the use of all modes to improve traffic service and air quality. Transportation planning should be consistent between the Planning and Public Works Departments. | Increased efficiency of the transportation system through coordinated development and promotion of multimodal transportation supports regional efforts to reduce VMT and limit air pollutant and PM emission. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| **Nipomo Community Plan** | | |
| *Land Use Programs* | | |
| **5. Pathway Plan**. Work with the community to prepare a plan for pedestrian circulation through the urban area. The plan should identify locations of walking and riding paths connecting neighborhoods to shopping areas, parks and schools. Linear parkways should be studied as one method of providing alternate pedestrian routes within public parks. | The intent of this program is to support development of an interconnected system of bicycle, pedestrian, and equestrian pathways that connect varied land uses. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***SLOCOG 2019 Regional Transportation Plan (RTP)*** | | |
| **Goal 2.** Improve intermodal mobility and accessibility for all people | | |
| **Policy Objective 2.1.** Provide reliable, integrated, and flexible travel choices across and between modes. | Development of interconnected pedestrian, bicycle, and transit facilities support regional efforts to reduce VMT and ultimately GHG, criteria air pollutant, and PM emissions. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops and the proposed Park and Ride lot along Collector A. |
| **Policy Objective 2.2.** Improve opportunities for businesses and citizens to easily access goods, jobs, services, and housing. | Mixed-use developments support regional efforts to reduce VMT, and ultimately GHG, criteria air pollutant, and PM emissions, by locating goods, jobs, services, and housing in close proximity to pedestrian, bicycle, and transit-supportive facilities. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops, the proposed Park and Ride lot along Collector A, and the commercial and employment center on the east portion of Specific Plan Area. |
| **Policy Objective 2.5.** Support cooperative planning activities that lead to an integrated multimodal transportation system. | Coordinated land use and transportation planning, including development of effective transportation demand management strategies, supports mixed-use developments and regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops, the proposed Park and Ride lot along Collector A, and the commercial and employment center on the east portion of Specific Plan Area. |
| **Goal 4.** Improve public safety and security. | | |
| **Policy Objective 4.2.** Reduce congestion and increase safety by improving operations. | This policy is focused on maintaining the quality of service on county roadways as growth continues so that increases in congestion and delay are limited and user safety is maintained. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from road ROWs, such as Class I and IV bicycle paths. |
| **Policy Objective 4.3.** Enhance public safety and security in all modes of transportation. | This policy is focused on the development of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit with an emphasis on user safety. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from road ROWs, such as Class I and IV bicycle paths. |
| **Goal 5.** Foster livable, healthy communities and promote social equity | | |
| **Policy Objective 5.1.** Reflect community values while integrating land use and transportation planning to connect communities through a variety of transportation choices that promote healthy lifestyles. | This policy is focused on the development of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | transit with an emphasis on user safety. | physical separation from road ROWs, such as Class I and IV bicycle paths. |
| **Policy Objective 5.2.** Integrate public health and social equity in transportation planning and decision-making. | This policy is focused on the health concerns associated with emissions of criteria air pollutants, PM, and TACs. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from road ROWs, such as Class I and IV bicycle paths. |
| **Policy Objective 5.3.** Support efforts to increase the supply and variety of housing, jobs, and basic services in locations that reduce trips, travel distances, and congestion on US 101. | This policy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting mixed-use land development. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| **Policy Objective 5.4.** Make investments and develop programs that support local land use decisions that implement the SCS and other strategies to reduce GHG emissions and make our communities more healthy, livable, sustainable, and mobile. | This policy reduces VMT, and ultimately GHG and air quality emissions, by promoting mixed land uses, and further reduces GHG and other contaminant emissions through the reduction of VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair share contributions for identified on- and off-site transportation improvements. Additionally, the existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| **Goal 6.** Practice environmental stewardship | | |
| **Policy Objective 6.3.** Reduce GHG Emissions from vehicles and improve air quality of the region. | This policy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting compact mixed-use developments and a circulation system that meets the needs of all users for a range of trip purposes. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. The local circulation system is designed with a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops and the proposed Park and Ride lot. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| **Sustainable Communities Strategy** | | |
| *Community Planning and Development Standards* | | |
| 2. Support the update and modification of zoning and development standards in downtowns and villages to consider or support (Near):<br>• Mixed-use, infill, and residential development,<br>• Reduced vehicle parking requirements, | This standard is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities with | **Potentially Consistent**. The DRSP has been developed with input from various governmental agencies and has employed strategic growth and transit-oriented development principles for site planning and infrastructure. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| • Increased bicycle parking requirements,<br>• Intensification of land use, and<br>• Modification of setbacks, building height, and size limitations. | transportation demand strategies. | |
| *Infill Development and Location Efficiency* | | |
| 8. Support mixed-use and infill development near existing transit services and activity centers. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Inconsistent.** The DRSP proposes a mix of residential, commercial, and open space uses outside of the existing Nipomo URL. The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service, and is generally surrounded by existing residential development; however, the project does not propose infill development and does not promote location efficiency. |
| 11. Support the reduction of parking requirements along existing and emerging transit corridors. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Healthy, Livable Communities* | | |
| 12. Promote healthy and livable communities and human-scale development that promotes biking and walking. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 13. Coordinate with local jurisdictions to ensure best practices of incorporating healthy community design in land use, circulation, and health elements of agency general plans. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| 14. Coordinate with public health staff to share best practices of incorporating healthy community design into policy and planning documents. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 15. As part of agency review and comment on specific plans and significant development projects, encourage healthy and livable community design concepts, and incorporation of multimodal transportation options. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Land Use Transportation Connection* | | |
| 18. Support local jurisdictions' efforts to direct new and future development to existing downtowns, villages, and commercial corridors. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 19. Support local jurisdictions' efforts to improve connectivity between adjacent land uses. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| *Reduce Vehicle Trips and VMT* | | |
| 20. Support expanded transit service and increased frequency of transit service within and between communities to reduce vehicle trips and vehicle miles of travel. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 21. Support local jurisdictions' efforts to improve active transportation infrastructure to replace some short vehicle trips with bike and walk trips. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 22. Support the addition of peak-hour express transit trips to reduce vehicle congestion on major highways, and other primary transportation corridors. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Parking and Parking Demand Management* | | |
| 24. Support roadway corridor plans in downtown and village areas that investigate how to best use existing roadway width relative to traffic demands to assess options of reducing travel lanes and providing additional on-street parking and enhanced pedestrian and bicycle facilities, additional public space, and aesthetic streetscape improvements. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| *Complete Streets and Multi-Modal Transportation Options* | | |
| 29. Support local jurisdictions' incorporation of complete streets policies as part of periodic circulation element updates. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| 30. Encourage local jurisdictions to establish and maintain a mix of transit, bicycle, and pedestrian access choices. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| 31. Support the incorporation of design features and infrastructure in new projects that support active transportation and transit users. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| *Resource Protection* | | |
| 38. Work with federal, state, and local agencies and other stakeholders to identify priority areas for protection; enhancement of sensitive resources; carbon sequestration opportunities; and/or provide mitigation banking opportunities/funds for mitigating adverse impacts to the environment associated with transportation improvements. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards and would avoid identified on-site sensitive resources, such as the oak trees, and any resources at off-site locations for infrastructure improvements. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| *Funding Mechanisms* | | |
| 46. Prioritize funding toward existing communities to improve the effectiveness of public investments; and support community revitalization through such strategies as encouraging redevelopment and mixed-use development along existing corridors and emerging transit corridors. (Ongoing) | This strategy is focused on soliciting input for refinements to the local circulation system as part of larger regional efforts to relieve traffic congestion, improve air quality and reduce VMT and to also ensure that future development contributes fair share costs for services and infrastructure. | **Potentially Consistent.** Improvements would require the payment of development fees by each prospective developer, including fair share contributions for needed off-site transportation improvements. Additionally, the existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |

## 4.8.3 Thresholds of Significance

Pursuant to the State CEQA Guidelines, the project would be considered to have a significant effect on GHG emissions if the effects exceed the significance criteria described below:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Each of these thresholds is discussed under Section 4.8.6, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.8.4 Impact Assessment and Methodology

The following impact discussion is based, in part, on the *Air Quality and Greenhouse Gas Impact Assessment* prepared for the DRSP (AMBIENT 2022). A significant impact related to GHGs would occur if the proposed project would generate GHG emissions that exceed established SLOAPCD thresholds or conflict with a plan, policy, or regulation related to GHG emissions.

# 4.8.5 Project-Specific Impacts and Mitigation Measures

## WOULD THE PROJECT GENERATE GREENHOUSE GAS EMISSIONS, EITHER DIRECTLY OR INDIRECTLY, THAT MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT?

### Specific Plan Area

#### *GHG Impact 1: The project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Impacts would be less than significant with mitigation (Class II).*

CONSTRUCTION

The exact schedule for buildout of the Specific Plan Area is currently unknown but is anticipated to occur over a span of 6 years beginning in 2024 (see Table 2-11 in Chapter 2, *Project Description*). During construction for proposed buildout, fossil fuels and natural gas would be used by construction vehicles and equipment. Estimated increases in GHG emissions associated with the construction activities for buildout of the Specific Plan Area are summarized in Table 4.8-4.

**Table 4.8-4. Construction-Related GHG Emissions Without Mitigation**

| Construction Year | GHG Emissions ($MTCO_2e$/year) |
|---|---|
| 2023 | 747.5 |
| 2024 | 4,323.0 |
| 2025 | 4,311.1 |
| 2026 | 4,558.1 |
| 2027 | 4,159.7 |
| 2028 | 4,075.3 |
| 2029 | 4,009.3 |
| 2030 | 3,434.7 |
| **Construction Total** | **29,618.8** |
| **Amortized Construction Emissions[1]** | **987.3** |

Source: AMBIENT (2022)

[1] Amortized emissions are quantified based on a minimum 30-year project life. Refer to EIR Appendix D for modeling assumptions and results.

Based on Table 4.8-4, construction-related GHG emissions would total approximately 29,618.8 $MTCO_2e$. Amortized GHG emissions, when averaged over the assumed 30-year life of the project, would total approximately 987.3 $MTCO_2e$ per year. There would also be a small amount of GHG emissions from waste generated during construction; however, the total amount is not known. During construction of the Specific Plan Area, the project would be required to comply with CALGreen Sections 4.408 and 5.408, which require the diversion of at least 65% of the construction waste generated during construction, concurrently reducing GHG emissions from construction waste disposal. Actual emissions may vary, depending on the final construction schedules, equipment required, and activities conducted. Amortized construction-generated GHG emissions are included in the operational GHG emissions impact discussion provided below.

## OPERATION

Buildout of the Specific Plan Area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, 152 ADUs, and approximately 203,000 square feet of land dedicated to commercial, hotel, education, and light industrial development. Full buildout of the Specific Plan Area is anticipated to generate a total population of 4,554 residents and 272 new employees (4,826 people) and approximately 18,662 additional daily trips (CCTC 2021). In addition, buildout of the Specific Plan Area includes development of a new 10-acre public park, a 1-acre equestrian staging area, and 8.5 to 12 acres of neighborhood pocket parks. Estimated long-term increases in GHG emissions associated with the proposed project (without mitigation) for operational year 2030 are summarized in Table 4.8-5.

**Table 4.8-5. Operational GHG Emissions Without Mitigation**

| Operational Year/Source | 2030 GHG Emissions ($MTCO_2e$/year) |
|---|---|
| Area Source[1] | 32.9 |
| Energy Use[2] | 2,477.2 |
| Motor Vehicles[3] | 13,836.04 |
| Waste[4] | 368.2 |
| Water[5] | 169.6 |
| **Total Operational Emissions** | 16,884.0 |
| **Amortized Construction Emissions** | 987.3 |
| **Total with Amortized Construction Emissions** | 17,871.3 |
| Service Population (SP)[6] | 4,826 |
| **$MTCO_2e$/SP** | **3.7** |
| **GHG Efficiency Significance Threshold** | **3.4** |
| **Exceeds Threshold?** | **Yes** |

Source: AMBIENT (2022)

Note: Refer to EIR Appendix D for modeling assumptions and results.

[1] Area source includes emissions associated primarily with the use of landscape maintenance equipment.

[2] Includes adjustment for California Renewable Portfolio Standards requirements and a minimum average reduction of 70% in residential electricity use with installation of on-site residential solar PV systems and compliance with applicable building energy-efficiency standards (PG&E 2022). Does not include reduction for mitigated natural gas use.

[3] Based on default fleet mix for nonresidential land uses contained in California Emissions Estimator Model (CalEEMod) for San Luis Obispo County. Fleet mix for residential land uses based on the vehicle distribution for residential land uses obtained from the San Joaquin Valley Air Pollution Control District (SJVAPCD) and applied to San Luis Obispo County default fleet mix, per SLOAPCD recommendations (SJVAPCD 2019; SLOAPCD 2019). Includes $CH_4$, $N_20$, and $CO_2$ mobile source emissions expressed in $CO_2e$.

[4] Based on an average annual waste diversion/recycling rate of 50% based on statewide averages.

[5] Incudes use of low-flow water fixtures and water-efficient irrigation systems, per current building code requirements.

[6] Based on the estimated number of residents and employees served by the proposed project (SWCA 2021).

As shown in Table 4.8-5, operational GHG emissions, with the inclusion of amortized construction GHG emissions (see Table 4.8-2), would total approximately 17,871.3 $MTCO_2e$ per year and the calculated GHG efficiency for the proposed project would be 3.7 $MTCO_2e$ per service population per year, which would exceed the SLOAPCD significance thresholds of 3.4 $MTCO_2e$ per service population per year.

Operational GHG emissions would primarily be associated with energy use and the operation of motor vehicles. Other sources of GHG emissions also include solid waste generation and water use. The County provides solid waste diversion requirements for organic waste and recyclable materials, which would reduce some GHG emissions from operational solid waste generated by the Specific Plan Area. Further, project-generated GHG emissions are projected to decrease in future years due largely to improvements in energy efficiency and vehicle fleet emissions.

Mitigation Measures AQ/mm-3.1 and AQ/mm-3.3, included in Section 4.3, *Air Quality*, Mitigation Measure TR/mm-3.1, included in Section 4.17, *Transportation*, and GHG/mm-1.1 have been included to further reduce GHG emissions. Specifically, implementation of Mitigation Measure AQ/mm-3.1 would include measures that would reduce short-term construction emissions of GHGs, including emissions of black carbon. Mitigation Measures AQ/mm-3.3 and TR/mm-3.1 would include measures that would reduce long-term operational emissions of GHGs, including emissions associated with energy and motor vehicle use. Mitigation Measures AQ/mm-3.3 and GHG/mm-1.1 would be included to further reduce emissions associated with energy use and to ensure compliance with current building standards. The installation of electrically powered appliances and building mechanical equipment in place of natural gas-fueled equipment would further reduce on-site emissions of GHGs. In some instances, however, comparable electrified commercial equipment may not be available or practical, such as for backup emergency power generation.

Electricity for the Specific Plan Area would be provided by PG&E, which has historically been the primary electricity provider within San Luis Obispo County. Approximately 39% of electricity provided by PG&E is sourced from renewable resources and an additional 47% is sourced from nonrenewable GHG-free resources (PG&E 2019).

Following implementation of the identified mitigation measures, the GHG efficiency threshold for the proposed project would be 3.0 $MTCO_2e$ per service population per year. Mitigated operational year 2030 GHG emissions are included in Table 4.8-6.

**Table 4.8-6. Operational GHG Emissions With Mitigation**

| Operational Year/Source | 2030 GHG Emissions ($MTCO_2e$/year) |
|---|---|
| Area Source[1] | 32.9 |
| Energy Use[2] | 2,080.5 |
| Motor Vehicles[3] | 10,821.6 |
| Waste[4] | 368.2 |
| Water[5] | 169.6 |
| **Total Operational Emissions:** | 13,472.7 |
| **Amortized Construction Emissions:** | 987.3 |
| **Total with Amortized Construction Emissions:** | 14,460.0 |
| Service Population (SP)[6] | 4,826 |
| $MTCO_2e$/SP | 3.0 |
| **GHG Efficiency Significance Threshold:** | **3.4** |
| **Exceeds Threshold?** | No |

Source: AMBIENT (2022)

Note: Refer to EIR Appendix D for modeling assumptions and results.

[1] Area source includes emissions associated primarily with the use of landscape maintenance equipment.

[2] Includes adjustment for California RPS requirements and a minimum average reduction of 70% in residential electricity use with installation of on-site residential solar PV systems and compliance with applicable building energy-efficiency standards (PG&E 2022).

[3] Based on default fleet mix for nonresidential land uses contained in the California Emissions Estimator Model (CalEEMod) for San Luis Obispo County. Fleet mix for residential land uses based on the vehicle distribution for residential land uses obtained from the San Joaquin Valley Air Pollution Control District (SJVAPCD) and applied to San Luis Obispo County default fleet mix, per SLOAPCD recommendations (SJVAPCD 2019; SLOAPCD 2019). Includes $CH_4$, $N_20$, and $CO_2$ mobile source emissions expressed in $CO_2e$.

[4] Based on an average annual waste diversion/recycling rate of 50% based on statewide averages.

[5] Incudes use of low-flow water fixtures and water-efficient irrigation systems, per current building code requirements.

[6] Based on the estimated number of residents and employees served by the proposed project (SWCA 2021).

As shown in Table 4.8-6, mitigated operational emissions would total approximately 14,460 $MTCO_2e$ per year and the project's GHG efficiency would be reduced to approximately 3.0 $MTCO_2e$ per service population per year, which is below the corresponding SLOAPCD efficiency threshold of 3.4 $MTCO_2e$ per service population per year for ensuring consistency with SB 32 GHG-reduction requirements. With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1, operation of the Specific Plan Area would have a less-than-significant impact on the environment related to GHG emissions. Therefore, potential operational impacts would be *less than significant with mitigation.*

| **GHG Impact 1 (Class II)** |
|---|
| The project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.3, and TR/mm-3.1.* |
| *GHG/mm-1.1* *The following measures shall be implemented to reduce project-generated emissions of greenhouse gases:*<br>*1. To the extent practical, the proposed project shall reuse and recycle construction waste, including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.*<br>*2. The servicing of residential development by natural gas shall be prohibited. To the extent possible, nonresidential development shall install electrically powered appliances and building mechanical equipment in place of natural gas-fueled equipment.*<br>*3. Encourage future land uses to participate in Central Coast Community Energy as the electricity provider if it is an option that would be available at the time of occupancy.*<br>*4. The project shall provide organic waste pick up and shall provide the appropriate on-site enclosures consistent with County requirements.*<br>*5. The project shall be designed to incorporate drought-resistant and native plants.*<br>*6. The project shall be designed to incorporate water-efficient irrigation systems.*<br>*7. The project shall be designed to incorporate low-flow water fixtures.*<br>*8. The project shall install high-reflectance roofing materials (e.g., U.S. Environmental Protection Agency "Energy Star"-rated), to the extent practical, to reduce building heat absorption and summer energy costs.*<br>*9. The electrical systems for single-family homes shall be designed with sufficient capacity to accommodate Level 2 residential-use electric vehicle chargers.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1, potential impacts related to short- and long-term GHG emissions would be less than significant (Class II).* |

## Off-Site Improvements

### *GHG Impact 2: Off-site improvements could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Impacts would be less than significant with mitigation (Class II).*

Proposed off-site transportation, water, and wastewater improvements would require short-term, intermittent construction activities that have the potential to result in ozone precursor emissions, including ROG and NOx, through construction and worker vehicle and equipment use. Proposed improvements are

anticipated to occur incrementally and would reduce the amount of total ozone precursor emissions that may result from proposed off-site improvement activities. Construction emissions are anticipated to be limited; however, the exact development plan, including the number and type of construction equipment and vehicles, is currently not known. Therefore, Mitigation Measure AQ/mm-3.1 has conservatively been included to reduce potential ozone precursor emissions during vehicle and equipment use where feasible. Therefore, construction-related emissions associated with off-site improvements would be *less than significant with mitigation*.

Operation of off-site improvements would result in a limited number of vehicle trips to proposed improvement areas for as-needed maintenance and repair trips. Operation of proposed off-site improvements would generate limited ozone precursor emissions and would be similar to existing ozone precursor emissions associated with transportation facility and NCSD maintenance activities within the community of Nipomo; therefore, operational impacts would be *less than significant*.

| **GHG Impact 2 (Class II)** |
|---|
| Off-site improvements could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure AQ/mm-3.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measure AQ/mm-3.1, potential impacts related to short- and long-term GHG emissions would be less than significant (Class II).* |

## WOULD THE PROJECT CONFLICT WITH AN APPLICABLE PLAN, POLICY OR REGULATION ADOPTED FOR THE PURPOSE OF REDUCING THE EMISSIONS OF GREENHOUSE GASES?

### Specific Plan Area

#### *GHG Impact 3: The project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Impacts would be significant and unavoidable (Class I).*

As noted in Tables 4.8-4 and 4.8-5, operational GHG emissions of the proposed project would primarily be associated with energy use and mobile sources, which account for roughly 14% and 79% of the project's total operational GHG emissions, respectively. Implementation of recommended mitigation measures and compliance with current building standards would substantially reduce GHG emissions associated with energy use; therefore, project-generated GHG emissions would not exceed statewide year 2030 GHG-reduction targets, per SB 32 requirements. In addition to the statewide GHG reductions established by SB 32.

The County's *2019 Regional Transportation Plan/Sustainable Communities Strategy* was adopted by the SLOCOG Board in June 2019. The SCS component outlines how the region will meet or exceed its GHG-reduction targets as required by SB 375 through the promotion of a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. Consistency with SB 375 ensures consistency with the GHG-reduction targets set by the CARB. The 2019 SCS was found to be consistent with SB 375 and is also consistent with the general plans of the region's jurisdictions (SLOCOG 2019).

Estimated regional average VMT modeling results are summarized in Table 4.3-7 in Section 4.3, *Air Quality*. Regional average VMT per employee would decrease from 27.0 to 26.9 and VMT per capita would increase from 29.8 to 30.0 with implementation of the proposed project; therefore, VMT would exceed the significance threshold of 25.7 VMT per employee and 27.2 VMT per capita and the proposed project would not be consistent with VMT projections in the 2019 RTP/SCS. For this reason, the proposed project has the potential to conflict with regional and statewide GHG-reduction efforts, specifically those related to reductions in mobile-source GHG emissions, such as the 2019 RTP/SCS. Mitigation Measure TR/mm-3.1 in Section 4.17, *Transportation*, has been identified to reduce VMT; however, the effectiveness of transit system improvement management strategies and tailored transportation demand management strategies in reducing VMT to the extent needed to be at 15% below regional averages is not certain. Therefore, this impact would remain *significant and unavoidable*.

| **GHG Impact 3 (Class I)** |
|---|
| The project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1.* |
| ***Residual Impacts*** |
| *Implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.3, GHG/mm-1.1, and TR/mm-3.1 would reduce potential impacts related to operational GHG emissions from the proposed project. However, the project would generate VMT in a manner that would be inconsistent with SLOCOG's 2019 RTP/SCS and the effectiveness of the identified mitigation to reduce this impact below applicable thresholds is not certain. Therefore, with implementation of identified mitigation, potential impacts would be significant and unavoidable (Class I).* |

## Off-Site Improvements

### *GHG Impact 4: Off-site improvements could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Impacts would be less than significant (Class III).*

Construction and operation of proposed off-site transportation, water, and wastewater infrastructure improvements would result in limited GHG emissions. Construction activities would be required to comply with state and local diesel idling restrictions and other equipment standards to reduce the GHG emissions during construction activities. Implementation of proposed off-site improvements would not result in new residential, commercial, or other buildings that would be subject to the CBC or CALGreen. Further, operational vehicle trips would be limited to as-needed maintenance and repair trips and would not generate VMT that would exceed any established thresholds. Therefore, construction and operation of proposed off-site improvements would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs and impacts would be *less than significant*.

| **GHG Impact 4 (Class III)** |
|---|
| Off-site improvements could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |

| GHG Impact 4 (Class III) |
|---|
| ***Residual Impacts*** |
| *Based on required compliance with existing regulations, residual impacts would be less than significant (Class III).* |

## 4.8.6 Cumulative Impacts

### *GHG Impact 5: The project would result in a cumulatively considerable impact to greenhouse gas emissions. Cumulative impacts would be significant and unavoidable (Class I).*

As discussed in Chapter 3, *Environmental Setting*, the cumulative impact analysis is based on the County's cumulative projects list. Cumulative projects would generate residential, industrial, and commercial development within the county. Project-specific impacts related to the generation of short- and long-term GHG emissions would be less than significant with mitigation. Based on required compliance with existing diesel idling requirement, the CBC and CALGreen, and the County's solid waste reduction goals, reasonably foreseeable future projects are not anticipated to result in short- or long-term GHG emissions that would conflict with established thresholds. Nevertheless, reasonably foreseeable future projects would be subject to separate environmental review to determine potential impacts related to GHG emissions and reduce GHG emissions, as necessary. Therefore, impacts would be *less than cumulatively considerable*.

The project would generate VMT that would exceed the significance threshold of 25.7 VMT per employee and 27.2 VMT per capita; therefore, the proposed project would be inconsistent with the 2019 RTP/SCS and the effectiveness of identified mitigation included to reduce this impact is not certain, thus it would remain significant and unavoidable. Reasonably foreseeable future projects would likely contribute to VMT within the vicinity of the Specific Plan Area. Individual future projects would be subject to separate environmental review to determine individual impacts related to consistency with the 2019 RTP/SCS and implement reduction measures as necessary and feasible. Other reasonably foreseeable future projects are not anticipated to generate population growth or VMT of this scale; however, reasonably foreseeable future projects within the vicinity of the Specific Plan Area still have the potential to contribute VMT and further exceed established thresholds. Since other reasonably foreseeable future projects are anticipated to generate substantially less population growth and VMT, implementation of long-term VMT reduction strategies would likely mitigate impacts to below established VMT thresholds. However, due to project-specific significant impacts, cumulative impacts would be *significant and unavoidable*.

| GHG Impact 5 (Class I) |
|---|
| The project would result in a cumulatively considerable impact to greenhouse gas emissions. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure TR/mm-3.1.* |
| ***Residual Impacts*** |
| *Cumulative impacts related to generation of substantial GHG emissions would be avoided through compliance with existing regulations and identified project-specific mitigation; no additional mitigation is needed to avoid or minimize potential cumulative impacts. However, the project would generate VMT in exceedance of applicable thresholds and identified mitigation included to reduce this impact is not certain. Therefore, the project would be inconsistent with the 2019 RTP/SCS and residual impacts would be significant and unavoidable (Class I).* |

# 4.9 HAZARDS AND HAZARDOUS MATERIALS

This section discusses the project's potential impacts relating to hazards and hazardous materials. This analysis consists of a description of existing conditions of the project site and surrounding area, a summary of the regulatory framework, and an evaluation of potential impacts associated with hazards and hazardous materials.

## 4.9.1 Existing Conditions

### *4.9.1.1 Specific Plan Area*

The Specific Plan Area is generally surrounded by rural residential uses, Willow Road, and Cherokee Place to the north; existing residential development within the community of Nipomo to the south; existing residential development and Hetrick Avenue to the west; and US 101 to the east. The nearest school is Nipomo High School, which is located approximately 0.2 mile east, beyond US 101. The Specific Plan Area is undeveloped, except for some unpaved ranch roads and minimal structures/materials to support on-site seasonal grazing activities.

#### 4.9.1.1.1 RECORDED HAZARDOUS MATERIALS SITES

The NCSD has a history of hazardous material incidents. Between 1994 and 2018, there have been 58 reported hazardous materials incidents, which is 3% of the County's reported hazardous materials incidents during the same timeframe (County of San Luis Obispo 2019). The SWRCB GeoTracker database and the Department of Toxic Substance Control (DTSC) Envirostor database were queried and did not identify any previously recorded hazardous materials sites within a 1,000-foot buffer the project area (SWRCB 2021; DTSC 2021a). In addition, the CDOC Geologic Energy Management Division (CalGEM) Well Finder map database was queried and there are no reported oil or gas wells recorded within the property (CalGEM 2021). Proximate recorded hazardous materials sites are shown in Figure 4.9-1.

#### 4.9.1.1.2 PESTICIDES AND FERTILIZERS

Due to the project region's agricultural setting, it is highly likely that nearby active agricultural lands utilize pesticides and/or fertilizers during typical operations. Pesticides are toxic and may be potentially hazardous to human, animal, and environmental health. Those who use pesticides regularly or are in close proximity to an area where pesticides are regularly used may be at risk for potential health effects. The four types of exposure are through skin contact, through inhalation, orally, and/or through the eyes. Acute toxicity of a pesticide refers to the chemical's ability to cause injury to a person or animal from a single exposure, generally of short duration (Pennsylvania State University [Penn State] 2017). Any harmful effects that occur from long-term exposure to a pesticide are called chronic effects. Suspected chronic effects from exposure to certain pesticides include birth defects, toxicity to a fetus, production of benign or malignant tumors, genetic changes, blood disorders, nerve disorders, endocrine disruption, and reproduction effects (Penn State 2017).

Fertilizers are chemical substances that are added to the soil to make it more fertile in order to produce more fruit and vegetable products from the plants. Typically, fertilizers include a composition of nitrogen, phosphorus, and potassium. Overuse of fertilizers may result in several potential hazards to human and environmental health, including infiltrating groundwater, degrading aquatic ecosystems, and causing chronic illness. The excessive use of common fertilizers may result in birth defects, respiratory problems, cardiac disease, and several types of cancers (Kerkar 2019).

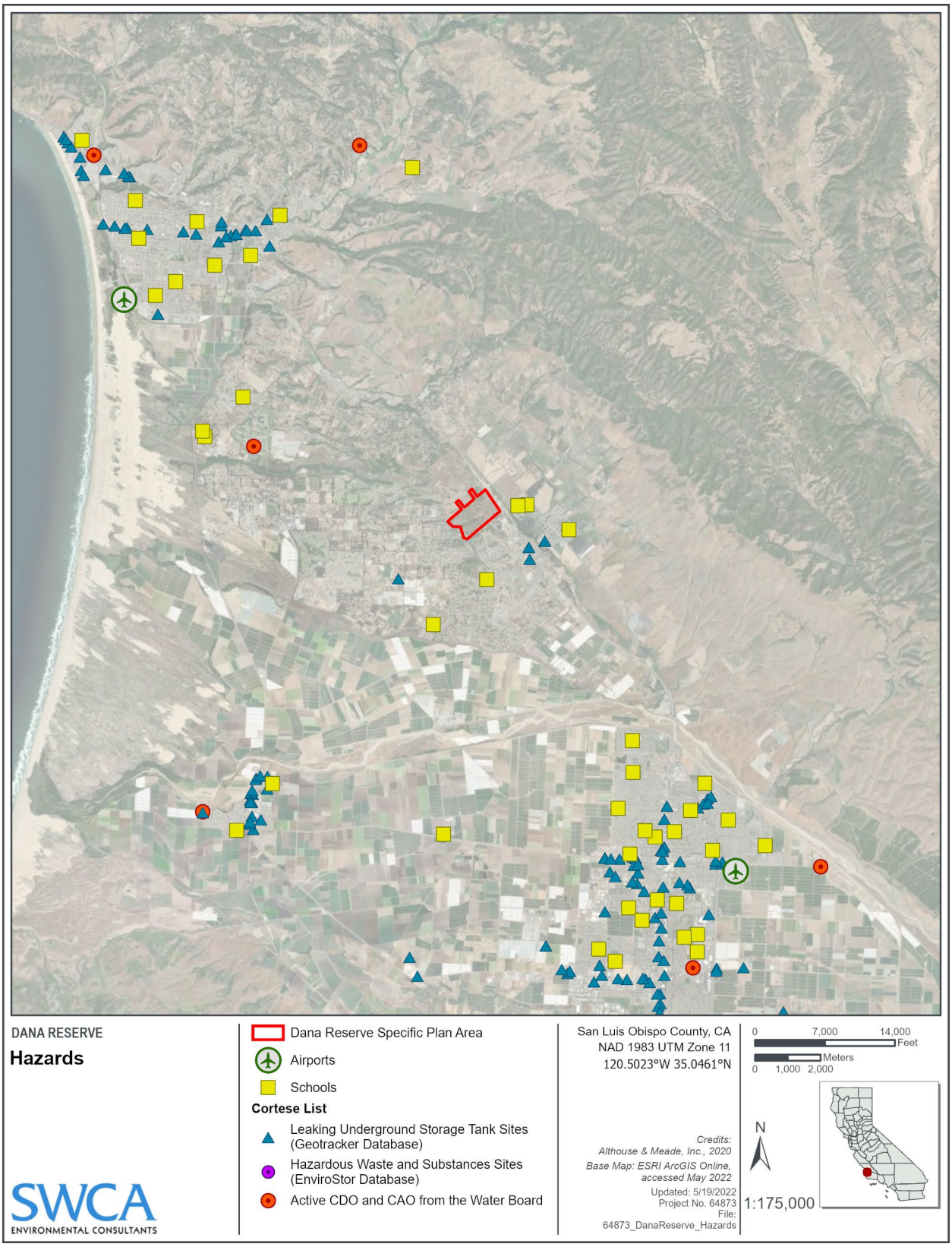


**Figure 4.9-1. Known hazardous materials sites, sensitive uses, and hazards.**

The project site is located in proximity to several active agricultural operations, including, but not limited to, covered and uncovered row crops located approximately 250 feet to the east (on the opposite side of US 101 and adjacent to Nipomo Creek) and 0.25 mile to the northwest and southwest.

#### 4.9.1.1.3 ASBESTOS AND ASBESTOS-CONTAINING MATERIALS

Asbestos, a mineral fiber that occurs in rock and soil, naturally occurs in serpentine rock located throughout the county. The SLOAPCD identifies areas in the county that likely contain NOA. The Specific Plan Area is not located in an area where NOA is likely to occur (SLOAPCD 2021). In addition to NOA, asbestos may also occur in asbestos-containing material, including a variety of building construction materials for insulation and as a fire retardant. Asbestos has also been used in a wide range of manufactured goods, mostly in building materials, including roofing shingles, ceiling and floor tiles, paper products, and asbestos cement products (USEPA 2021a).

Exposure to asbestos may occur through the disturbance of asbestos-containing material during product use, demolition work, building or home maintenance, repair, and remodeling. In general, exposure may occur only when the asbestos-containing material is disturbed or damaged in some way to release particles and fibers into the air. Exposure to asbestos increases your risk of developing lung disease (USEPA 2021a).

#### 4.9.1.1.4 AERIALLY DEPOSITED LEAD

In the 1920s, refiners began adding lead compounds to gasoline to boost octane levels and improve engine performance. Due to the addition of lead compounds in gasoline, automobile emissions resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. Although the use of lead in gasoline has since been prohibited, ADL-contaminated soils still exist along roadsides and medians and may also be found under existing road surfaces. The highest lead concentrations are usually found within 10 feet of the edge of the pavement and within the top 6 inches of the soil. In some cases, lead is as deep as 2 to 3 feet below the surface and can extend 20 feet or more from the edge of pavement (DTSC 2016).

The Specific Plan Area's eastern boundary is coterminous with the Caltrans ROW along US 101 and extends to within approximately 30 feet of the paved roadway.

#### 4.9.1.1.5 COUNTY EVACUATION ROUTES

Based on the County Office and Emergency Services (OES), US 101 and SR 1 are the primary evacuation routes out of the county. State highways and local roads can be used to reach US 101 and SR 1. In the event of an evacuation, the California Highway Patrol (CHP), local law enforcement, and other response agencies would direct traffic along these routes (OES 2021).

### *4.9.1.2 Off-Site Improvements*

The exact location of proposed off-site transportation, water, and wastewater system improvements is currently not known; however, proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan Area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed water system improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue and Tefft Street, and proposed wastewater system improvements are anticipated to occur along North Frontage Road (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). Nipomo Elementary School is located approximately 0.15 mile south of Tefft Street and Nipomo High School is located approximately 0.2 mile east of North Oakglen Avenue.

#### 4.9.1.2.1 RECORDED HAZARDOUS MATERIALS SITES

Based on a query of the SWRCB GeoTracker database, there are two closed leaking underground storage tank (LUST) cleanup sites and one closed cleanup program site within 1,000 feet of proposed wastewater system improvement areas. Additionally, there are two closed LUST cleanup sites and one open cleanup program site within 1,000 feet of proposed water system improvement areas (SWRCB 2021). The open cleanup program site is the Conoco Phillips Line, which is undergoing assessment as of August 17, 2010. The contaminants of concern at this location are crude oil and polynuclear aromatic hydrocarbons (PAHs) (SWRCB 2022). Based on a query of the DTSC Envirostor database, there is one closed school investigation site at Nipomo High School, which is located approximately 800 feet east of North Oakglen Avenue (DTSC 2021a). In addition, based on a query of the CalGEM Well Finder map database, there are no reported oil or gas wells recorded within or near proposed off-site water or wastewater improvement areas (CDOC Geologic Energy Management Division [CalGEM] 2021). Proximate recorded hazardous materials sites are shown in Figure 4.9-1.

#### 4.9.1.2.2 PESTICIDES AND FERTILIZERS

As previously discussed, there is potential for fertilizer and pesticide use to result in chronic health effects, including birth defects, toxicity to a fetus, production of benign or malignant tumors, genetic changes, blood disorders, nerve disorders, endocrine disruption, and reproduction effects (Penn State 2017). Proposed off-site wastewater improvements are located in previously developed commercial areas and are not located near existing agricultural land uses. Proposed off-site water system improvements are located adjacent to several active agricultural operations, including, but not limited to, uncovered row crops located along Tefft Street.

#### 4.9.1.2.3 ASBESTOS AND ASBESTOS-CONTAINING MATERIALS

Asbestos, a mineral fiber that occurs in rock and soil, naturally occurs in serpentine rock located throughout the county. According to the SLOAPCD NOA map, proposed off-site water system improvements are not located in an area where NOA is likely to occur; however, proposed off-site wastewater improvements are located in an area where NOA is likely to occur (SLOAPCD 2021). In addition to NOA, asbestos may also occur in asbestos-containing materials, including roofing shingles, ceiling and floor tiles, paper products, and asbestos cement products (USEPA 2021a).

#### 4.9.1.2.4 AERIALLY DEPOSITED LEAD

Typically, ADL-contaminated soils still exist along roadsides and medians and may also be found under existing road surfaces. Proposed off-site NCSD water and wastewater system improvements would occur within or adjacent to previously developed roadways, including US 101, that have the potential to contain ADL-contaminated soils.

## 4.9.2 Regulatory Setting

### *4.9.2.1 Federal*

#### 4.9.2.1.1 RESOURCE CONSERVATION AND RECOVERY ACT

The Resource Conservation and Recovery Act (RCRA) of 1976 establishes the framework for a national system of solid waste control. The RCRA is a program administered by the USEPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. The RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the "cradle to grave" system of regulating hazardous wastes. Among other things, the use of certain techniques for the

disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act (USEPA 2021a).

#### 4.9.2.1.2 TOXIC SUBSTANCES CONTROL ACT

The Toxic Substances Control Act (TSCA) of 1976 authorizes the USEPA to require reporting, record keeping, testing requirements, and restrictions related to chemical substances and/or mixtures. Food, drugs, cosmetics, and pesticides are generally excluded from TSCA. There are six primary substances that the USEPA focuses on under the TSCA, including polychlorinated biphenyls (PCBs), asbestos, radon, lead, formaldehyde, and mercury (USEPA 2016). TSCA requirements most often affect the regulation of PCBs, asbestos, and lead in federal facilities. For example, under the TSCA, asbestos regulations require that only properly trained and certified persons perform asbestos abatement activities in public or commercial buildings (USEPA 2016).

#### 4.9.2.1.3 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 provides a federal "superfund" to aid in the cleanup of uncontrolled or abandoned hazardous waste sites, as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. The "superfund" was established by taxing the chemical and petroleum industries. Under CERCLA, the USEPA is given the power to seek out parties responsible for pollutant or contaminant release and assure their cooperation in cleanup. CERCLA also established the revision of the National Contingency Plan, which provides guidelines and procedures necessary to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. In addition, the National Contingency Plan created the National Priorities List (NPL), which is the list of sites of national priority among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States (USEPA 2021b).

#### 4.9.2.1.4 SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT

On October 17, 1986, the Superfund Amendments and Reauthorization Act (SARA) of 1986 was enacted to amend the RCRA, described above, based on the USEPA's experience in administering the superfund during the program's first 6 years. The following changes were reflected by the SARA:

- The SARA stresses the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites;
- Superfund actions were required to consider the standards and requirements found in other federal and state environmental laws and regulations;
- New enforcement authorities and settlement tools;
- The SARA increases state involvement in every phase of the Superfund program;
- The SARA increases the focus on human health problems posed by hazardous waste sites;
- Citizen participation was encouraged during the decision-making process regarding site cleanup; and
- The SARA increased the size of the trust fund to $8.5 billion.

In addition, the SARA required the USEPA to revise the Hazard Ranking System to ensure that the risk caused by uncontrolled hazardous waste sites is accurately assessed and reflected on the NPL (USEPA 2021c).

#### 4.9.2.1.5 HAZARDOUS MATERIAL TRANSPORTATION UNIFORM SAFETY ACT

The Hazardous Material Transportation Uniform Safety Act was amended in 1990 to clarify conflicting federal, state, and local regulations. The amendment requires the Secretary of Transportation to issue regulations for the safe transport of hazardous materials in domestic and foreign commerce. The secretary also retains the authority to designate hazardous materials as hazardous when they pose an uncontrolled threat to health, safety, or property. The act also includes provisions to encourage uniformity among different state and local highway routing regulations, develop criteria for issuance of federal permits to motor carriers of hazardous materials, and regulate the transport of radioactive materials.

#### 4.9.2.1.6 FEDERAL OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION - PROCESS SAFETY MANAGEMENT STANDARD

The federal Occupational Safety and Health Administration (OSHA) issued the Process Safety Management of Highly Hazardous Chemicals standard (29 CFR Sections 1910.119 and 1926.64) to identify requirements for the management of hazards during the use of hazardous chemicals for general industry and construction activities. This standard includes requirements for preventing or minimizing the consequences of catastrophic releases of toxic, reactive, flammable, or explosive chemicals. Requirements of this standard include providing employees with information about hazardous chemicals, training employees on the operation of equipment that use hazardous materials, and employer requirements to perform a process hazard analysis.

#### 4.9.2.1.7 ASBESTOS HAZARD EMERGENCY RESPONSE ACT

The purpose of the Asbestos Hazard Emergency Response Act (AHERA) of 1986 is to require the USEPA to evaluate the extent of danger to human health posed by asbestos in public and commercial buildings and the means to respond to any identified danger. The AHERA establishes regulations for inspections, abatement activity, appropriate response actions, implementation of response actions, operations and maintenance programs, periodic surveillance of asbestos, transport and disposal, and management plans required for schools. The AHERA also creates accreditation programs for inspectors, management plan developers, and abatement contractors.

#### 4.9.2.1.8 ASBESTOS NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

The SLOAPCD is delegated authority by the USEPA to implement the federal Asbestos NESHAP regulations specified in 40 CFR 61, Subpart M. There are specific requirements and procedures delineated in this regulation that pertain to certain demolition and renovation projects. All nonresidential demolitions of any kind of structure or asbestos-containing material disturbance are required to be approved in advance by the SLOAPCD. Requirements for an owner/operator subject to this regulation include conducting a thorough inspection for the presence of asbestos by a Certified Asbestos Consultant (CAC) and written notification to the SLOAPCD of the demolition or renovation at least 10 working days prior to the start of the job.

#### 4.9.2.1.1 FEDERAL CLEAN AIR ACT

Regulations under the FCAA are designed to prevent accidental releases of hazardous materials. The regulations require facilities that store minimum quantities (called threshold quantities) or greater of listed regulated substances to develop a Risk Management Plan, including hazard assessments and response programs to prevent accidental releases of listed chemicals.

## *4.9.2.2 State*

### 4.9.2.2.1 CORTESE LIST

The Cortese List, which is a hazardous waste and substances site list, is a planning document used by the state, local agencies, and developers to comply with the requirements of CEQA, which requires the disclosure of hazardous materials sites. California Government Code Section 65962.5 requires the CalEPA to compile and annually update lists of hazardous waste sites and land designated as hazardous waste sites throughout the state. CalEPA may seek assistance from the DTSC, California Department of Health Services, SWRCB, or California Department of Resources Recycling and Recovery (CalRecycle) when compiling the list (DTSC 2021). In regard to a new project, before the lead agency accepts an application for any development project as complete, the applicant must consult these lists to determine if the subject site is included on the Cortese List.

### 4.9.2.2.2 HAZARDOUS WASTE CONTROL

HSC Division 20, Chapter 6.5 codifies the Hazardous Waste Control law, which states that generators of hazardous waste must employ technology and management practices for the safe handling, treatment, recycling, and destruction of their hazardous wastes prior to disposal. The law also creates the Hazardous Waste Management Council, who is responsible for making recommendations for a system that ensures financial liability for persons injured or otherwise affected by hazardous wastes that are treated or disposed of within their community. It is the overall intent of this law to grant those powers necessary to secure and maintain interim and final authorization for the state hazardous waste program in accordance with the requirements of Section 3006 of Public Law 94-580, the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6926), and to implement such program in lieu of the federal program.

### 4.9.2.2.3 ENVIRONMENTAL HEALTH STANDARDS FOR THE MANAGEMENT OF HAZARDOUS WASTE

Title 22, Division 4.5 of the CCR codifies regulations in place for the management of hazardous waste, implemented by and affecting the DTSC. DTSC is a department of the CalEPA, which is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. The DTSC regulates hazardous waste in California primarily under the authority of the RCRA and HSC.

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in CCR Title 22 as follows:

> A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed. (22 CCR Section 66261.10)

Title 22 of the CCR identifies several regulations pertaining to the management of hazardous materials, and the following may be applicable to construction and/or operation of the project:

- 22 CCR 66261.20 classifies hazardous waste as a substance that is ignitable, corrosive, reactive, or toxic.

- 22 CCR 66262.11 provides a method of determination for hazardous materials to ensure generators properly handle, store, transport, and/or dispose of hazardous materials accordingly.
- 22 CCR 66262.30–66262.35 requires proper packaging, labeling, marking, placarding, and accumulation timing of hazardous materials that are to be transported.
- 22 CCR 66262.70 states that waste pesticide, including pesticide containers or inner liners from pesticide containers, that meets the definition of hazardous waste, generated as part of a commercial farming operation is not required to be managed in compliance with the standards in this chapter.
- 22 CCR 66263.30-66262.32 requires that in the event of a discharge of hazardous waste during transportation, the transporter shall take immediate action to protect human and environmental health, shall clean up spilled hazardous waste discharge, and properly report the incident.
- 22 CCR 66268 identifies land disposal restrictions for hazardous wastes, treatment standards for wastes, prohibitions on storage and land disposals, and potential incineration requirements.

#### 4.9.2.2.4 CERTIFIED UNIFIED PROGRAM AGENCY

The Certified Unified Program Agency (CUPA) is overseen by the CalEPA and is a program that protects residents of the state from hazardous waste and hazardous materials by ensuring local regulatory agencies consistently apply statewide standards when they issue permits, conduct inspections, and engage in enforcement activities. The CUPA consists of the following programs:

- **California Accidental Release Prevention Program:** HSC Division 20, Chapter 6.95, Article 2 identifies requirements of the California Accidental Release Prevention Program (CalARP), which is implemented by the California Governor's Office of Emergency Services (Cal OES). The purpose of CalARP is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. These objectives are accomplished by requiring businesses that produce, handle, process, distribute, or store certain chemicals over a threshold quantity to develop a Risk Management Program, prepare a Risk Management Plan, and submit the Risk Management Plan to the local CUPA.
- **Hazardous Material Release Response Plans and Inventory Law:** HSC Division 20, Chapter 6.95, Article 1 identifies requirements of the Hazardous Material Release Response Plans and Inventory Law, which requires businesses to develop a Release Response Plan for hazardous materials emergencies if they handle more than 500 pounds, 55 gallons, or 200 cubic feet of hazardous materials. In addition, the business must prepare a Hazardous Materials Inventory of all hazardous materials stored or handled at the facility. Handling and storage of hazardous materials must be conducted in a manner that promotes worker and environmental safety. Both the Release Response Plan and the Hazardous Materials Inventory must be supplied to the CUPA for the program. For the proposed project, the CUPA consists of the County of San Luis Obispo Environmental Health Services (EHS).
- **Aboveground Petroleum Storage Tank Program:** HSC Division 20, Chapter 6.67 identifies the requirements for the Aboveground Petroleum Storage Tank Program, which is implemented by the Office of the State Fire Marshal (CAL FIRE). Under this program, tank facilities with 10,000 gallons or more of total aboveground petroleum storage capacity are inspected at least once every 3 years by a CUPA and have reporting and fee requirements, while tank facilities with an aboveground petroleum storage capacity of less than 10,000 gallons have reporting and fee requirements.

- **Underground Storage Tank Program:** HSC Division 20, Chapter 6.7 identifies the requirements for the Underground Storage Tank Program, which is implemented by the SWRCB. The purpose of this program is to protect the public health and safety and the environment from releases of petroleum and other hazardous substances from underground storage tanks through leak prevention, cleanup, enforcement, and tank tester licensing.

#### 4.9.2.2.5 PESTICIDES AND PEST CONTROL OPERATIONS

Title 3 (Food and Agriculture), Division 6 of the CCR consists of regulations for pesticide and pest control operations within California. These regulations identify program requirements, licensing requirements, use requirements, storage requirements, transportation requirements, safety requirements, and monitoring requirements for pesticide use, Specifically, CCR Division 6600 identifies the general standards of care for pesticide use, which includes:

- Use only pest control equipment which is in good repair and safe to operate.
- Perform all pest control in a careful and effective manner.
- Use only methods and equipment suitable to insure proper application of pesticides.
- Perform all pest control under climatic conditions suitable to insure proper application of pesticides.
- Exercise reasonable precautions to avoid contamination of the environment.

In addition to regulations regarding pest control use, CCR Division 6 also includes regulations for protection of the environment. CCR Division 6, Chapter 4 prohibits and otherwise restricts the use of pesticides that may result in damage to air quality, aquatic and marine environments, compost, and surface waters.

#### 4.9.2.2.6 CALIFORNIA FOOD AND AGRICULTURAL CODE

Division 7, Chapter 2 of the State of California Food and Agricultural Code provides regulations for the use of pesticides in the state. These regulations include recommended uses, worker safety requirements, contamination prevention, and other requirements to minimize or avoid negative impacts to health due to improper use of pesticides. Specifically, Section 12972 requires that the use of pesticides shall not result in substantial drift to non-target areas. Section 12977 allows the Agricultural Commissioner to enforce this provision. In addition, Section 12982 states that the local health officer has the right to investigate any health hazard from pesticide use and take necessary action, in coordination with the Agricultural Commissioner, to abate the hazard.

#### 4.9.2.2.7 SITE-SPECIFIC HEALTH AND SAFETY

Under California Division of Occupational Safety and Health Administration (Cal/OSHA) Title 8, Subchapter 2, employers must disclose potential workplace hazards and develop site-specific health and safety plans for workers and the workplace. In addition, workers that may potentially be exposed to hazardous materials in their workplace must be notified of exposure so that they are aware of workplace hazards.

## *4.9.2.3 Local*

### 4.9.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Safety Element

The County's Safety Element was adopted in 1999 and provides goals, policies, and implementation measures to minimize risk associated with the loss of life, property, and economic well-being as a result of disasters. The two basic principles of the safety element include being ready for disaster and managing development to reduce risk.

The Safety Element is undergoing an update that will comply with SB 1241, Fire Hazard Safety; SB 379, Natural Hazard Adaptation and Resiliency; and AB 2140, Integration of Local Hazard Mitigation Plan.

#### Conservation and Open Space Element

The County's COSE would be applicable to reducing potential hazards or exposure of hazardous materials as a result of the project and includes policies for minimizing exposure to TACs, PM, $SO_2$, CO, NOx, and lead.

### 4.9.2.3.2 COUNTY OF SAN LUIS OBISPO LOCAL HAZARD MITIGATION PLAN

The County's Local Hazard Mitigation Plan (LHMP) is currently in the process of being updated. The update of the LHMP aims to provide practical, meaningful, attainable, and cost-effective mitigation solutions to reduce vulnerability to natural disasters and other hazards. The LHMP update is applicable to the County and to its municipalities, community services districts, and special districts. The LHMP update will allow the region to mitigate the impacts of hazards based on current and expected future conditions, creating a more resilient county in the face of increasingly severe, frequent, and costly disasters. The LHMP update aims to limit new development in hazard areas, and as permissible, build to standards that will prevent or reduce damage. The following hazards are a priority when planning mitigation strategies:

- Drought and Water Shortage (high)
- Earthquake (high)
- Wildfire (high)
- Adverse Weather: Thunderstorm/Heavy Rain/Hail/Lighting/Dense Fog/Freeze (medium)
- Agricultural Pest Infestation and Disease (medium)
- Biological Agents (medium)
- Dam Incidents Flood (medium)
- Landslides and Debris Flow (medium)
- Tsunami and Seiche (medium)
- Human Caused: Hazardous Materials (medium)

#### 4.9.2.3.3 COUNTY OF SAN LUIS OBISPO ENVIRONMENTAL HEALTH SERVICES

The County EHS provides a CUPA Program, based on CalEPA's CUPA program, for hazardous materials and waste. Under the County's CUPA Program, the following programs are monitored and enforced:

- **Aboveground Petroleum Storage Tank Program:** The purpose of this program is to protect public health and the environment from a potential source of surface and groundwater contamination by regulating aboveground storage tanks containing hazardous materials. Program objectives are accomplished through inspection, plan review, incident investigation, enforcement, public education, and assistance to industry.
- **Underground Storage Tank Program:** The intent of the identified program is to protect public and environmental health from a potential source of groundwater contamination by regulating underground storage tanks containing hazardous materials. This is accomplished through inspection, plan check, incident investigation, enforcement, public education, and assistance to industry.
- **California Accidental Release Prevention Program:** As described above, the purpose of the CalARP is to protect the public health and the environment from the uncontrolled release of extremely hazardous substances by requiring businesses to establish programs to reduce the risk of an accidental hazardous substance release and manage emergency operations in the event of a release
- **Hazardous Materials Business Plan:** As described above, the purpose of this program is to protect public health, emergency responders, and the environment from the release of hazardous materials at a regulated facility by ensuring proper handling and storage, and to provide timely and accurate information to emergency response personnel and to the public.
- **Hazardous Waste Generator Program:** This program protects the public health and the environment from the release of hazardous wastes by regulating industries that generate hazardous waste. This is accomplished through inspection, surveillance, incident investigation, assistance to industry, enforcement, and public education.
- **Household Hazardous Waste Disposal:** This program regulates the release of hazardous wastes stored and generated by the general public by providing public education as well as opportunities to the general public to dispose of common household hazardous wastes in a manner that prevents contamination to the environment. This program is implemented by the San Luis Obispo County Integrated Waste Management Authority (IWMA).

#### 4.9.2.3.4 ASBESTOS AIRBORNE TOXIC CONTROL MEASURE FOR CONSTRUCTION, GRADING, QUARRYING, AND SURFACE MINING OPERATIONS

The CARB identifies asbestos as a toxic air contaminant. In San Luis Obispo County, asbestos naturally occurs in serpentine rock located throughout the county. According to CARB's Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, And Surface Mining Operations, prior to any grading activities at a site identified as having the potential for NOA, the owner or operator will be required to comply with the applicable sections contained in the NOA ATCM (SLOAPCD 2021b). For those projects within an area identified as having the potential for NOA, the following requirements apply:

- For grading projects qualifying for NOA ATCM exemption, an NOA exemption form must be submitted with geologic evaluation.
- For grading projects in serpentine rock, less than 1 acre, a project form with geologic evaluation must be submitted and dust control measures shall be included during grading.
- For grading projects in serpentine rock, more than 1 acre, a project form with geologic evaluation must be submitted, and an Asbestos Dust Mitigation Plan must be submitted for approval to be implemented during grading.

### *4.9.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Hazards and Hazardous Materials*

Table 4.9-1 lists applicable state, regional, and local land use policies and regulations pertaining to hazards and hazardous materials that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.9.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.9-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.9.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.9-1. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Safety Element** | | |
| **Policy S-8 Flood Hazard.** Strictly enforce flood hazard regulations both current and revised. FEMA regulations and other requirements for the placement of structures in flood plains shall be followed. Maintain standards for development in flood-prone and poorly drained areas. | The intent of this policy is to minimize risks associated with flood hazards. | **Potentially Consistent.** The project is not located within a mapped flood hazard zone and future development would be designed to meet both County stormwater and drainage requirements and Central Coast RWQCB post-construction stormwater requirements. See Section 4.10, *Hydrology and Water Quality*, for further analysis. |
| **Policy S-24 Aircraft Hazards.** Reduce the potential for disaster from airport and land use conflicts in conjunction with the Airport Land Use plans. | The intent of this policy is to reduce risk associated with aircraft hazards. | **Potentially Consistent.** As discussed in the project IS/NOP, the project site is not located within an airport land use plan or within 2 miles of a public airport or public use airport and would not result in impacts related to development near an airport. |
| **Policy S-25 Radiation Hazards.** Maintain a high level of emergency preparedness and information to the public. | The intent of this policy is to reduce risk associated with radiation hazards. | **Potentially Consistent.** Implementation of the project would not establish a new source of radiation hazards or have an effect on community preparedness related to radiation hazards. |
| **Policy S-26 Hazardous Materials.** Reduce the potential for exposure to humans and the environment by hazardous substances. | The intent of this policy is to reduce risk associated with hazardous materials. | **Potentially Consistent.** Future development associated with the DRSP would require the transport, use, and disposal of hazardous materials, including diesel fuel, gasoline, solvents, oils, paints, etc. Construction of associated off-site improvements to roadways |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Implementation Measures**<br>**Program S-68.** Review commercial projects which use, store, or transport hazardous materials to ensure necessary measures are taken to protect public health and safety.<br>**Program S-69.** Work with Caltrans to require all transport of hazardous materials to follow Caltrans approved routes. | | and water and wastewater infrastructure would similarly require use of hazardous substances commonly used in construction activities. All hazardous materials would be subject to federal, state, and local regulations for the transport, use, and disposal of hazardous materials. Construction crews would be required to comply with CCR Title 22, which regulates the use, storage, and transport of hazardous materials. In addition, construction crews would be subject to HSC Division 20, Chapter 6.95, which requires the preparation and implementation of a Hazardous Material Release Response Plan and the preparation of a Hazardous Materials Inventory for materials used and stored at the site. Compliance would be monitored by the County EHS.<br>Future land uses within the Specific Plan Area that may require the use of small quantities of hazardous materials (i.e., fuels, oils, solvents, lubricants, paints) would be required to comply with CCR Title 22 and HSC Division 20, Chapter 6.95, described above, which would avoid or minimize the potential for risk to the public due to improper handling of hazardous materials. In addition, the project would be subject to the County's Household Hazardous Waste Disposal Program, which is enforced by the San Luis Obispo County IWMA to prevent environmental contamination caused by disposal of household hazard substances. |
| **Policy S-27 Pesticide Hazards.** Reduce the potential for pesticide exposure to humans and the environment.<br>**Implementation Measures**<br>**Program S-72.** Work with pesticide applicators (including commercial applicators and other users such as homeowners) to ensure necessary measures are taken to protect public health and safety. | The intent of this policy is to reduce hazards associated with pesticides. | **Potentially Consistent.** The project does not include establishment of an Agriculture land use designation or agricultural uses and would not otherwise allow the establishment of a use that would involve the application of substantial pesticides on-site. Due to the limited historic agricultural activities within the Specific Plan Area, exposure to existing dangerous levels of pesticides within the project site is very low. |
| **Conservation and Open Space Element** | | |
| **Policy AQ 3.4 Toxic exposure.** Minimize public exposure to toxic air contaminants, ozone, particulate matter, sulfur dioxide, carbon monoxide, nitrogen oxides, and lead. | The intent of this policy is to minimize public exposure to TACs. | **Potentially Consistent.** On-site off-road equipment and trucks would result in short-term emissions of DPM, which could contribute to an increase in fugitive dust and diesel exhaust emissions. Implementation of Mitigation Measures AQ/mm-2.1 and AQ/mm-2.2 would reduce fugitive dust and diesel exhaust emissions during proposed construction activities for buildout of the Specific Plan Area. DPM concentrations are typically strongest within 300 feet of the freeway and decrease by roughly 70% at 500 feet. A small portion of planned multi-family residential units located within the northeastern and southeastern portion of the project site have the potential to be located within 500 feet of US 101. Mitigation Measure AQ/mm-3.1 would require future development |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | of sensitive land uses, including residential dwellings, childcare facilities, or other sensitive land uses, to be located a minimum of 500 feet from US 101. Further, implementation of the proposed project would not be anticipated to result in or contribute to localized CO concentrations that would exceed applicable ambient air quality standards. |
| ***San Luis Obispo County Multi-Jurisdictional Hazard Mitigation Plan*** | | |
| **Goal 2.** Mitigate hazard impacts to existing and future development. | The intent of this policy is to mitigate potential hazards to existing and future development. | **Potentially Consistent.** In order to reduce potential short- and long-term environmental impacts related to hazardous materials spill, construction crews and proposed businesses would be required to comply with CCR Title 22, which regulates the use, storage, and transport of hazardous materials. In addition, construction crews would be subject to HSC Division 20, Chapter 6.95, which requires the preparation and implementation of a Hazardous Material Release Response Plan and the preparation of a Hazardous Materials Inventory for materials used and stored at the site. |
| **Objective 2.1.** Limit new development in hazard areas, and as permissible, build to standards that will prevent or reduce damage. | The intent of this policy is to limit new development in hazard areas. | **Potentially Consistent.** The Specific Plan Area is located in a seismically active region. Therefore, there is potential for seismic-related hazards and other ground failure events. Proposed occupiable buildings and structures would be subject to requirements of the most recent CBC to reduce risk accordingly. In addition, mitigation has been included to further reduce risk through structural and other design requirements. The project is not located within a mapped flood hazard zone. |
| **Goal 3.** Build and support local capacity to address, and commitment to minimize, San Luis Obispo County's vulnerability to potential hazards through collaboration with the incorporated cities and special districts. | The intent of this policy is to minimize vulnerability to potential hazards. | **Potentially Consistent.** The project includes the construction of two collector roads intended to improve existing emergency response and evacuation conditions within the project region. In addition, construction of these collector roads would ensure buildout of the project does not adversely affect emergency response and evacuation efforts. |
| **Objective 3.1.** Improve existing capabilities to manage emergency situations. | The intent of this policy is to improve emergency response following emergency situations. | **Potentially Consistent.** As described in Section 4.15, *Public Services*, the project would result in an increased need for fire and police protection services, which would be offset through payment of Public Facilities Fees. Increased demand on fire protection services would be offset through implementation of identified mitigation to provide land for future development of a new fire station. |
| **Goal 4.** Minimize the level of injury and loss of life and damage to existing and future critical facilities, property, and infrastructure due to natural hazards. | The intent of this policy is to minimize the level of injury and loss of life and damage existing and future development. | **Potentially Consistent.** Proposed occupiable buildings and structures would be subject to requirements of the most recent CBC to reduce risk accordingly. In addition, mitigation has been included to further reduce |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | risk through structural and other design requirements. The project is not located within a mapped flood hazard zone. |
| **Objective 4.1.** Enhance the ability of community assets so as to minimize damages sustained from potential hazards. | The intent of this policy is to enhance existing programs to minimize damages sustained from potential hazards. | **Potentially Consistent.** The project includes the construction of two collector roads intended to improve existing emergency response and evacuation conditions within the project region. In addition, construction of these collector roads would ensure buildout of the project does not adversely affect emergency response and evacuation efforts. In addition, mitigation has been included to set aside land for construction of a future fire department to improve emergency response ability in the regions. Further, the project would be subject to the payment of public facilities fees to offset demand on fire and police protection services. |
| **Objective 4.2:** Develop a comprehensive approach to reducing the level of damage and losses due to hazards through utilizing resilient community and critical infrastructure design, management, code enforcement, GIS mapping, improved policies, procedures, training evacuation planning, and planning processes. | The intent of this policy is to reduce the level of damage and losses due to hazards. | **Potentially Consistent.** Proposed occupiable buildings and structures would be subject to requirements of the most recent CBC to reduce risk accordingly. In addition, mitigation has been included to further reduce risk through structural and other design requirements. |

## 4.9.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on hazards and hazardous materials if the effects exceed the significance criteria described below:

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.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Each of these thresholds is discussed under Section 4.9.5, *Project-Specific Impacts and Mitigation Measures*, below.

As discussed in the IS/NOP, the project site is not located within an airport land use plan or within 2 miles of a public airport or public use airport and would not result in impacts related to development

near an airport. Therefore, issues related to the following threshold of significance are not discussed further in the EIR:

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.

See EIR Appendix B, *Notice of Preparation for the Draft Environmental Impact Report and Comment Letters*, for more information related to this topic.

In addition, potential impacts related to wildland fire will be evaluated in Section 4.20, *Wildfire*, and the following threshold is not discussed in this section of the EIR (see Section 4.20, *Wildfire*):

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

## 4.9.4 Impact Assessment and Methodology

The project's potential impacts associated with hazards and hazardous materials were evaluated by use of the environmental checklist questions included in Appendix G of the State CEQA Guidelines, included in Section 4.9.3, *Thresholds of Significance*. Potential impacts were evaluated based on a comprehensive review of the proposed project and all associated components, applicable database information, and all applicable regulatory requirements.

## 4.9.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?

#### Specific Plan Area

#### *HAZ Impact 1: The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant (Class III).*

Implementation of the project would result in the adoption of the DRSP, which would allow for future residential and mixed-use development within the Specific Plan Area. Future development associated with the DRSP would require the transport, use, and disposal of hazardous materials, including diesel fuel, gasoline, solvents, oils, paints, etc. Future construction activities are anticipated to occur over the course of several years as the Specific Plan builds out, during which hazardous materials would be routinely transported, used, and disposed of. During the construction period, all hazardous materials would be subject to federal, state, and local regulations for the transport, use, and disposal of hazardous materials. Construction crews would be required to comply with CCR Title 22, which regulates the use, storage, and transport of hazardous materials. In addition, construction crews would be subject to HSC Division 20, Chapter 6.95, which requires the preparation and implementation of a Hazardous Material Release Response Plan and the preparation of a Hazardous Materials Inventory for materials used and stored at the site. Compliance would be monitored by the County EHS. Based on required compliance with existing regulations regarding hazardous material use, transport, and disposal, future construction activities are not anticipated to result in significant hazard to the public due to routine transport, use, or disposal of hazardous materials. Therefore, potential construction-related impacts would be *less than significant*.

At full buildout, the Specific Plan Area would consist of approximately 215.9 acres of residential development (1,289 potential units), 22.3 acres of commercial and nonresidential development (110,000–203,000 potential square feet), and 49.8 acres of open space/recreation. The DRSP does not include future allocation of land uses that would directly or indirectly generate the routine use of hazardous materials that could result in significant hazard to the public (e.g., automotive service stations and gas stations are not permitted within the Specific Plan Area). Allowable future land uses, such as single-family residences, multi-family residences, pocket parks, gardens, child daycare facilities, building materials and hardware stores, drive-thru services, general retail, health/fitness clubs, hotels and motels, neighborhood markets, public assembly and entertainment facilities, offices, restaurants and bars, schools, small-scale manufacturing, neighborhood parks, equestrian trails, and playgrounds do not require the use of large quantities of hazardous materials or the use of any unique acutely hazardous materials.

Any future uses within the Specific Plan Area that may require the use of small quantities of hazardous materials (e.g., fuels, oils, solvents, lubricants, paints) would be required to comply with CCR Title 22 and HSC Division 20, Chapter 6.95, described above, which would avoid or minimize the potential for risk to the public due to improper handling of hazardous materials. In addition, individual residential units within the Specific Plan Area are anticipated to use, transport, and store small quantities of cleaning solutions, solvents, paints, oils, lubricants, etc. during operation of the proposed project. The use of small quantities of household hazardous substances would not create a significant hazard to the public. In addition, the project would be subject to the County's Household Hazardous Waste Disposal Program, which is enforced by the San Luis Obispo County IWMA to prevent environmental contamination caused by disposal of household hazard substances. Therefore, operation of the project would not result in significant hazard to the public due to the use, transport, or disposal of hazardous materials and potential impacts would be *less than significant*.

| **HAZ Impact 1 (Class III)** |
|---|
| The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with state and local regulations, residual impacts related to the routine use, transport, and disposal of hazardous materials would be considered less than significant (Class III).* |

## Off-Site Improvements

### *HAZ Impact 2: Off-site improvements would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant (Class III).*

Proposed off-site improvements would require temporary construction activities that would require the use of transport, use, and disposal of hazardous construction-related materials, including diesel fuel, gasoline, solvents, oils, paints, etc. During proposed construction activities for off-site transportation, water, and wastewater system improvements, all hazardous materials would be subject to federal, state, and local regulations for the transport, use, and disposal of hazardous materials. Construction crews would be required to comply with CCR Title 22, which regulates the use, storage, and transport of hazardous materials and HSC Division 20, Chapter 6.95, which requires the preparation and

implementation of a Hazardous Material Release Response Plan and the preparation of a Hazardous Materials Inventory for materials used and stored at the site. Compliance with these regulations would be monitored by the County's Environmental Health and Safety Division. Based on required compliance with existing regulations regarding hazardous material use, transport, and disposal, construction activities for off-site NCSD improvements are not anticipated to result in significant hazard to the public due to routine transport, use, or disposal of hazardous materials. Therefore, potential construction-related impacts would be *less than significant*.

Operation of proposed off-site improvements would require maintenance and repair trips on an as-needed basis. Any maintenance and repair trips that require the use, transport, or disposal of hazardous materials would be required to comply with CCR Title 22 and HSC Division 20, Chapter 6.95 to reduce the potential for upset. Based on required compliance with existing regulations and the limited nature of proposed off-site improvements, operation of proposed off-site transportation, water, and wastewater system improvements would not result in significant hazard to the public due to the use, transport, or disposal of hazardous materials; therefore, potential impacts would be *less than significant.*

| **HAZ Impact 2 (Class III)** |
|---|
| Off-site improvements would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with state and local regulations, residual impacts related to the routine use, transport, and disposal of hazardous materials would be considered less than significant (Class III).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

### *HAZ Impact 3: The project could 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. Impacts would be less than significant with mitigation (Class II).*

Implementation of the project would allow for future residential and mixed-use development. Operation of the Specific Plan Area would not generate the use, transport, or disposal of hazardous materials that would result in significant upset due to accidental release. As previously discussed, future construction activities would be required to comply with CCR Title 22 and HSC Division 20, Chapter 6.95 during the transport, use, and disposal of hazardous materials including diesel fuel, gasoline, solvents, oils, paints, etc. Due to required compliance with existing regulations in place, future construction of the Specific Plan Area is not anticipated to result in foreseeable upset or accident conditions.

As discussed in Section 4.3, *Air Quality*, the project is not located in an area with potential for soils containing NOA (SLOAPCD 2021). Therefore, future earthwork is not anticipated to result in the release

of NOA; however, due to the proximity of areas with potential for NOA to occur, Mitigation Measure AQ/mm-7.1 has been included to minimize the potential to release NOA during ground-disturbing activities. In addition, the project site is currently undeveloped and would not require demolition of buildings or other structures prior to buildout of the Specific Plan Area. Therefore, the project would not result in the release of asbestos from demolition or other disturbance to asbestos containing material.

The Specific Plan Area is currently undeveloped and does not consist of any internal paved roads that would have been heavily used during the time lead was a component in gasoline; therefore, the potential for ADL to occur within the Specific Plan Area is very low. However, the eastern boundary of the site extends adjacent to US 101 and includes areas within approximately 30 feet of the paved roadway. ADL is known to occur in road shoulder areas along US 101 in the project vicinity and elsewhere in the state; however, the highest lead concentrations are usually found within 10 feet of the edge of the pavement and within the top 6 inches of the soil. In some cases, lead is as deep as 2 to 3 feet below the surface and can extend 20 feet or more from the edge of pavement. No project development would occur within the Caltrans ROW or within 30 feet of US 101; therefore, the potential for the disturbance of substantial amounts of ADL as a result of development within the Specific Plan Area is low. Therefore, potential impacts related to ADL that could create a significant hazard to the public would be less than significant.

Upon implementation of the identified mitigation, construction and operation of the proposed project would not result in the short- or long-term use of hazardous materials that would result in significant upset if accidentally released and would not generate the use of significantly hazardous materials within the project area. Therefore, impacts would be *less than significant with mitigation*.

| **HAZ Impact 3 (Class II)** |
|---|
| The project could 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. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure AQ/mm-7.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measure AQ/mm-7.1, potential impacts related to significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be considered less than significant (Class II).* |

## Off-Site Improvements

### *HAZ Impact 4: Off-site improvements could 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. Impacts would be less than significant with mitigation (Class II).*

Hazardous materials required for the construction and operation of proposed off-site transportation and NCSD-related improvements would not generate the use, transport, or disposal of hazardous materials that would result in significant upset due to accidental release. Hazardous materials required for temporary construction and long-term maintenance and repair trips would be subject to CCR Title 22 and HSC Division 20, Chapter 6.95 to reduce the risk associated with the use, transport, and disposal of hazardous materials. The significant risk of hazardous material contamination near sensitive areas (e.g., drainages and Nipomo Creek near the location of proposed NCSD water system improvements) would be minimized through implementation of Mitigation Measures BIO/mm-16.1, BIO/mm-16.2, and

BIO/mm-16.3. Therefore, impacts related to hazardous materials required for construction and operation of the project would be *less than significant*.

Proposed off-site wastewater system improvements would require ground disturbance approximately 35 feet from US 101, along North Frontage Road, and proposed off-site water system improvements would occur within a previously developed culvert under US 101. ADL is known to occur in road shoulder areas along US 101 in the project vicinity and elsewhere in the state. The highest lead concentrations are generally located within 10 feet of the edge of the pavement and within the top 6 inches of the soil. In some cases, lead is as deep as 2 to 3 feet below the surface and can extend 20 feet or more from the edge of pavement. Proposed off-site wastewater system improvements would not occur within 30 feet of US 101 and is not anticipated to disturb substantial amounts of ADL. In addition, proposed off-site water system improvements would occur within a previously developed culvert, which would avoid additional soil disturbance within 30 feet of US 101 that could result in potential disturbance of ADL. Since proposed improvements would not require soil disturbance within 30 feet of US 101, the potential for the disturbance of substantial amounts of ADL as a result of off-site improvements is low. Therefore, potential impacts related to the accidental release of ADL-contaminated soils would be *less than significant*.

In addition, proposed wastewater system improvements along North Frontage Road would be located in an area with potential for NOA to occur (SLOAPCD 2022). Mitigation Measure AQ/mm-7.1 would require geologic evaluation of proposed improvement areas to determine if NOA is present and identifies the proper protocol to be implemented during construction if NOA is present within proposed improvement areas in accordance with SLOAPCD requirements. Therefore, potential impacts related to accidental release of NOA would be *less than significant with mitigation*.

| **HAZ Impact 4 (Class II)** |
|---|
| Off-site improvements could 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. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-7.1 and BIO/mm-16.1 through BIO/mm-16.3.* |
| ***Residual Impacts*** |
| *Following implementation of Mitigation Measures AQ/mm-7.1 and BIO/mm-16.1 through BIO/mm-16.3, potential impacts related to significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be considered less than significant (Class II).* |

## WOULD THE PROJECT EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?

### Specific Plan Area

### *HAZ Impact 5: The project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Impacts would be less than significant (Class III).*

The nearest school is Nipomo High School, which is located approximately 0.2 mile east of the Specific Plan Area, on the opposite side of US 101. Adoption of the DRSP and future buildout of the Specific Plan Area would not result in new land uses that would permanently require the use of or generate hazardous materials near Nipomo High School. Future construction activity would temporarily result in the use of diesel fuel, gasoline, solvents, paints, etc. within 0.25 mile of Nipomo High School; however, any hazardous materials used during construction would be used in accordance with federal, state, and local regulations, including CCR Title 22 and the HSC. Any risk of exposure is substantially reduced by the location of US 101, which separates the project site from the high school. Additionally, no construction activities or operational uses within the Specific Plan Area would require the use of substantial amounts of hazardous materials or uniquely acute hazardous materials that could create a substantial risk to proximate sensitive receptors.

Based on required compliance with existing regulations, future construction activities are not anticipated to result in significant hazardous emissions near Nipomo High School. Therefore, construction-related and operational impacts related to hazardous emissions within 0.25 mile of a school would be *less than significant*.

| **HAZ Impact 5 (Class III)** |
|---|
| The project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Through required compliance with existing regulations, residual impacts related to hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school would be considered less than significant (Class III).* |

### *Off-Site Improvements*

### *HAZ Impact 6: Off-site improvements could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Impacts would be less than significant (Class III).*

Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan Area (Willow Road, North Frontage Road,

Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed water system improvements are anticipated to be located along North Oakglen Avenue and Tefft Street and proposed wastewater system improvements are anticipated to occur along North Frontage Road (see Figures 2-4 and 2-5 in Chapter 2, *Project Description*). There are two schools located within 0.25 mile of proposed off-site improvement areas, including Nipomo Elementary School, located approximately 0.15 mile south of Tefft Street, and Nipomo High School, located approximately 0.2 mile east of North Oakglen Avenue. Therefore, there is potential for construction of proposed off-site improvements to use or generate hazardous materials near existing schools. In addition, operation of proposed off-site improvement areas would require maintenance and repair trips on an as-needed basis, which may require the transport, use, and/or disposal of limited quantities of hazardous materials. Construction and operation would be required to comply with CCR Title 22 and the HSC to reduce the risk of accidental hazardous material release near existing school sites. Therefore, construction-related and operational impacts related to hazardous emissions within 0.25 mile of a school would be *less than significant*.

| **HAZ Impact 6 (Class III)** |
|---|
| Off-site improvements could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing regulations, residual impacts related to hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school would be considered less than significant (Class III).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

As discussed in the IS/NOP, the County determined the Specific Plan Area is not located on a hazardous materials site pursuant to California Government Code Section 65962.5 and would not result in development on or adjacent to a hazardous materials site. Since the Specific Plan Area is not be located on a hazardous materials site, there would be *no impact* related to development on or adjacent to a hazardous materials site.

### Off-Site Improvements

#### *HAZ Impact 7: Off-site improvements would be located near a hazardous materials site pursuant to California Government Code Section 65962.5. Impacts would be less than significant with mitigation (Class II).*

Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan Area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed water system improvements are anticipated to be located along North Oakglen Avenue and Tefft Street and proposed wastewater system improvements

are anticipated to occur along North Frontage Road (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). Based on a query of the SWRCB GeoTracker database, there are two closed LUST cleanup sites and one closed cleanup program site within 1,000 feet of proposed wastewater system improvement areas. Additionally, there are two closed LUST cleanup sites and one open cleanup program site within 1,000 feet of proposed water system improvement areas (SWRCB 2021). Based on a query of the DTSC Envirostor database, there is one closed school investigation site at Nipomo High School, which is located approximately 800 feet east of North Oakglen Avenue and associated water system improvements (DTSC 2021a).

The open cleanup program site is located near the Tefft and Carrillo Streets intersection, located approximately 40 feet north of the Tefft Street road shoulder, and the cleanup program site is identified as the Conoco Phillips Line, which is undergoing assessment as of August 17, 2010. The contaminants of concern at this location are crude oil and PAHs (SWRCB 2022). There is potential for proposed ground disturbance activities for off-site water system improvements to release crude oil or PAHs if present within the soil. Mitigation Measure HAZ/mm-7.1 would require the proper evaluation, monitoring, handling, and disposal of excavated soils in accordance with applicable federal, state, and local regulations to reduce the risk of accidental release of contaminated soils. Other hazardous materials sites identified near proposed off-site improvement areas have been closed; therefore, soils in those areas are not anticipated to contain hazardous materials that could be released during ground-disturbing activities. Off-site NCSD improvements would not result in occupiable building or structures that could result in the long-term exposure of project occupants to contaminated soils. Therefore, potential impacts related to development on or adjacent to a hazardous materials site would be less *than significant with mitigation*.

| **HAZ Impact 7 (Class II)** | |
|---|---|
| Off-site improvements would be located near a hazardous materials site pursuant to California Government Code Section 65962.5. | |
| ***Mitigation Measures*** | |
| *HAZ/mm-7.1* | *Prior to initiation of vegetation removal, demolition activities, or any earth-moving activities within 1,000 feet of any open hazardous materials site pursuant to California Government Code Section 65962.5, the project contractor shall prepare and implement a Hazardous Materials Management Plan that details procedures that will be taken to ensure the appropriate handling, stockpiling, testing, and disposal of excavated materials to prevent the inadvertent release of contaminated soil and demolished materials to the environment during construction activities. Elements of the plan shall include, but would not necessarily be limited to, the following:*<br><br>***Worker Health and Safety***<br><br>1. *Accident prevention measures.*<br>2. *The requirement that all construction crew members be trained regarding best practices for the appropriate handling, stockpiling, testing, and disposal of excavated materials prior to beginning work.*<br><br>***Soil Contamination***<br><br>1. *Procedures for the proper handling, stockpiling, testing, and disposal of excavated materials in accordance with California Code of Regulations Title 14 and Title 22.*<br>2. *Soil contamination evaluation and management procedures, including how to properly identify potential contamination (e.g., soil staining, odors, buried material), the requirement that construction activities within a 50-foot radius of potentially contaminated soil be halted until the hazard has been assessed and appropriately addressed, the requirement that access to potentially contaminated areas be limited to properly trained personnel, and procedures for notification and reporting, including internal management and local agencies (e.g., California Department of Forestry and* |

| HAZ Impact 7 (Class II) |
|---|
| *Fire Protection, County of San Luis Obispo Environmental Health Services), as needed.*<br>3. *Monitoring of ground-disturbing activities for soil contamination may include visual and organic vapor monitoring by personnel with appropriate hazardous materials training, including 40 hours of Hazardous Waste Operations and Emergency Response (HAZWOPER) training.*<br>4. *If visual and organic vapor monitoring indicates signs of suspected contaminated soil, then soil samples shall be collected and analyzed to characterize soil quality.*<br>5. *Evaluation of all potentially contaminated materials encountered during project construction activities in accordance with applicable federal, state, and local regulations and/or guidelines governing hazardous waste. All materials deemed to be hazardous shall be remediated and/or disposed of following applicable regulatory agency regulations and/or guidelines. Disposal sites for both remediated and non-remediated soils shall be identified prior to beginning construction. All evaluation, remediation, treatment, and/or disposal of hazardous waste shall be supervised and documented by qualified hazardous waste personnel.* |
| ***Residual Impacts*** |
| *Following implementation of Mitigation Measure HAZ/mm-7.1, potential impacts related to development on or adjacent to a hazardous materials site would be less than significant (Class II).* |

## WOULD THE PROJECT IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?

### Specific Plan Area

### *HAZ Impact 8: The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant (Class III).*

Based on the County OES, US 101 and SR 1 are the primary evacuation routes out of the county (County of San Luis Obispo OES 2021). The eastern border of the project site is bound by US 101, which would serve as the nearest evacuation route for the project.

Implementation of the project would result in the future development of approximately 238.2 acres of residential, commercial, and open space/recreational uses on three parcels that create a 288-acre Specific Plan Area in the southwestern portion of the county. Future development would result in approximately 1,28 potential units and 110,000–203,000 potential square feet of commercial and nonresidential development. Future development would be required to meet County, Caltrans, and CAL FIRE requirements for site access and internal roads to allow for adequate public ingress and egress at the site. The County Public Works Department and Fire Marshall have reviewed the project and confirmed it meets state and local requirements for ingress/egress and emergency access. Buildout of the DRSP would increase vehicles traveling on surrounding roadways and the number of vehicles needing to access US 101 and other roadways in the event of an evacuation. However, the Specific Plan Area is immediately adjacent to one of the primary evacuation routes in the county. The project would further improve regional circulation by developing two collector routes through the Specific Plan Area to provide connection to Willow Road, and by contributing to a Caltrans' improvement that would improve traffic signal timing at the US 101/Willow Road interchange. Further discussion of external roadway improvements and internal roadway design is included in Section 4.17, *Transportation*. Additional

information related to the adequacy of emergency access in the event of a wildfire is included in Section 4.20, *Wildfire*.

| **HAZ Impact 8 (Class III)** |
|---|
| The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the physical interference with an adopted emergency response plan or emergency evacuation plan would be less than significant (Class III).* |

## Off-Site Improvements

### *HAZ Impact 9: Off-site improvements would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant (Class III).*

The project includes off-site construction for installation of proposed transportation improvement and NCSD water and wastewater infrastructure improvements. Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan Area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed NCSD water infrastructure improvements are proposed at the intersection of North Dana Foothill Road and West Tefft Street, along West Tefft Street and North Oakglen Avenue, under US 101, and at two of the four proposed access points into the Specific Plan Area. NCSD sewer improvements would occur along North Frontage Road from the Southland WWTF to the Specific Plan Area (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*).

Improvements conducted at proposed access points to the Specific Plan Area would result in temporary impairment of emergency access to the site; however, improvements would likely be conducted incrementally, would be constructed prior to occupancy of adjacent portions of the Specific Plan Area, and other access routes would remain open to allow for emergency ingress and egress. Construction and installation of other proposed off-site water and sewer improvements would likely require traffic controls, including partial lane closures. Proposed improvement projects are anticipated to occur incrementally, which would reduce the amount of potential traffic congestion caused by lane closures or other traffic controls. Traffic controls would be temporary in nature and would include detour routes as necessary to allow for emergency and other access to surrounding areas. Proposed infrastructure improvements would not result in aboveground features that could physically impede any established emergency response or evacuation routes. New infrastructure and improvements would not substantially increase maintenance demands and would not result in population growth that could create additional vehicle trips along evacuation routes. Therefore, potential short- and long-term impacts associated with implementation of off-site infrastructure would not significantly impede an emergency response or evacuation plan. Therefore, impacts would be *less than significant*.

| **HAZ Impact 9 (Class III)** |
|---|
| Off-site improvements would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the physical interference with an adopted emergency response plan or emergency evacuation plan would be less than significant (Class III).* |

## 4.9.6 Cumulative Impacts

### *HAZ Impact 10: The project would not result in a cumulatively considerable impact to hazards and hazardous materials. Impacts would be less than cumulatively considerable and less than significant (Class III).*

Existing and foreseeable future projects within the project region are identified in Chapter 3, *Environmental Setting*. Future construction of the proposed project, and reasonably foreseeable future projects, would expose additional groups of people and the environment to construction-related hazards due to the temporary use of hazardous materials. Specific hazards associated with other proposed development projects would be identified through discretionary review processes and/or required environmental review and mitigated accordingly. Hazards associated with the presence of toxic or other hazardous substances would be tested, handled, transported, and disposed of in accordance with existing federal and state regulations. In most cases, compliance with existing regulations, including CCR Title 22, HSC Division 20, Chapter 6.95, and County-issued permit conditions would minimize cumulative impacts associated with hazards and hazardous materials. The proposed project would comply with all applicable requirements and state and local regulations pertaining to the transport, use, and disposal of hazardous materials. Therefore, the contribution of the project toward cumulative effects related to the use of hazardous materials would be *less than cumulatively considerable*.

Based on future buildout of the Specific Plan Area, and the potential buildout of other foreseeable development projects in the county, it is anticipated that there would be an increase of vehicles traveling on local roadways, which could slow of public egress in the event of an evacuation. However, implementation of the project would overall improve regional circulation by developing two collector routes through the Specific Plan Area to provide connection to Willow Road, and by improving traffic signal timing at the US 101/Willow Road interchange. In addition, the proposed project would provide adequate public and emergency entry and exit points throughout the Specific Plan Area, which have been reviewed by the County Public Works Department and Fire Marshall, confirming the project meets state and local requirements for ingress/egress and emergency access. Reasonably foreseeable future projects would also be required to provide adequate emergency access for emergency and public ingress and egress and would be subject to environmental review to ensure consistency with applicable emergency response and evacuation plans. Therefore, the contribution of the project toward cumulative effects related to emergency response and evacuation would be *less than cumulatively considerable*.

| **HAZ Impact 10 (Class III)** |
|---|
| The project would not result in a cumulatively considerable impact to hazards and hazardous materials. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Cumulative impacts would be avoided through compliance with identified project-specific mitigation; no additional mitigation is needed to avoid or minimize potential cumulative impacts. Therefore, residual impacts would be less than significant (Class III).* |

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# 4.10 HYDROLOGY AND WATER QUALITY

This section describes potential adverse effects of the DRSP on hydrology, water quality, drainage, and groundwater resources.

## 4.10.1 Existing Conditions

### *4.10.1.1 Regional Conditions*

The DRSP project area is located within the southwestern portion of unincorporated San Luis Obispo County. The site is located approximately 7 miles east of the Pacific Ocean and 7 miles southeast of the city of Arroyo Grande and is adjacent to the northern boundary of the Urban Reserve Line of the Nipomo community. The project would be annexed into the NCSD service area. The NCSD provides water, wastewater, solid waste, landscape maintenance, street lighting, and drainage services to its customers pursuant to Government Code Section 61600(a), (b), and (c). The NCSD does not have land planning authority, which is retained by the County; however, County land use planning authority is subordinated to resource limitations such as water and sewer capacity as established by the NCSD.

The Mediterranean climate of Nipomo and the surrounding southern San Luis Obispo County area is moderate as a result of the marine influence of the nearby Pacific Ocean. The winter season is usually cool and moist, and the summer months are warm and dry, with relatively consistent temperatures averaging 58 degrees. Hills border Nipomo on the north, northeast, and east. The orientation of Nipomo's topography with respect to the Pacific Ocean produces consistent winds from the Pacific in an onshore direction. During the warmer summer months, heat rises above the surrounding hills, pulling in cooler moist air from the coast. As a result, temperatures stay relatively consistent. Rainfall usually occurs between the months of November and April (MKN 2022).

### *4.10.1.2 Specific Plan Area Conditions*

The Specific Plan Area consists of three parcels that total approximately 288 acres. The main project parcel is 274.4 acres in size and the remaining two parcels, which connect to the northern portion of the main parcel, are approximately 7.7 acres and 7.2 acres in size. The main parcel is undeveloped with the exception of unpaved ranch roads traversing the site. There are oaks and other trees throughout the main parcel. One of the northern parcels is undeveloped and supports grasslands and small, scattered trees. The other northern parcel has existing development, including agricultural structures and unpaved roads. In addition, the parcel is characterized by dense oak tree coverage over the entire parcel. Per the NRCS Web Soil Survey, the hydrologic soil group for the development area is listed as Type A Soils, Oceano Sand. The site is well drained and has high infiltration rates across the site (RRM Design Group 2022).

The project area has elevations that range between 340 and 410 amsl. Most of the existing terrain across the property is gradually sloped between 2% and 10% with localized mounds and some rolling hills. The average existing slope for the entire property is 5%. The project area is characterized by a gentle downward slope from the highest point near Hetrick Avenue (southwestern side) toward US 101 to the east. An existing hillside, or ridge, that runs from the Hetrick Avenue and the Glenhaven Place intersection to the southeast varies between 10% and 25% slope. Another localized ridge runs north–south from Willow Road to the north and Sandydale Drive to the south.

The project area does not support any surface water features on-site and the nearest surface water feature is Nipomo Creek located 670 feet east of the DRSP boundary on the other side of US 101. The project area is located at the intersection of three watersheds (Figure 4.10-1).

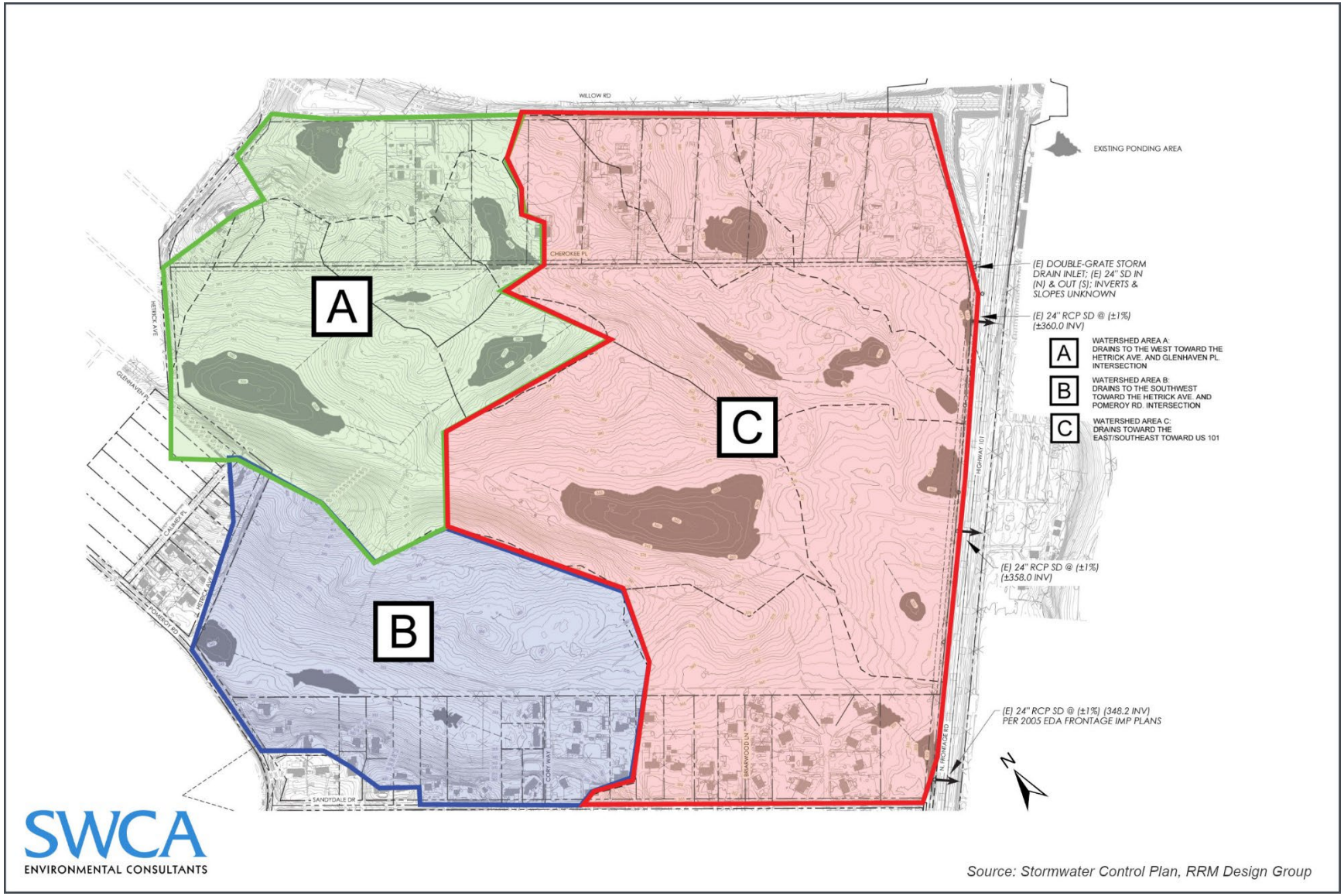


**Figure 4.10-1. Project Area Watersheds.**

As seen in Figure 4.10-1, Watershed A takes up the northwest corner of the site and drains west towards the Hetrick Avenue and Glenhaven Place intersection. Watershed B is located in the southwest corner and drains towards the Hetrick Avenue and Pomeroy Road intersection. The final and largest, Watershed C, takes up the eastern half of the site and drains toward the east/southeast towards US 101.

### *4.10.1.3 Off-Site Improvements*

As described in Chapter 2, *Project Description*, the project would include numerous project-related disturbances and/or improvements to existing surrounding roadways and the existing NCSD service system at additional areas outside of the Specific Plan Area boundaries. Off-site project areas include locations where necessary transportation, water, and wastewater-related improvements would be necessary to serve the project.

The exact location of proposed off-site NCSD water system and wastewater system improvements is currently not known; however, all proposed water and wastewater system improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue and Tefft Street and proposed wastewater system improvements are anticipated to occur along North Frontage Road. Proposed off-site transportation improvements would be required at DRSP roadway connections to Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*).

Elevations at off-site wastewater system improvement areas range from approximately 300 to 360 feet amsl and elevations at off-site water system improvement areas range from 340 to 520 feet amsl. Elevation of off-site transportation improvements generally match those of the Specific Plan Area, and range between 355 and 400 feet amsl. Topography of off-site improvement areas is characterized by relatively flat to moderately sloping areas. Based on the County's Land Use View database, off-site improvement areas are not located within the County's GSA combining designation.

The proposed off-site transportation improvements are located within seven different drainage management areas (DMAs). The Pomeroy Road intersection widening is within DMA G and is treated using San Luis Obispo County roadside infiltrators, preliminary located on the east side of Pomeroy Road. The North Frontage Road extension area has its own DMA that drains into roadside swales. Willow Road improvements are categorized into off-site DMA A through F and are treated using San Luis Obispo County roadside infiltrators (RRM Design Group 2022).

### *4.10.1.4 Regional Hydrology and Drainage*

#### 4.10.1.4.1 SURFACE WATER

There are nine major watersheds fully or partially contained in San Luis Obispo County and 12 water planning areas in the County's 3,304 square miles (County of San Luis Obispo 2010). Reservoirs fed by surface waters provide roughly 40% of the water supply for the county. There are four major rivers in the county: Salinas, Nacimiento, Cuyama and Santa Maria Rivers. Lesser streams include Santa Rosa, Chorro, San Luis Obispo, and Arroyo Grande Creeks (County of San Luis Obispo 2010). The project area is located on the eastern border of the Santa Maria River Watershed, directly adjacent to the Nipomo – Suey Watershed. Several rivers and creeks drain westward to the Pacific Ocean.

To the immediate east of the project area, the Nipomo – Suey Watershed covers 36,912 acres and rises to a maximum elevation of approximately 1,800 feet amsl. The watershed includes Nipomo and Suey Creeks, two tributary basins to the Santa Maria River with their headwaters in the foothills of the Coast Range (Coastal San Luis Resource Conservation District 2014).

The Santa Maria River Watershed covers 33,205 acres and includes the major tributaries of the Cuyama and Sisquoc Rivers, as well as a number of smaller tributaries. The Santa Maria River (downstream of the confluence with Cuyama and Sisquoc Rivers) rises to a maximum elevation of approximately 390 feet and flows west to the Pacific Ocean. Drainage in the watershed is linked to the soils and geology with a dune lake complex, Black Lake Canyon Slough, Oso Flaco Creek, and portions of the Santa Maria River within San Luis Obispo County. Annual precipitation in the watershed ranges from 13 to 17 inches, with an average of 15 inches. Both watersheds are dominated by residential and agricultural land uses including ranches, row crops, greenhouses, and orchard.

#### 4.10.1.4.2 GROUNDWATER

### Santa Maria River Valley Groundwater Basin

As discussed further in Section 4.10.2.2.5, *Urban Water Management Planning Act*, the California State legislature approved a new groundwater management law in 2015 known as the Sustainable Groundwater Management Act (SGMA), to be overseen and managed by the California Department of Water Resources (DWR). San Luis Obispo County includes 30 groundwater basins (County of San Luis Obispo 2010).

The project area is located above the Santa Maria Subbasin of the Santa Maria River Valley Groundwater Basin (Santa Maria Basin). The Santa Maria Basin underlies the coastal portion of the southern San Luis Obispo and northern Santa Barbara Counties, including the project area's location in Nipomo. It encompasses approximately 170,213 acres (266 square miles), of which approximately 61,220 acres (95.7 square miles) are within San Luis Obispo County (County of San Luis Obispo 2018). The Santa Maria Basin is bounded on the north by the San Luis and Santa Lucia Ranges, on the east by the San Rafael Mountains, on the south by the Solomon Hills and the San Antonio Creek Valley Groundwater Basin, on the southwest by the Casmalia Hills, and on the west by the Pacific Ocean (DWR 2004). Recharge of the Santa Maria Basin occurs in four main ways: rainfall percolation, riverbed recharge, subsurface inflows, and return flows (MKN 2021). The basin receives water from rainfall directly and from runoff from several major watersheds drained by the Cuyama River, Sisquoc River, Arroyo Grande Creek, and Pismo Creek, as well as many minor tributary watersheds (Nipomo Mesa Management Area [NMMA] Technical Group 2021). Sediment eroded from nearby mountains and deposited in the Santa Maria Valley formed beds of unconsolidated alluvium, averaging 1,000 feet in depth, with maximum depths up to 2,800 feet. These alluvial deposits cover underlying consolidated rock, which usually yields small quantities of water, and comprise the principal production aquifers from which water is extracted to supply the regional demand (NMMA Technical Group 2021).

The DWR initially designated the Santa Maria Basin as a high-priority basin. Medium- and high-priority basins must comply with the SGMA, with certain exceptions for certain adjudicated basins. In 1999 a lawsuit was filed, which resulted in adjudication of approximately 95% or 162,277 acres of the Santa Maria Basin. Three management areas were defined to recognize that the development and use of groundwater, State Water Project water, surface water storage, and treatment and distribution facilities have historically been financed and managed separately, yet they are all underlain by, or contribute to the supplies within, the same groundwater basin. The adjudicated areas are managed by the NMMA, Northern Cities Management Area, and Santa Maria Valley Management Area. For the fringe areas, which are the non-adjudicated areas outside the adjudicated portion of the basin, the Counties of San Luis Obispo and Santa Barbara formed groundwater sustainability agencies to manage the basin areas within their respective jurisdictions. The non-adjudicated basin fringe areas of the Santa Maria Basin are not subject to the requirements of the SGMA due to the DWR prioritization. The project area is located within the NMMA and is not subject to SGMA requirements provided that certain requirements are met (California Water Code Section 10720.8).

## Nipomo Mesa Management Area

The NMMA covers approximately 33 square miles, or 21,590 acres, which accounts for approximately 13% of the adjudicated Santa Maria Basin (NMMA Technical Group 2021). Approximately 13,500 acres on the NMMA, or 64%, is developed land requiring water pumped from the underlying aquifers to sustain the agricultural and urban development. Recharge sources include major point sources (Los Berros Creek, stormwater runoff basins, and wastewater percolation ponds) and distributed recharge sources (septic systems, percolation of rainfall, and irrigation return flows). The geology underlying the NMMA is comprised of 150 to 250 feet of thick sand dune deposits overlying the Paso Robles Formation, the primary groundwater aquifer (MKN 2022).

Historically, the NCSD has relied heavily on pumped groundwater from the NMMA. Groundwater was the sole source of the NCSD water supply until 2015, when the NCSD began importing water from the City of Santa Maria as part of the Nipomo Supplemental Water Project (NSWP) and Wholesale Water Supply Agreement. The supplemental water consists of a "municipal mix" of both surface water from the State Water Project and groundwater from the City of Santa Maria. The Wholesale Water Supply Agreement requires a minimum water delivery to the NCSD of 2,500 AFY by the 2025–2026 fiscal year, a readily available amount of 500 AFY, and a maximum allowable delivery of 6,200 AFY (MKN 2022).

The NMMA-established groundwater level and groundwater quality criteria to track overall basin conditions; one of the main criteria is the Key Wells Index, which combines groundwater level data from eight selected wells distributed throughout the inland portion of the NMMA. The NMMA has identified the current water shortage conditions within the Santa Maria Basin as "Severe Water Shortage Conditions." This signifies a Stage IV NMMA Water Shortage Response in which the NCSD would have a voluntary groundwater reduction goal of 1,267 AFY or 50% of 2,533 AFY. However, the NCSD's voluntary pumping limit from the basin is variable depending on the NMMA defined drought levels.

## Groundwater Quality

Groundwater quality can be affected by many things, including the sources and chemical composition of recharge water, properties of the host sediment, and history of discharge or leakage of pollutants. Groundwater wells in the Santa Maria Valley Groundwater Basin typically yield water of magnesium bicarbonate character (NMMA Technical Group 2021). Pleistocene alluvial terrace deposits are deeper while Holocene alluvial terrace deposits cover the shallow portions and most recent portions of groundwater basins. Water stored in the Pleistocene alluvial terrace deposits is characterized by poor water quality, whereas water in the Holocene deposits is generally of excellent quality.

During 2020, 65 water supply wells in addition to 16 monitoring wells and 17 environmental monitoring wells were sampled at least once for water quality; many were sampled multiple times during the year for many water quality constituents. Approximately 10 water supply wells that produce at least in part or primarily from the deep groundwater aquifer are known to have water quality with nitrate concentrations at, or in excess of primary drinking water maximum contaminant levels, or with iron and manganese concentrations in excess of secondary drinking water maximum contaminant levels. Iron and manganese water quality concerns are historically limited to a few wells in the southern NMMA. No other water quality constituents are currently known to restrict local use of groundwater supplies for domestic or irrigation purposes (NMMA Technical Group 2021).

### 4.10.1.4.3 FLOOD CONDITIONS

Flood zones identified on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) are identified as a Special Flood Hazard Area. A Special Flood Hazard Area is defined as the

area that will be inundated by a flood event having a 1% chance of being equaled or exceeded in any given year. The 1%-annual-chance flood is also referred to as the base flood or 100-year flood. "Floodways" are areas within the Special Flood Hazard Area that include the channel of a river/watercourse and adjacent land areas, which, in an unobstructed condition, can discharge a 100-year flood/base flood without any increase in water surface elevations. The area outside the floodway but still within the 100-year floodplain can be obstructed without increasing the water surface elevation of a 100-year flood event more than 1 foot at any point. Flooding occurs in response to heavy rainfall when creek and drainage channels overflow. Flooding may also occur in low-lying areas that have poor drainage, or when a culvert becomes blocked, even during moderate storms. Flood severity can be increased by structures or fill placed in flood-prone areas, and increased runoff resulting from development of impervious surfaces (such as parking lots, roads, and roofs).

### Local Flood Hazards

Flooding in the community of Nipomo occurs primarily along Nipomo Creek and its tributaries, such as the Tefft Road Tributary, Deleissiques Creek, and Mehlschau Creek. FEMA has mapped Special Flood Hazard Areas near the project area on FIRM panel Numbers 06079C1617G and 06079C1636G (effective November 15, 2012).

The Specific Plan Area does not lie within any designated floodplains (FEMA 2012). However, the 100- and 500-year floodplains along these creeks encompass areas adjacent to the watercourses, including areas identified for off-site NCSD improvements, along with extensive areas located east and west of US 101. The offsite improvement located within the flood hazard zone primarily include the water system extension of a 16-inch ductile iron pipe from the intersection of Tefft Street/North Oakglen Avenue to the north end of North Oakglen Avenue to be installed within the existing paved roadway. This water system extension would run through special flood hazard areas subject to inundation by the 100-year flood, Zone A (no Base Flood Zone Elevation determined) and Zone AE (Base Flood Zone Elevation determined) (FEMA 2012).

### Other Flood Hazards

Flooding can also occur as a result of dam failure. A number of natural or human causes can contribute to dam failure, including earthquakes, improper siting, fast-rising flood waters, erosion of the dam face or foundation, and structural or construction flaws. Other reservoir-related flooding events can result from massive, fast-moving landslides that displace large volumes of water contained in a reservoir. Such rapid displacement of water can cause large quantities of water to travel over the dam, resulting in downstream flooding. Although several dams and reservoirs are located in San Luis Obispo County, the project area is not located within an identified dam inundation area on the Dam Inundation Map, according to the *County of San Luis Obispo General Plan Safety Element* (County of San Luis Obispo 1999) and is therefore not at risk for dam failure-related flooding.

## 4.10.2 Regulatory Setting

### *4.10.2.1 Federal*

#### 4.10.2.1.1 FEDERAL CLEAN WATER ACT

The CWA (33 USC 1251 et seq.), as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Numerous agencies have responsibilities for administration and enforcement of the CWA. At the federal level, this includes the USEPA, USACE,

Bureau of Reclamation, and major federal land management agencies, such as the U.S. Forest Service and Bureau of Land Management. At the state level, with the exception of tribal lands, the CalEPA and its subagencies, including the SWRCB, have been delegated primary responsibility for administering and enforcing the CWA.

Important sections of the act are as follows:

- **CWA Sections 303 and 304** provide for water quality standards, criteria, and guidelines. Under Section 303(d) of the CWA, the State of California is required to present the USEPA with a list of impaired water bodies that do not meet water quality standards and objectives. California is required to establish total maximum daily loads (TMDLs) for each pollutant/stressor. An essential component of a TMDL is the calculation of the maximum amount of a pollutant that a waterbody can receive while still meeting water quality standards. Based on the TMDL, the state allocates a loading capacity among the various point and non-point sources that discharge into the impaired waterbody. Permits for point sources are issued through the USEPA's NPDES program, as discussed below.
- **CWA Section 401 (Water Quality Certification)** requires an applicant for any federal permit that proposes an activity that may result in a discharge to waters of the United States to obtain certification from the state that the discharge will comply with other provisions of the act. The project area does not contain any aquatic resources which are anticipated to meet the criteria of waters of the state regulated under the Porter-Cologne Act and/or Section 401 of the CWA.
- **CWA Section 402** establishes the NPDES program, a permitting system for the discharge of pollutants through a point source into waters of the United States is prohibited unless the discharge is in compliance with an NPDES permit. The NPDES program regulates the discharge of pollutants from municipal and industrial wastewater treatment plants and sewer collection systems, as well as stormwater discharges from industrial facilities, municipalities, and construction sites. In California, implementation and enforcement of the NPDES program is conducted through the SWRCB and nine RWQCBs. The RWQCBs set standard conditions for each permittee in their region, which includes effluent limitations and monitoring programs. The proposed project would be subject to NPDES permits as described under the state regulatory framework, below.
- **CWA Section 404** establishes a permit program for the discharge of dredged or fill material into waters of the United States. This permit program is jointly administered by the USACE and USEPA.

#### 4.10.2.1.2 FEDERAL EMERGENCY MANAGEMENT AGENCY

In 1968 Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer-funded disaster relief for flood victims and the increasing amount of damage caused by floods. FEMA manages the NFIP and creates FIRMs that designate 100-year floodplain zones and delineate other flood hazard areas. A FEMA 100-year flood hazard zone is an area that has a 1-in-100 (1%) chance of being flooded in any year based on historical data. The FIRMs indicate the regulatory floodplain to assist communities with land use and floodplain management decisions, so that the requirements of the NFIP are met in the event of damaging floods. FIRMs guide location of housing development, the amount of grading/regulation necessary for housing placed on a floodplain, and a city's Uniform Building Code.

## *4.10.2.2 State*

### 4.10.2.2.1 CALIFORNIA DEPARTMENT OF WATER RESOURCES

The DWR is the state agency that studies, constructs, and operates regional-scale flood protection systems, in partnership with federal and local agencies. The DWR also provides technical, financial, and emergency response assistances to local agencies related to flooding.

Several bills were signed by Governor Schwarzenegger in 2007, adding to and amending state flood and land use management laws. The laws contain requirements and considerations that outline a comprehensive approach to improving flood management at state and local levels.

FloodSAFE California is a strategic multifaceted program initiated by DWR in 2006. FloodSAFE is guiding the development of regional flood management plans, which encourage regional cooperation in identifying and addressing flood hazards. Regional flood plans include flood hazard identification, risk analyses, review of existing measures, and identification of potential projects and funding strategies. The plans emphasize multiple objectives, system resiliency, and compatibility with state goals and Integrated Regional Water Management Plans (IRWMP). DWR has the lead role to implement FloodSAFE, and will work closely with federal, state, tribal, and local partners to help improve integrated flood management systems statewide. DWR's role is to advise and provide assistance as a resource to local jurisdictions as they pursue compliance.

### 4.10.2.2.2 PORTER-COLOGNE WATER QUALITY CONTROL ACT

The Porter-Cologne Act (Division 7 of the California Water Code) is the primary water quality control law for California, regulating the quality of the waters of the state. The SWRCB is given authority to enforce Porter-Cologne Act as well as Section 401 of the CWA and has adopted a statewide general permit that applies to almost all stormwater discharges. This general permit, which is implemented and enforced in the San Luis Obispo area, is implemented by the local Central Coast RWQCB and requires all owners of land where construction activity occurs to:

- Eliminate or reduce non-stormwater discharges to stormwater systems and other waters of the United States;
- Develop and implement a Stormwater Pollution Control Plan emphasizing stormwater BMPs; and
- Perform inspections of stormwater pollution prevention measures to assess their effectiveness.

In addition, SWRCB regulations mandate a "non-degradation policy" for state waters, especially those of high quality. Under the authority of the SWRCB, the protection of water quality in Nipomo Creek and its tributaries is under the jurisdiction of the Central Coast RWQCB. The RWQCB establishes requirements prescribing the quality of point sources of discharge and establishes water quality objectives. These objectives are established based on the designated beneficial uses for a particular surface water or groundwater.

In accordance with the California Water Code, the Central Coast RWQCB developed a Water Quality Control Plan for the Central Coast Basin (2019) designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Water quality objectives for the Central Coastal Basin satisfy state and federal requirements established to protect waters for beneficial uses and are consistent with existing statewide plans and policies.

The Central Coast RWQCB has adopted Watershed Management Zones (WMZs) and Post Construction Requirements (PCRs) that apply to projects in the Central Coast Region. The primary goal of the PCRs is

to ensure that the permittee is reducing post-construction-related pollutant discharges to the maximum extent practicable and preventing stormwater discharges from causing or contributing to a violation of receiving water quality standards. These requirements and regulations apply to all development projects that require approvals and/or permits issued under the permittee's planning, buildings, or other comparable authority. PCRs include site design and runoff reduction, water quality treatment, stormwater control plans, runoff reduction, and peak stormwater runoff management. Under this regulatory document, project applicants are required to prepare a separate Stormwater Control Plan, which summarizes site design and Stormwater Control Measures, as well as other requirements.

#### 4.10.2.2.3 NPDES CONSTRUCTION GENERAL PERMIT

Construction in California that disturbs 1 or more acres of land surface are required to comply with the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ (as amended by Order No. 2010-0014- DWQ and 2012-006-DWQ) (Construction General Permit). The Construction General Permit is issued by the SWRCB and is overseen by the RWQCB in the proposed project area.

To obtain coverage under the Construction General Permit, the discharger must provide via electronic submittal a Notice of Intent, a Storm Water Pollution Prevention Plan (SWPPP), and other documents required in Attachment B of the Construction General Permit. The construction activities subject to this permit include clearing, grading, and disturbances to the ground, such as stockpiling or excavation, but do not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The permit also covers linear underground and overhead projects, such as pipeline installations.

The Construction General Permit uses a risk-based permitting approach and mandates certain requirements based on the established risk level (Risk Level 1, 2, or 3) of the project. The project risk level is based on the risk of sediment discharge and the receiving water risk. The sediment discharge risk depends on the project location and timing (e.g., wet season versus dry season activities). The receiving water risk depends on whether the project would discharge to a sediment-sensitive receiving water. The discharger would determine the project risk level when filing the Notice of Intent.

A Qualified SWPPP Developer must prepare a SWPPP that meets the certification requirements in the Construction General Permit. The purpose of the SWPPP is to (1) help identify the sources of sediment and other pollutants that could affect the quality of stormwater discharges; and (2) describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater, as well as non-stormwater discharges resulting from construction activity. Common BMPs on construction sites include project phasing and the placement of vegetation, straw, fiber, stabilizing emulsion, protective blankets, or other materials on areas of disturbed soils to reduce erosion. A Qualified SWPPP Practitioner must oversee the operation of BMPs that meet the requirements outlined in the permit.

The SWPPP also requires a construction site monitoring program. The monitoring program may include, depending on the project's risk level, visual observations of site discharges, water quality monitoring of site discharges (pH, turbidity, and non-visible pollutants, if applicable), and receiving water monitoring (pH, turbidity, suspended sediment concentration, and bioassessment).

The Construction General Permit allows non-stormwater discharge of dewatering effluent if the water is not contaminated and is properly filtered or treated, using appropriate technologies such as clarifier tanks and/or sand filters. If the dewatering activity is deemed by the local RWQCB to not be covered by the Construction General Permit, then the discharger would be required to prepare a Report of Waste Discharge, and if approved by the local RWQCB, be issued site-specific waste discharge requirements (WDRs) under NPDES regulations. Site-specific WDRs contain rigorous monitoring requirements and performance standards that, when implemented, ensure that receiving water quality is not substantially

degraded. The discharge of dewatering effluent is authorized under the Construction General Permit if the following conditions are met:

- The discharge does not cause or contribute to a violation of any water quality standard;
- The discharge does not violate any other provision of the Construction General Permit;
- The discharge is not prohibited by the applicable Basin Plan;
- The discharger has included and implemented specific BMPs required by the Construction General Permit to prevent or reduce the contact of the non-stormwater discharge with construction materials or equipment;
- The discharge does not contain toxic constituents in toxic amounts or (other) significant quantities of pollutants;
- The discharge is monitored and meets the applicable numeric action levels; and
- The discharger reports the sampling information in the annual report.

If any of the above conditions are not satisfied, the discharge of dewatering effluent is not authorized by the Construction General Permit. The discharger must notify the local RWQCB of any anticipated non-stormwater discharges not already authorized by the Construction General Permit or another NPDES permit, to determine whether a separate NPDES permit is necessary.

#### 4.10.2.2.4 SUSTAINABLE GROUNDWATER MANAGEMENT ACT

The SGMA is a package of three bills (AB 1739, SB 1168, and SB 1319) that provides local agencies with a framework for managing groundwater basins in a sustainable manner. The SGMA establishes standards for sustainable groundwater management, roles and responsibilities for local agencies that manage groundwater resources, and priorities and timelines to achieve sustainable groundwater management. Central to the SGMA are the identification of critically over-drafted basins and the prioritization of groundwater basins, establishment of groundwater sustainability agencies, and preparation and implementation of Groundwater Sustainability Plans (GSP) for medium-priority, high-priority, and critically over-drafted basins. GSP objectives require that future groundwater use does not cause undesirable results, which include the following: declining water levels, reduction of groundwater storage, seawater intrusion, degraded water quality, land subsidence, and depletion of interconnected surface water. One requirement of a GSP is to establish a monitoring network to track water level changes, groundwater storage, and monitor pre-determined water level thresholds within each basin. Water level data for these basins will be available to the public through online portals. A basin may be managed by a single GSP or multiple coordinated GSPs.

At the state level, DWR has the primary role in the implementation, administration, and oversight of the SGMA, with the SWRCB stepping in should a local agency be found to not be managing groundwater in a sustainable manner. As discussed in Section 4.10.1, *Existing Conditions*, the proposed project is within the Santa Maria Subbasin of the Santa Maria River Valley Groundwater Basin, a very low-priority groundwater basin and thus does not require a GSP.

#### 4.10.2.2.5 URBAN WATER MANAGEMENT PLANNING ACT

As a part of the California Water Code, the California Urban Water Management Planning Act (UWMP Act) requires all urban water suppliers with more than 3,000 connections or distributing more than 3,000 AFY to complete a UWMP every 5 years ending in “5” and “0”. Each plan must include a description of the service area, existing and planned sources of water available to the supplier, how much water the agency has on a reliable basis, how much it needs for the foreseeable future, what the agency’s strategy is

for meeting its water needs, the challenges facing the agency, and any other information necessary to provide a general understanding of the agency's plan. In addition, every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its UWMP that includes, but is not limited to, an analysis of water supply reliability over a 20-year planning timeframe, the procedures used in conducting an annual water supply and demand assessment, a definition of standard water shortage levels corresponding to progressive ranges of up to 50% shortages and greater than 50% shortages, and shortage response actions that align with the defined shortage levels.

The NCSD, as a water supplier subject to the UWWP Act, has prepared a UWMP since 1988, with the last update, the 2020 UWMP, adopted by the NCSD Board of Directors in December 2021. The 2020 NCSD UWMP provides a water shortage contingency plan (WSCP) in accordance with California Water Code Section 10632(a)(3). The WSCP establishes six stages of drought response actions to be implemented by the NCSD in times of shortage depending on the causes, severity, and anticipated duration of the water supply shortage. The six stages of drought response include mandatory groundwater production reduction requirements (MKN 2021).

## *4.10.2.3 Local*

### 4.10.2.3.1 SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

The San Luis Obispo County Flood Control and Water Conservation District (SLOFC&WCD) Act provides for the control, disposition, and distribution of flood and storm waters of the SLOFC&WCD and of streams flowing into the SLOFC&WCD, and for protection of the watersheds and watercourses in the SLOFC&WCD from such waters. The SLOFC&WCD functions similar to a regional water management agency, engaged in water planning and implementation of specific projects and programs. The SLOFC&WCD holds the contract with DWR for State Water Project service and owns major waterworks facilities, such as the Lopez Water Project and the Nacimiento Water Pipeline.

### 4.10.2.3.2 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *San Luis Obispo County General Plan 2035* is the foundation upon which all land use decisions for the unincorporated areas of the county are based. Its main purposes are to illustrate the public policy for future land use for both public and private lands, and to provide the County Board of Supervisors, Planning Commission, Subdivision Review Board and Zoning Administrator (Hearing Officer) with specific direction for future decisions affecting land use development.

#### Conservation And Open Space Element

The County's COSE, adopted as part of the General Plan, identifies goals, policies, and implementation strategies aimed at preserving and protecting natural resources throughout the county. The County's COSE includes policies related to water supply, water quality, flood control, watershed protection, and groundwater monitoring and management (County of San Luis Obispo 2010).

#### Safety Element

The County's Safety Element has two basic principles: to be ready for disaster, and to manage development to reduce risk. The Safety Element provides goals, policies, and programs to reduce the risk of loss due to potential natural hazards, including flood hazards, within the county, with the purpose of providing standards for reducing the risk of exposure to hazards.

#### 4.10.2.3.3 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

The County's LUO includes landscape installation and planting standards intended to provide areas that can absorb rainfall to assist in reducing stormwater runoff, control erosion, preserve natural resources, promote, preserve and enhance native plant species, and recognize the need to use water resources as efficiently as possible. In addition, the goals of the standards are to:

- Establish a procedure for designing, installing and maintaining water efficient landscapes;
- Establish provisions for water management practices and limit the waste of water; and
- Educate and provide guidelines to property owners in choosing planting materials, efficient irrigation systems, soil management and appropriate maintenance to create landscapes that are both attractive and water conserving.

Section 22.05.040 of the LUO establishes the County's standards for the control of drainage to minimize the harmful effects of stormwater runoff. However, incorporated cities within the county have their own responsibilities with regard to drainage and flood control. County restrictions on development in floodplains require that incorporated cities, at a minimum, enforce the current federal floodplain management regulations as defined in the FEMA NFIP.

#### 4.10.2.3.4 COUNTY OF SAN LUIS OBISPO COUNTY CODE ORDINANCE NO. 3307

In September 2015, the County adopted Ordinance 3307, an amendment to County Code Title 19 Building and Construction, which allows new urban development within the NMMA without imposing a requirement that the development project offset its water demand with a source of supplemental water. Instead, Ordinance 3307 requires the project proponent to offset the estimated new water demand of the project through some form of demand offset approved by the County (e.g., plumbing retrofit or participation in a County-approved conservation program). By not requiring a source of supplemental water to offset project demand, this new County development approval process allows new groundwater uses for new development projects.

#### 4.10.2.3.5 DANA RESERVE SPECIFIC PLAN

The DRSP includes the following guiding principles, goals, and actions related to hydrology and water quality. The DRSP includes policies and actions that would direct development and future buildout of all phases of the project.

### 3.1.E Basins and Low-Impact Development

A number of deep and shallow basins as well as roadside low-impact development (LID) areas intended to treat and mitigate runoff are proposed as part of the DRSP. The following provides design direction for deep and shallow basins and roadside LID areas within the DRSP:

- Deep basins shall incorporate 6-foot open-style metal fence. Access gates shall be constructed of the same material and include a minimum opening of 14 feet.
- Trees, shrubs, and groundcover used for screening views of the basins shall be native, drought tolerant, and/or low-water using. If landscaping is allowed within the deep basin, it shall be able to thrive during seasonal conditions while maintaining access and functionality of the facility.

- Shallow basins shall contain location appropriate landscaping that is able to thrive during seasonal conditions.
- Roadside LID areas shall utilize a combination of decorative rock and gravel, location-appropriate landscaping, and necessary inlets and/or catch basins.

### *4.10.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Hydrology and Water Quality*

Table 4.10-1 lists applicable state, regional, and local land use policies and regulations pertaining to hydrology and water quality that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.10.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.10-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.10.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.10-1. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Conservation and Open Space Element** | | |
| **Policy BR 4.1 Protect stream resources.** Protect streams and riparian vegetation to preserve water quality and flood control functions and associated fish and wildlife habitat. | The intent of this policy is to protect water quality and flood control functions of streams, vegetation, and habitat. | **Potentially Consistent.** There are no riparian creeks, wetlands, or riparian habitats within the Specific Plan Area. However, the project would include LID and SWPPP requirements to protect streams and riparian vegetation at the location of off-site improvements. |
| **Policy BR 4.2 Minimize impacts from development.** Minimize the impacts of public and private development on streams and associated riparian vegetation due to construction, grading, resource extraction, and development near streams. | The intent of this policy is to minimize impacts from development on streams and riparian vegetation. | **Potentially Consistent.** The project would include LID and SWPPP requirements to direct drainage away from streams and riparian vegetation at the location of off-site improvements. |
| **Policy BR 4.4 Vegetated Treatment Systems (Low Impact Development Techniques).** Promote use and maintenance of engineered, vegetated treatment systems such as constructed wetlands, vegetated swales, or vegetated filter strips where they will reduce nonpoint source pollution from private and public development. | The intent of this policy is to use LID techniques to reduce nonpoint source pollution from development. | **Potentially Consistent.** The project would include LID and SWPPP requirements to reduce nonpoint source pollution at the location of off-site improvements. |
| **Policy BR 4.6 Encourage stream preservation on public lands.** Protect stream and riparian corridors in their natural state on public lands. | The intent of this policy is to protect streams on public lands. | **Potentially Consistent.** There are no riparian creeks, wetlands, or riparian habitats within the Specific Plan Area. The project would include LID and SWPPP requirements to protect stream and riparian corridors at the location of off-site improvements. |
| **Policy BR 4.7 Contamination from pesticides.** Contamination from the use of commercial, | The intent of this policy is to prevent pesticide | **Potentially Consistent**. The project would include requirements for SWPPP, PCR 2, and |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| residential, and public application of pesticides and herbicides into all inland and coastal waters, including but not limited to rivers, streams, wetlands, and intertidal areas shall be eliminated. | contamination into all inland and coastal waters. | operational source control BMPs to detain, retain, and treat polluted stormwater runoff. |
| **Policy BR 7.4 Sedimentation.** Support efforts on public and private lands to keep Chorro Creek, Los Osos Creek, and other watercourses free of excessive sediment and other pollutants to maintain freshwater flow into the Morro Bay National Estuary and the Monterey Bay National Marine Sanctuary, nurture steelhead trout, and support other plant and animal species. On County-owned lands, implement Best Management Practices in order to reduce sediment transport to coastal waters. | The intent of this policy is to minimize sedimentation. | **Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit an erosion and sedimentation control plan. Runoff from the development area would be required to be retained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site, consistent with this policy. |
| **Policy SL 1.1 Prevent loss of topsoil in all land uses.** Minimize the loss of topsoil by encouraging broad-based cooperation between property owners, agricultural operators, agencies, and organizations that will lead to effective soil conservation practices on all lands, including County-controlled properties. | The intent of this policy is to minimize the loss of topsoil. | **Potentially Consistent.** Future development within the Specific Plan Area would be required to prepare and submit an erosion and sedimentation control plan, which would include erosion control measures, such as the installation of silt fencing and sediment rolls, hydroseeding and application of straw following seeding to stabilize soils, and storm drain inlet protection, including filter fabric or silt sacks installed around the inlet and on top of the storm drain grate and catch basin. Runoff from the development area would be retained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site, consistent with this policy. |
| **Policy SL 1.2 Promote soil conservation practices in all land uses.** Require erosion and sediment control practices during development or other soil-disturbing activities on steep slopes and ridgelines. These practices should disperse stormwater so that it infiltrates the soil rather than running off and protect downslope areas from erosion. | The intent of this policy is to utilize erosion and sediment control practices and encourage stormwater infiltration. | **Potentially Consistent**. Future development within the Specific Plan would be required to prepare and submit erosion and sedimentation control and drainage plans that would reduce erosion potential and direct stormwater into the proposed on-site storm drain system. Implementation of the proposed erosion and sedimentation control and drainage plans would ensure that stormwater runoff would be dispersed at multiple points with erosion control measures at the outlets, consistent with this policy. |
| **Policy SL 1.3 Minimize erosion associated with new development.** Avoid development, including roads and driveways, on the steeper portions of a site except when necessary to avoid flood hazards, protect prime soils, and protect sensitive biological and other resources. Avoid grading and site disturbance activities on slopes over 30%. Minimize site disturbance and protect existing vegetation as much as possible. | The intent of this policy is to minimize erosion during construction activities. | **Potentially Consistent**. Future development within the Specific Plan would be required to prepare and submit erosion and sedimentation control and drainage plans that would reduce erosion potential, consistent with this policy. |
| **Policy SL 2.1 Protect watersheds and aquifer recharge areas.** Give high priority to protecting watersheds, aquifer-recharge areas, and natural drainage systems when reviewing applications for discretionary development. | The intent of this policy is to protect watersheds, aquifer-recharge areas, and natural drainage systems. | **Potentially Consistent**. Future development within the Specific Plan would be required to prepare and submit a drainage plan, which would direct stormwater into the proposed on-site storm drain systems and prevent off-site runoff. Implementation of the drainage plan would ensure that stormwater runoff is |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | controlled within each development area, consistent with this policy. |
| **Policy WR 1.9 Discourage new water systems.** Enable expansion of public services by community services districts and County service areas to serve contiguous development when water is available. Strongly discourage the formation of new water and sewer systems serving urban development at the fringe and outside of urban or village reserve lines or services lines. Strongly discourage the formation of new mutual or private water companies in groundwater basins with Resource Management System Levels of Severity I, II, or III, except where needed to resolve health and safety concerns. | The intent of this policy is to promote infill development, discourage urban sprawl, and conserve water resources. | **Potentially Consistent**. The project would be annexed into the NCSD service area to facilitate NCSD's provision of water and wastewater services. The project would not create new mutual or private water companies. |
| **Policy WR 1.12 Impacts of new development.** Accurately assess and mitigate the impacts of new development on water supply. At a minimum, comply with the provisions of Senate Bills 610 and 221. | The intent of this policy is to assess and mitigate the impacts of new development on water supply. | **Potentially Consistent**. A Water Supply Assessment meeting the requirements of SB 610 was prepared for the project (RRM Design Group 2020) and the NCSD commissioned the preparation of a Water and Wastewater Service Evaluation (MKN 2022) to assess the impacts of the project on water supply. Based on the conclusions of these reports, as well as the NCSD's recently updated Urban Water Management Plan (UWMP), groundwater and 2025 NSWP water supply allocation is adequate to serve existing and future demands. |
| **Policy WR 1.13 Density increases in rural areas.** Do not approve General Plan amendments or land divisions that increase the density or intensity of non-agricultural uses in rural areas that have a recommended or certified Level of Severity II or II for water supply until a Level of Severity I or better is reached unless there is an overriding public need. | The intent of this policy is to encourage infill development and conserve water resources. | **Potentially Consistent**. A Water Supply Assessment meeting the requirements of SB 610 was prepared for the project (RRM Design Group 2020) and the NCSD commissioned the preparation of a Water and Wastewater Service Evaluation (MKN 2022) to assess the impacts of the project on water supply. Based on the conclusions of these reports, as well as the NCSD's recently updated UWMP, groundwater and 2025 NSWP water supply allocation is adequate to serve existing and future demands. |
| **Policy WR 1.14 Avoid net increase in water use.** Avoid a net increase in non-agricultural water use in groundwater basins that are recommended or certified as Level of Severity II or III for water supply. Place limitations on further land divisions in these areas until plans are in place and funded to ensure that the safe yield will not be exceeded. | The intent of this policy is to limit water use and conserve water supplies and resources. | **Potentially Consistent**. The County's most recent (2016–2018) Resource Summary Report recommends a Level of Severity III for the Santa Maria Groundwater Basin – Nipomo Mesa Management Area. A Water Supply Assessment meeting the requirements of SB 610 was prepared for the project (RRM Design Group 2020) and the NCSD commissioned the preparation of a Water and Wastewater Service Evaluation (MKN 2022) to assess the impacts of the project on water supply. Based on the conclusions of these reports, as well as the NCSD's recently updated UWMP, groundwater and 2025 NSWP water supply allocation is adequate to serve existing and future demands. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy WR 2.4 Groundwater Recharge.** Where conditions are appropriate, promote groundwater recharge with high-quality water. | The intent of this policy is to promote groundwater recharge. | **Potentially Consistent**. The County's most recent (2016–2018) Resource Summary Report recommends a Level of Severity III for the Santa Maria Groundwater Basin – Nipomo Mesa Management Area. Future development within the Specific Plan would be required to prepare and submit a drainage plan, which would enhance infiltration and desirable groundwater recharge. |
| **Policy WR 3.1 Prevent water pollution.** Take actions to prevent water pollution, consistent with federal and state water policies and standards, including but not limited to the federal Clean Water Act, Safe Drinking Water Act, and National Pollutant Discharge Elimination System (NPDES). | The intent of this policy is to prevent water pollution. | **Potentially Consistent**. The PCRs future development would be subject to mandate that development projects include LID to detain, retain, and treat stormwater runoff. |
| **Policy WR 3.2 Protect watersheds.** Protect watersheds, groundwater and aquifer recharge areas, and natural drainage systems from potential adverse impacts of development projects. | The intent of this policy is to protect the quality of watersheds, groundwater and aquifer recharge areas from development. | **Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit a drainage plan, which would direct stormwater into the proposed on-site storm drain systems. All stormwater runoff would be dispersed at multiple points with erosion control measures at the outlets. |
| **Policy WR 3.3 Improve groundwater quality.** Protect and improve groundwater quality from point and non-point source pollution, including nitrate contamination; MTBE and other industrial, agricultural, and commercial sources of contamination; naturally occurring mineralization, boron, radionuclides, geothermal contamination; and seawater intrusion and salts. | The intent of this policy is to protect and improve groundwater quality. | **Potentially Consistent**. Future development within the Specific Plan would be required to comply with applicable requirements of the project-specific SWPPP, PCR 2, and operational source control BMPs (as applicable) to detain, retain, and treat polluted stormwater runoff. |
| **Policy WR 3.6 Prevent pollution of water sources.** The County will collaborate with private and nonprofit land managers, Resource Conservation Districts, recreation providers, Community Services Districts, and other stakeholders to prevent pollution or contamination of potable water sources, such as Lake Nacimiento and Lopez Lake. The County will also coordinate with the Nacitone Watershed Plan. | The intent of this policy is to prevent pollution or contamination of potable water sources. | **Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit erosion and sedimentation control and drainage plans that would ensure that stormwater runoff and pollutants are controlled on-site, erosion is minimized, infiltration is enhanced, desirable groundwater recharge is allowed, and impacts to surrounding water resources do not occur as a result of the proposed project development. |
| **Policy WR 4.7 Low Impact Development.** Require Low Impact Development (LID) practices in all discretionary and land division projects and public projects to reduce, treat, infiltrate, and manage urban runoff. | The intent of this policy is to reduce, treat, infiltrate, and manage urban runoff. | **Potentially Consistent.** The PCRs mandate that development projects include LID to detain, retain, and treat stormwater runoff. |
| **Policy WR 6.4 Integrated drainage approach.** Assure that proposed development integrates ecosystem enhancement, drainage control, and natural recharge as applicable. | The intent of this policy is to implement integrated drainage systems into development. | **Potentially Consistent.** The proposed project would include the implementation of erosion and sedimentation control and drainage plans that would ensure stormwater runoff and pollutants are controlled on-site, erosion is minimized, infiltration is enhanced, desirable groundwater recharge is allowed, and impacts to surrounding water resources do not occur as a result of the proposed project. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Safety Element** | | |
| **Policy S-8 Flood Hazard.** Strictly enforce flood hazard regulations both current and revised. FEMA regulations and other requirements for the placement of structures in flood plains shall be followed. Maintain standards for development in flood-prone and poorly drained areas. | The intent of this policy is to minimize risks associated with flood hazards. | **Potentially Consistent.** The Specific Plan Area is not located within a mapped flood hazard zone and future development would be designed to meet both the County stormwater and drainage requirements and the Central Coast RWQCB post-construction stormwater requirements. Off-site improvements would develop minimal infrastructure within flood hazard zones and would be required to comply with all applicable design and construction requirements related to development in flood-prone and poorly drained areas. |
| **Framework for Planning (Inland)** | | |
| **Policy 3.** Preserve and sustain important water resources, watersheds, and riparian habitats. | The intent of this policy is to preserve and sustain water resources, watersheds, and riparian habitats. | **Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit a SWPPP, an erosion and sedimentation control plan, and a drainage plan (as applicable) which would ensure stormwater runoff and pollutants are controlled on-site, erosion is minimized, and impacts to surrounding water resources do not occur as a result of the proposed project. |
| ***Nipomo Community Plan*** | | |
| **Community Service Programs** | | |
| **Maintenance of Drainage Channels.** The County Public Works Department should work with the community of Nipomo, area property owners and the NCSD to establish an agency for maintenance of natural drainage ponds or channels for recharge to the groundwater basin. After establishment, the agency should develop a maintenance program designed to prevent significant reduction of ponding capacities while maintaining natural channels in as natural a state as possible. | The intent of this policy is to maintain drainage channels and systems to allow for groundwater recharge. | **Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit erosion and sedimentation control and drainage plans that would ensure that stormwater runoff and pollutants are controlled on-site, erosion is minimized, infiltration is enhanced, desirable groundwater recharge is allowed, and impacts to surrounding water resources do not occur as a result of the proposed project. |

## 4.10.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on hydrology and water quality if the effects exceed the significance criteria described below:

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;

    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.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Each of these thresholds is discussed under Section 4.10.5, *Project-Specific Impacts and Mitigation Measures*, below.

The project area is not located within an area identified as being subject to inundation by a seiche, tsunami, or mudflow (FEMA 2012; County of San Luis Obispo 2019). As previously stated, the Specific Plan Area is not located within a Special Flood Hazard Zone. Therefore, there are no proposed Specific Plan elements that would be in a flood hazard zone that could risk release of pollutants during the inundation. In addition, the Specific Plan Area is not located within an area that has the potential to be inundated by a tsunami, seiche, or other flood threat, such as dam or levee inundation zones. Therefore, there would be no impact, and issues related to the following threshold of significance are not further discussed in the EIR:

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

See EIR Appendix B, *Notice of Preparation for the Draft Environmental Impact Report and Comment Letters*, for more information.

## 4.10.4 Impact Assessment and Methodology

This hydrology and water quality impact assessment is based on literature review and technical studies provided by the project applicant (EIR Appendix H), including:

- *Dana Reserve Development, Water and Wastewater Service Evaluation for Nipomo Community Services District* (MKN 2022)
- *Stormwater Control Plan for Dana Reserve* (RRM Design Group 2022)
- *Preliminary Drainage Report for Dana Reserve* (RRM Design Group 2020)
- *Dana Reserve Water Supply Assessment* (WSA) (Rick G Sweet and RRM Design Group 2020; Revised 2021)
- *Geotechnical Feasibility Report, Canada Ranch, West of Hetrick Avenue and Cherokee Place, Nipomo Area of San Luis Obispo County, California* (see EIR Appendix G; Earth Systems Pacific 2017)

## 4.10.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS OR OTHERWISE SUBSTANTIALLY DEGRADE SURFACE OR GROUND WATER QUALITY?

### Specific Plan Area

#### *HYD Impact 1: The project could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant (Class III).*

CONSTRUCTION

Water quality can be affected in the short term by construction activity (e.g., erosion and sedimentation due to land disturbances, uncontained material and equipment storage areas, improper handling of hazardous materials) and in the long term due to release of urban pollutants (e.g., landscaping fertilizers, pesticides, and herbicides; leaking oils and grease from vehicles; trash). Water quality impacts associated with the proposed project can come from both stormwater runoff and discrete non-stormwater discharges to receiving waters. Without proper consideration and precautions, and without conducting construction and development activities according to the terms and conditions of applicable permits, such activities can degrade water quality in receiving waterbodies, leading to violation of water quality standards and/or Water Quality Control Plan objectives.

Project development would replace approximately 288 acres of undeveloped land with a roughly equivalent area of urban development consisting of 1,441 new residential units (including ADUs), village and flex commercial uses (including a hotel, educational facilities, and light industrial uses), open space, trails, and a public neighborhood park. The project area contains rolling hills and nearly all surfaces are permeable. Early stages of development would allow for low risks to soil and contamination due to the relatively high permeable area, but as construction advances, more impermeable surfaces would be created, and soil and contaminant mobilization would increase. This development would result in an approximately 10,078,042-square-foot increase in the amount of impervious surface on-site.

During construction, particularly during phases that include excavation, grading, and other earthwork, the potential exists for substantial increases in soil erosion and sediment transport that have the potential to affect water quality from runoff. Construction would also involve activities that would generate new sources of pollutants on-site, such as pesticides, fertilizers, oils, grease, lubricants, and sediment in urban runoff. New impervious surfaces, including roads and parking lots, collect automobile derived pollutants such as oils, greases, heavy metals, and rubber. During storm events, these pollutants would be transported into the proposed stormwater management system by surface runoff. An increase in point source and nonpoint source pollution could result from increases in development intensity that may directly impact water quality specific to site drainage patterns. Accordingly, disturbed soils, sedimentation, and contaminants that are mobilized by water flow may ultimately be conveyed through existing drainages and culverts to Nipomo Creek.

The DRSP includes development standards to address the unique aspects of the project area, which include minimization of mass grading in areas of the site that contain slopes and attention to reducing erosion and sedimentation. Furthermore, as part of the permitting and approval of individual uses proposed by the project, future phases involving the disturbance of 1 acre or more would be required to develop and implement a SWPPP in accordance with the Construction General Permit (as described in Section 4.10.2, *Regulatory Setting*). Future development proposals disturbing less than 1 acre would

likely still require a SWPPP, as they are part of a large common plan of development, as described in LUO Section 22.52.130, Stormwater Pollution Prevention Plan (SWPPP) Required.

The SWPPP would include a grading plan, a drainage plan, an erosion and sedimentation control plan, pollutant sources, BMP identification, and post-construction stormwater management. The SWPPP shall include a description of potential sources of pollutants, including pollutants originating from off-site, which may flow across or through areas of construction. The SWPPP must specify the location, type, and maintenance requirements for BMPs necessary to prevent stormwater runoff from carrying construction-related pollutants into nearby receiving waters (in this case, Nipomo Creek). BMPs must be implemented to address the potential release of fuels, oil, and/or lubricants from construction vehicles and equipment (e.g., drip pans, secondary containment, washing stations); release of sediment from material stockpiles and other construction-related excavations (e.g., sediment barriers, soil binders); and other construction-related activities with the potential to adversely affect water quality. The number, type, location, and maintenance requirements of BMPs to be implemented as part of the SWPPP depend on site-specific risk factors, such as soil erosivity factors, construction season/duration, and receiving water sensitivity.

An Erosion and Sedimentation Control Plan would be included with the SWPPP. The Erosion and Sediment Control Plan would include a description of the BMPs to reduce the tracking of sediment onto public or private roads at all times. The Erosion and Sediment Control Plan must also contain erosion and sediment controls, soil stabilization, dewatering, source controls, and pollution prevention measures per the California Stormwater Quality Association Best Management Practices Handbook and must describe the rationale used to select BMPs.

Compliance with the requirements of the Central Coast RWQCB requirements (CWA NPDES Program and Porter-Cologne Act WDRs), Construction General Permit, the DRSP development standards, and Sections 19.11 and 19.12 of the County Code are sufficient to address the potential for buildout under the DRSP to violate water quality standards or WDRs. As existing regulatory requirements are sufficient to avoid water quality degradation, meet water quality standards, and prevent adverse effects on beneficial uses, the construction-related impact of the project on water quality would be *less than significant*.

### OPERATION

The project includes a comprehensive stormwater management system with three distinct drainage subbasin areas or watersheds. These three watersheds are further separated into 22 corresponding DMAs and clustered according to their overall project site watershed (A, B, or C). The Stormwater Control Plan (RRM Design Group 2022) analyzed the existing peak flow for each DMA during the 2-, 5-, 10-, 25-, 50-, and 100-year storms. As outlined in Table 4.10-2 and Figure 4.10-2, each DMA development area would be required to collect and manage its own stormwater within the individual DRSP neighborhoods and commercial use areas (EIR Appendix H). All stormwater basins would be designed to meet County Public Improvement Standards. Each subsystem of basins would be sized to accommodate the remaining runoff produced by the additional impervious areas within each respective DMA and neighborhood development, consistent with PCR 2 Water Quality Treatment below.

Neighborhood and internal road sections would be designed to also include roadside LID areas to treat and mitigate runoff. All construction of backbone roadways (separated into DMAs 1 through 11) would drain into on-site bioswales (SCM 5) and would be treated in accordance with PCR 2 Water Quality Treatment. Inlets and/or catch basins would also be integrated within these areas for larger storm event overflow. Storm drain inlets/culverts would be added and spaced appropriately to collect and convey large storm event overflow runoff towards proposed downstream basins. Some existing off-site areas drain towards and onto the DRSP site as run-on. The associated flows from these areas would be collected in swales and/or storm drain culverts along the perimeter of the Specific Plan Area, conveyed around the proposed neighborhoods, and considered as bypass during the development of the project improvements.

Overflow structures, culverts, weirs, or other devices would be added and sized to meet discharge flows for both the County requirements and the Central Coast RWQCB post-construction stormwater requirements.

As shown in Figures 4.10-2 and 4.10-3, there are four proposed 8-foot maximum ponded depth stormwater basins located at the northeast, southwest, and west/northwest corners of the project area. In addition, multiple shallow, 2-foot maximum ponded depth stormwater basins are proposed throughout the eastern half of the project area. Storm drain inlets/culverts would also be added to connect subsystems of basins where appropriate. Each development area within the project area would be responsible for designing and incorporating its own stormwater treatment infrastructure within the individual DRSP neighborhoods and/or commercial area.

The project would be subject to Central Coast RWQCB post-construction stormwater management requirements (PCRs), in accordance with the Post-Construction Stormwater Management Resolution R3-2013-0032 and the current edition of the County's LID Handbook.

- **PCR 1: Site Design and Runoff Reduction.** Low-impact design measures, minimizing impervious surfaces, and limiting of native grading and vegetation.
- **PCR 2: Water Quality Treatment.** Onsite stormwater treatment will be achieved through biofiltration and low impact development systems designed to retain stormwater runoff equal to the volume of runoff generated by the 85th percentile 24-hour storm event, based on San Luis Obispo County rainfall data. See Table 4.10-2, *Summary Table of Stormwater Mitigation*, for basin and swale details.
- **PCR 3: Runoff Retention.** In WMZ 1, the 95th percentile rainfall event is to be retained and stored in on-site retention basins, as defined in Table 4.10-2. Rainfall data is from San Luis Obispo County data.
- **PCR: 4 Peak Management.** State requirements of post-development flows not exceeding pre-development 2- through 10-year storms are not applied to this project; instead, peak flow management shall be detained on-site per County standards. Post-development 50-year peak flows, discharged from the site, shall not exceed pre-project 2-year peak flows. San Luis Obispo County rainfall data will be used to calculate these values, see the Drainage Report for descriptions and calculations.

The inclusion of the Central Coast RWQCB post-construction stormwater management requirements (PCRs) and operational source control BMPs would guide development of the project to manage stormwater runoff consistent with County and Central Coast RWQCB requirements and reduce potential impacts to *less than significant*.

| **HYD Impact 1 (Class III)** |
|---|
| The project could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with state and local water quality protection requirements, residual impacts related to water quality standards or waste discharge requirements would be less than significant (Class III).* |

## Off-Site Improvements

### *HYD Impact 2: Off-site improvements could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant with mitigation (Class II).*

As detailed above, future development within the Specific Plan Area would include erosion control measures to be implemented during construction activities. Proper implementation and maintenance of the BMPs would ensure that proposed off-site transportation and NCSD wastewater system improvements minimize erosion and sedimentation associated with disturbed soils and prevents the inadvertent transport and/or release of contaminants that could impact surrounding water resources. Proposed off-site water system improvements would include work near sensitive areas, including drainages and Nipomo Creek. Given the proximity to these drainages and Nipomo Creek, construction activities could result in potential biological and water quality impacts. However, Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3 have been included to minimize the potential for substantial pollutant runoff into identified sensitive areas. Upon implementation of the identified mitigation measures and compliance with the project SWPPP (if required), County General Plan, and LUO standards, impacts related to water quality would be *less than significant with mitigation*.

| **HYD Impact 2 (Class II)** |
|---|
| Off-site improvements could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3 and required compliance with existing requirements, residual impacts related to water quality standards or waste discharge requirements would be less than significant (Class II).* |

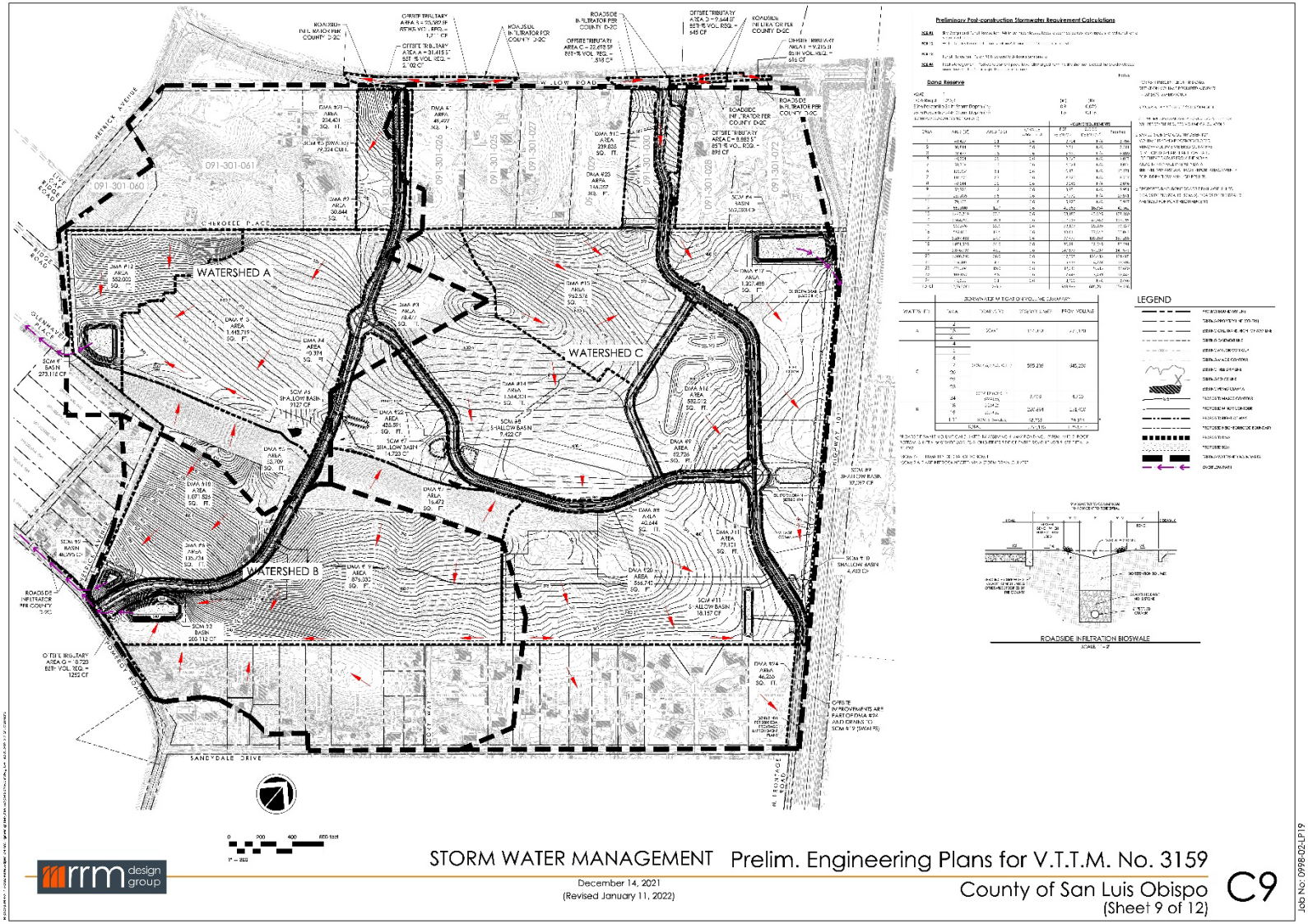


**Figure 4.10-2. Proposed Stormwater Drainage Management Areas.**

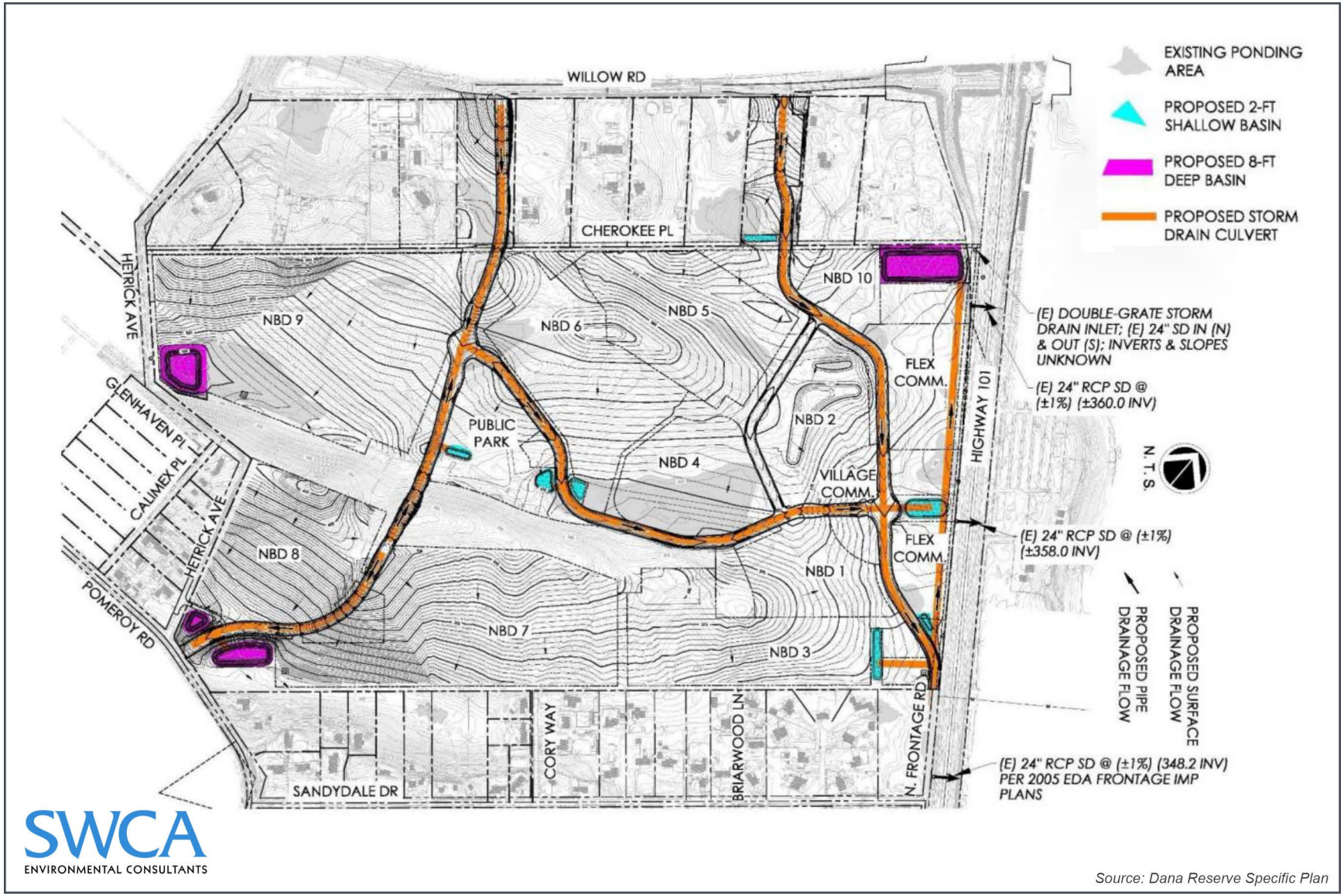


**Figure 4.10-3. Proposed Stormwater Management Facilities.**

## WOULD THE PROJECT SUBSTANTIALLY DECREASE GROUNDWATER SUPPLIES OR INTERFERE SUBSTANTIALLY WITH GROUNDWATER RECHARGE SUCH THAT THE PROJECT MAY IMPEDE SUSTAINABLE GROUNDWATER MANAGEMENT OF THE BASIN?

### Specific Plan Area

#### *HYD Impact 3: The project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant (Class III).*

GROUNDWATER RECHARGE

The project would develop approximately 216 of the 288-acre Specific Plan Area. The remaining 49.8 acres, or 17.3% of the Specific Plan Area, would be designated for Open Space uses, including undeveloped open space, public trails, and stormwater drainage basins. As noted in the Geotechnical Feasibility Report (Earth Systems Pacific 2017), the project area is underlain by bedrock and there is no groundwater present in the upper approximately 50 feet of soil. Groundwater recharge from Nipomo Creek may occur through the surrounding shallow alluvial deposits, but minimal subsurface inflow into the NMMA area occurs from the bedrock underlying the creek and project area (NMMA Technical Group 2021).

There would be a loss of basin-wide percolation and groundwater recharge due to the significant increase in impervious surfaces. Neighborhood and internal road sections would be designed to also include roadside LID areas to treat and mitigate stormwater runoff. These open spaces between areas of proposed development, inlets, and/or catch basins would be integrated within these areas for larger storm event overflow and encourage infiltration into the ground. This design would allow for project impacts related to groundwater to be offset by implementation of project BMPs and the Central Coast RWQCB PCRs to manage stormwater on-site. Therefore, even though the project would increase impervious surfaces, the project would not adversely affect groundwater recharge.

GROUNDWATER SUPPLY

The land uses within the Specific Plan Area would not pump groundwater. Domestic water and wastewater to serve the project area would be provided by NCSD through an annexation into the NCSD service area. The NCSD relies on water from the NSWP and groundwater as its two primary water sources (MKN 2022). The NMMA receives a minimum annual delivery volume of 2,500 AFY from the NSWP, which is then distributed to water purveyors within the NMMA, including the NCSD. In addition, the NCSD reserved an additional 500 AFY of supply water for infill development within the NCSD boundaries. The Wholesale Water Supply Agreement (2013) also contains a provision that allows the NCSD to request an additional 3,200 AFY of water for development.

The annual water demand for the project is approximately 387 AFY. The WSA completed for the proposed project (Rick Sweet and RRM Design Group 2021 notes that available water to serve the areas outside NCSD boundaries ranges from 538 AFY to 1,205 AFY. Assuming the unallocated water to serve areas outside the present NCSD boundary is the conservative value of 538 AFY per year, then there is more than sufficient water available to meet or exceed the needs of the project.

Impacts to the hydrologic conditions of groundwater resources and the groundwater level of the Santa Maria Basin would be *less than significant*. Impacts associated with the availability of an adequate water supply are addressed in Section 4.19, *Utilities and Service Systems*.

| **HYD Impact 3 (Class III)** |
|---|
| The project could substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing regulations, residual impacts related to groundwater recharge and groundwater supply would be less than significant (Class III).* |

## Off-Site Improvements

### *HYD Impact 4: Off-site improvements could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant (Class III).*

The proposed off-site improvements are anticipated to be located within previously developed roadways and other disturbed areas. These improvements would not substantially increase paved or impervious surfaces. Each of the improvements would incorporate design standards that encourage infiltration of stormwater. Therefore, the off-site improvements would have a less-than-significant impact related to the depletion of groundwater supplies and groundwater recharge.

| **HYD Impact 4 (Class III)** |
|---|
| Off-site improvements could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing regulations, residual impacts related to groundwater recharge and groundwater supply would be less than significant (Class III).* |

## WOULD THE PROJECT SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCREASING 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 SUBSTANITAL 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 OFFSITE?

### III. CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTNG OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?

### IV. IMPEDE OR REDIRECT FLOOD FLOWS?

## Specific Plan Area

### *HYD Impact 5: The project could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems. Impacts would be less than significant (Class III).*

The proposed project would substantially alter the existing drainage pattern located on the project site; however, this would not involve the alteration of an existing surface water resource such as a stream or river. As discussed above and shown in Figure 4.10-1, the project area does not have any mapped or defined watercourses or wetlands. The existing topography of the project site creates three distinct drainage subbasin areas. The project would utilize this existing topography, and overall grading and drainage for the site has been designed to maintain the historic drainage patterns to the maximum extent feasible, with integration of water quality and drainage facilities to meet or exceed Post-Construction Stormwater Management Requirements. Proposed stormwater basins in each drainage area would be rough graded to create the basin shape, bottom, and top bench. Relatively flat sloped areas would be created for each adjacent commercial and multi-family areas, as well as in the residential neighborhoods, to direct stormwater runoff to these proposed basins, as shown in Table 4.10-2. Consistent with County Code Title 22 and Chapter 19.12, Grading and Excavation, each phase of project development would require a comprehensive drainage plan to demonstrate stormwater runoff is conveyed in a non-erosive manner in accordance with the RWQCB stormwater requirements and County Public Improvement Standards.

With adequate implementation and maintenance of SWPPPs, erosion and stormwater control plans, and drainage plans that would be required for any future development within the Specific Plan Area, the proposed project would not substantially alter the drainage pattern beyond the construction footprint and would not alter off-site drainage patterns. Impacts would be *less than significant*.

**Table 4.10-2. Summary Table of Stormwater Mitigation**

| | Stormwater Mitigation Volume Summary | | | |
|---|---|---|---|---|
| **Watershed** | **DMA** | **Drains To** | **Required Volume ($ft^3$)** | **Provided Volume ($ft^3$)** |
| A | 12 | SCM 1 | 164,858 | 273,120 |
| | 13 | | | |
| | 21 | | | |
| C | 14 | SCM 4, 6, 7, 8, 9, 10, 11* | 595,209 | 645,250 |
| | 15 | | | |
| | 16 | | | |
| | 17 | | | |
| | 20 | | | |
| | 22 | | | |
| | 23 | | | |
| | 24 | SCM 12 (off-site roadside swales) | 3,466 | 4,710 |
| B | 18 | SCM 2** | 220,864 | 251,410 |
| | 19 | SCM 3** | | |
| | 1–11 | SCM 5 (bioswales) | 68,739 | 79,324 |
| **Total** | | | **1,086,134** | **1,249,104** |

* SCMs 6-11 ultimately discharge to SCM 4

** SCMs 2 & 3 are interconnected via a storm drain culvert

| **HYD Impact 5 (Class III)** |
|---|
| The project could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing state and local requirements, residual impacts related to drainage would be less than significant (Class III).* |

## Off-Site Improvements

### *HYD Impact 6: Off-site improvements could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems. Impacts would be less than significant (Class III).*

The off-site improvements would not alter the existing drainage patterns or involve the alteration of an existing surface water resource, such as a stream or river. These predominantly underground improvements would be within existing roadways, road shoulder areas, and/or existing disturbed NCSD facilities and would not cause a significant increase in impervious surfaces that would prevent surface water infiltration into the ground surface within the developed footprint or an significant increase in the stormwater runoff volume and rate compared to existing conditions, potentially causing erosion, increased peak flows, and other impacts to the existing drainage pattern at the site.

As discussed previously, development within the Specific Plan Area would be required to include the implementation of erosion control measures during construction, such as the installation of silt fencing and sediment rolls, hydroseeding and application of straw following seeding to stabilize soils, and storm drain inlet protection, including filter fabric or silt sacks installed around the inlet and on top of the storm drain grate and catch basin. In addition, Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3 have been included to further minimize the potential for substantial pollutant runoff into identified sensitive areas. With implementation of the identified mitigation measures and adequate implementation and maintenance of the proposed erosion and sedimentation control and drainage plans, the proposed project would not substantially alter the drainage pattern beyond the construction footprint and would not alter off-site drainage patterns. Therefore, impacts would be *less than significant*.

| **HYD Impact 6 (Class II)** |
|---|
| Off-site improvements could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3 and required compliance with existing state and local requirements, residual impacts related to drainage would be less than significant (Class II).* |

## WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF A WATER QUALITY CONTROL PLAN OR SUSTAINABLE GROUNDWATER MANAGEMENT PLAN?

### Specific Plan Area and Off-Site Improvements

### *HYD Impact 7: The project could conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant (Class III).*

The Water Quality Control Plan for the Central Coastal Basin, prepared by the Central Coast RWQCB, designates beneficial uses and establishes objectives and implementation actions for the quality of surface water and groundwater in the region. As discussed under HYD Impact 1, stormwater quality during construction and operation of the project would generally be controlled through compliance with the existing stormwater control regulations, including County Code Chapter 19.11, Stormwater Management; the Construction General Permit; and DRSP development standards. Further, the use of LID techniques would control stormwater and prevent contamination to surface water resources. Therefore, compliance with existing regulatory requirements, particularly NPDES permit requirements, would minimize the potential for projects developed within the Specific Plan Area to conflict with the Water Quality Control Plan. This impact would be less than significant.

The Specific Plan Area and off-site improvements lie within an adjudicated portion of the Santa Maria Basin that is not subject to the SGMA, provided that certain requirements are met (California Water Code Section 10720.8) and does not have a sustainable groundwater management plan in place, but rather is subject to management by the NMMA. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be *less than significant*.

| **HYD Impact 7 (Class III)** |
|---|
| The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing regulatory requirements, residual impacts related to conflict with a water quality control plan or sustainable groundwater management plan would be less than significant (Class III).* |

## IN FLOOD HAZARD, TSUNAMI, OR SEICHE ZONES, WOULD THE PROJECT RISK RELEASE OF POLLUTANTS DUE TO PROJECT INUNDATION?

### Specific Plan Area

As previously stated, the Specific Plan area is not located in an area that would be subject to seiche, tsunami, or mudflow and is not located within a Special Flood Hazard Zone (FEMA 2012; County of San Luis Obispo 2019). Therefore, project components within the Specific Plan area would not be subject to pollutant release due to project inundation and, *no impacts* would occur.

## Off-Site Improvements

### *HYD Impact 8: Off-site improvements would not risk the release of pollutants due to project inundation. Impacts would be less than significant (Class III).*

As discussed in Section 4.10.1.4.3, *Flood Conditions*, portions of the off-site improvement areas are located within special flood hazard areas subject to inundation by the 100-year flood, Zone A and Zone AE (FEMA 2012). These are limited to areas surrounding Nipomo Creek and additional drainages along Tefft Road. Proposed off-site improvements within the flood hazard areas would be limited to the water and wastewater improvements to NCSD infrastructure. There are no structures or habitable buildings proposed for construction within the 100-year flood zone.

Introduction of construction activities within the Nipomo Creek and associated flood hazard areas could result in risk of release of pollutants such as oil, pesticides, herbicides, sediment, trash, bacteria, and metals during a flood event. Accordingly, disturbed soils, sedimentation, and contaminants that are mobilized by water flow through Nipomo Creek may ultimately be conveyed to the Pacific Ocean. Construction activities related to the off-site improvements would be limited in nature, within the public ROW, and located within previously disturbed areas.

The off-site improvements would be subject to a Building Permit review by the County Public Works Department for potential drainage or flood hazards. In addition, as previously discussed, the future development within the Specific Plan Area would be required to provide a drainage plan that includes all information outlined in County Code Section 23.07.064, Flood Hazard Area Permit and Processing Requirements. In addition, the off-site improvements would be constructed consistent with County Code Section 23.07.066, Construction Standards. Both the water supply and wastewater service systems would be designed to minimize infiltration of flood waters into the system, discharge from systems into flood waters, or impairment or contamination during flooding.

Furthermore, the project would be subject to the Central Coast RWQCB's Post Construction Requirements and NPDES discharge permits. Upon compliance with the DRSP development standards, the County's Engineering Standards, General Plan, and County Ordinance requirements, impacts related to water quality would be *less than significant.*

| **HYD Impact 7 (Class III)** |
|---|
| Off-site improvements would not risk the release of pollutants due to project inundation. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing regulatory requirements, impacts related to release of pollutants due to project inundation would be less than significant (Class III).* |

## 4.10.6 Cumulative Impacts

### *HYD Impact 9: The project would not result in a cumulatively considerable impact to hydrology and water quality. Impacts would be less than cumulatively considerable and less than significant (Class III).*

Cumulative development would result in a change from undeveloped to urban pollutant discharge to surface water runoff and groundwater percolation. Construction activities could also result in the pollution of natural watercourses or underground aquifers. The types of pollutant discharges that could occur as a result of construction include accidental spillage of fuel and lubricants, discharge of excess concrete, and an increase in sediment runoff. Storm runoff concentrations of oil, grease, heavy metals, and debris increases as the amount of urban development increases in the watershed. However, when properly implemented, water quality requirements of the Central Coast RWQCB and the County would mitigate any adverse impacts resulting from new development within the Specific Plan Area. Therefore, the proposed project, in conjunction with pending cumulative development, would not significantly increase the concentration of urban pollutants in surface runoff or groundwater. Polluted runoff that may be generated during construction activities of cumulative development and projects considered in this analysis would be regulated by the SWRCB under NPDES Construction General Permits and would be minimized using standard construction BMPs. Cumulative impacts would therefore be less than significant for Hydrology and Water Quality. With adherence to these regulatory standards, the cumulative contribution from the project would be *less than cumulatively considerable* and *less than significant*.

| **HYD Impact 9 (Class III)** |
|---|
| The project would not result in a cumulatively considerable impact to hydrology and water quality. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Cumulative impacts would be avoided through compliance with identified project-specific mitigation and existing state and local regulatory requirements; no additional mitigation is needed to avoid or minimize potential cumulative impacts. Therefore, residual impacts would be less than significant (Class III).* |

# 4.11 LAND USE AND PLANNING

This section evaluates the project's proposed land uses and future development within the project site, their consistency with applicable land use policies, and impacts that may result from conflicts with applicable land use policies. The analysis presented in this section is based on the existing pattern of land uses within the project site and vicinity, the proposed on- and off-site project components, and the applicable policies and standards set forth in the General Plan, LUO, *2015/16 County of San Luis Obispo Bikeways Plan*, SLOCOG 2019 RTP, San Luis Obispo County MJHMP, SLOLAFCO policies and procedures, and NCSD 2018 Strategic Plan.

## 4.11.1 Existing Conditions

### *4.11.1.1 Regional Setting*

The project site is located adjacent to the unincorporated community of Nipomo, in the South County Inland Planning Area of San Luis Obispo County. The unincorporated community of Nipomo is a community located approximately 6.1 miles east of the Pacific Ocean outside of the coastal zone in the southern portion of San Luis Obispo County between the city of Arroyo Grande and the city of Santa Maria in Santa Barbara County. There are a variety of land uses within the Nipomo URL. The central core of the community is comprised of office and professional, commercial retail, commercial service, and residential multi-family uses, which is bisected by US 101. Public facilities, recreation, residential single-family uses, and residential suburban uses make up the remaining areas within the Nipomo URL that surround the downtown core.

The Nipomo URL is generally surrounded by land within the Residential Rural (RR) land use designation to the north and east, land within the Agriculture (AG) land use designation to the northeast, east, and south, and land within the Rural Lands (RL) land use designation to the southeast. Proximate village areas near Nipomo include the Woodlands village area, located approximately 1.0 mile to the west; the Blacklake village area, located approximately 0.5 mile northwest; and the Callendar-Garrett village area, located 2.6 miles to the northwest (see Figures 2-1 and 2-2 in Chapter 2, *Project Description*).

The Specific Plan Area is bordered to the southeast and southwest by land within the Nipomo URL and the NCSD service area. The project site is generally surrounded by US 101 and land within the Agriculture (AG) land use designation to the northeast, land within the Residential Suburban (RS) and Commercial Service (CS) land use designations to the southeast, Hetrick Avenue and land within the Residential Suburban (RS) land use designation to the southwest, and Cherokee Place, Willow Road, and land within the Residential Suburban (RS) and Residential Rural (RR) land use designations to the northwest (Figure 4.11-1). Based on aerial imagery and information available online, existing land uses on nearby properties are provided in Table 4.11-1 below. Allowable uses on surrounding properties are governed by the County General Plan and LUO, as described in Table 4.11-2 below.

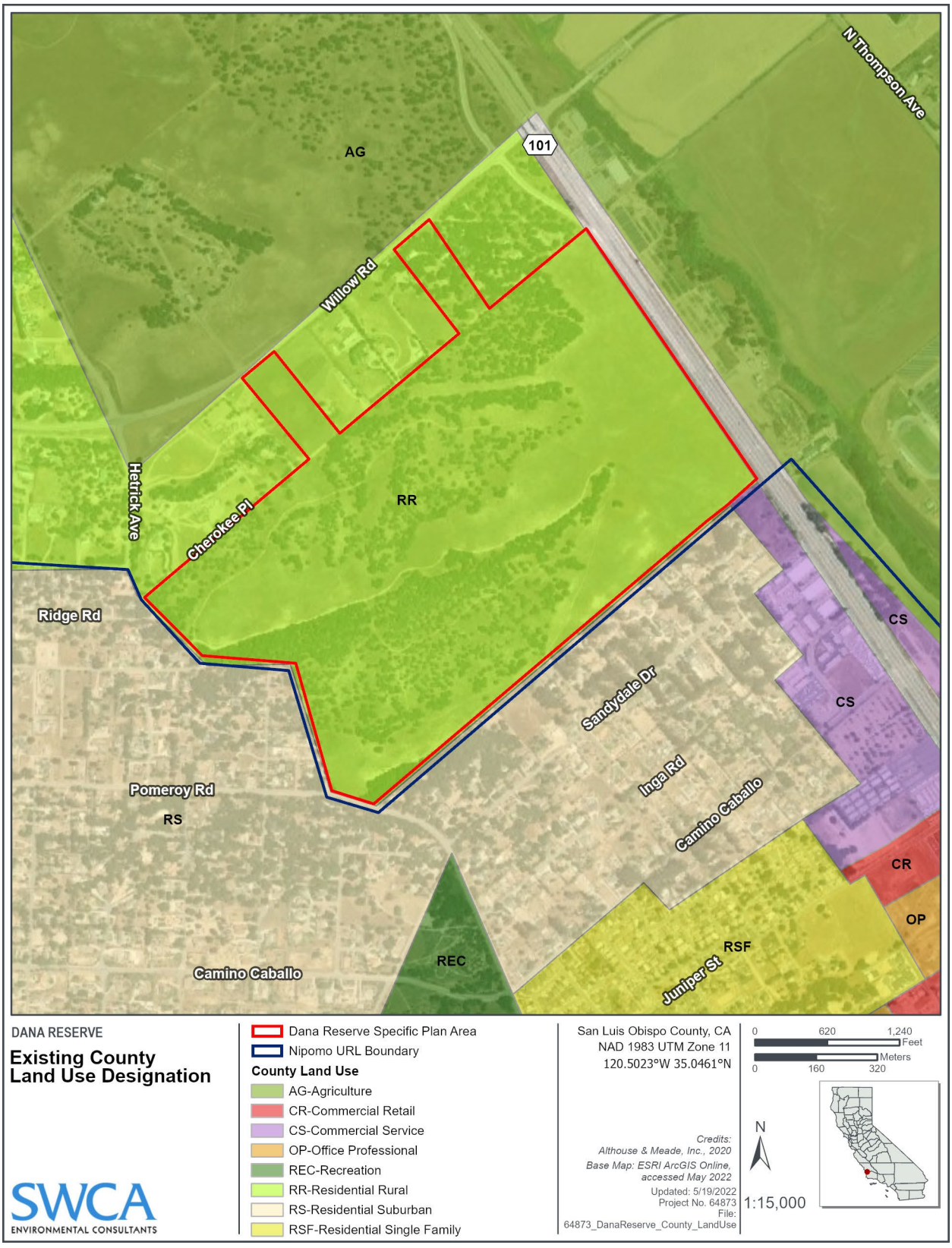


**Figure 4.11-1. Existing County land use designations within the project vicinity.**

**Table 4.11-1. Existing Uses and Land Use Designations Surrounding the Specific Plan Area**

| Location | Land Use Designation | Existing Land Uses |
|---|---|---|
| Northeast of the Project Site | Agriculture (AG) | US 101 |
| | | Agricultural uses, including cultivation, nurseries, grazing |
| | | Scattered rural residential single-family housing |
| | | Accessory agriculture structures and reservoirs |
| Southeast of the Project Site | Agriculture (AG) | Nipomo High School |
| | | Pet grooming business |
| | | Agricultural uses, including cultivation, grazing |
| | Commercial Service (CS) | Recreational vehicle dealer |
| | | Veterinary clinic |
| | | Mattress store |
| | | Building supply store |
| | | Self-storage facility |
| | | Safety equipment supplier |
| | Residential Suburban (RS) | Residential single-family neighborhood |
| Southwest of the Project Site | Residential Suburban (RS) | Residential single-family neighborhood |
| Northwest of the Project Site | Residential Rural (RR) | Scattered rural residential single-family housing |
| | | Agricultural uses, including greenhouses |
| | Agriculture (AG) | Scattered rural residential single-family housing |
| | | Agricultural uses, including grazing |

**Table 4.11-2. County Land Use Designations within the Project Vicinity and Allowable Uses**

| Land Use Designation | Examples of Potential Allowable Uses |
|---|---|
| Agriculture (AG) | Crop production and grazing, agricultural processing facilities, single-family dwellings, accessory dwellings, mobile homes, agricultural accessory structures, agricultural worker housing, forestry, animal keeping, cannabis activities, nursery specialties, industrial hemp cultivation, kennels, energy-generating facilities |
| Commercial Service (CS) | General retail, grocery stores, restaurants, food and beverage products, furniture and fixture products, cabinet shops, metal industries (fabricated), fuel dealers, small-scale manufacturing, warehousing, vehicle/mobile home dealers, agricultural processing facilities, agricultural accessory structures, veterinary medical facilities, kennels, animal keeping, cannabis activities, nursery specialties, crop production and grazing, energy-generating facilities |
| Residential Suburban (RS) | Single-family dwellings, accessory dwellings, mobile homes, agricultural accessory structures, kennels, animal keeping, cannabis activities, nursery specialties, crop production and grazing, forestry, energy-generating facilities |
| Residential Rural (RR) | Single-family dwellings, accessory dwellings, agricultural accessory structures, mobile homes, kennels, animal keeping, cannabis activities, crop production and grazing, forestry, industrial hemp cultivation, nursery specialties, energy-generating facilities |

Source: County of San Luis Obispo LUO, Section 22.06.030

## *4.11.1.2 Project Site Setting*

### 4.11.1.2.1 SPECIFIC PLAN AREA

The Specific Plan Area, located on three adjoining parcels within the Residential Rural (RR) land use designation (see Figure 4.11-1), is largely undeveloped, with the exception of unpaved ranch roads traversing portions of the site and minimal agriculture/grazing amenities. Topography of the property ranges from nearly level to moderately sloping hills. Vegetative communities on-site include coast live oak woodland, chaparral, and grasslands. No mapped water features occur on-site. The Specific Plan Area can currently be accessed from Cherokee Place, located along the northern boundary of the site; Hetrick Avenue, located along the western boundary of the site; and Cory Way, located adjacent to the southern boundary of the site. Historical uses on-site included cattle grazing.

### 4.11.1.2.2 OFF-SITE IMPROVEMENTS

In addition to the Specific Plan Area, this EIR includes an evaluation of numerous necessary off-site transportation-, water-, and wastewater-related improvements (see Figures 2-4 through 2-7, in Chapter 2, *Project Description*).

The project also identifies an off-site location for oak mitigation and conservation (Dana Ridge). Dana Ridge is located on an 854-acre parcel (APNs 090-031-003 and 090-031-004) approximately 2.1 miles east of the project site (see Figures 2-1 and 2-2, in Chapter 2, *Project Description*). Dana Ridge is located within the Agriculture (AG) land use category and is generally surrounded by land within the Agriculture (AG) and Rural Lands (RL) land use designation to the north, and land within the Agriculture (AG) land use designation to the east, south, and west.

The project would require a number of off-site transportation-related improvements, including improvements to the following roadways and intersections:

- An extension of North Frontage Road through APN 091-325-022 at the southeast corner of the Specific Plan Area;
- Widening of Willow Road and signalization at the Willow Road/Collector A intersection within existing ROW areas;
- Restriping and one-way stop control at the Willow Road/Collector B intersection within existing ROW areas;
- Improvements/paving at the Cherokee Place/Collector A and B intersections;
- Removal/closure of the existing Hetrick Avenue driveway access from Pomeroy Road and provision of a new driveway access to Hetrick Avenue from Collector B;
- Restriping and one-way stop control at the Pomeroy Road/Collector B intersection within existing ROW areas; and
- Emergency access at Hetrick Avenue and Cory Way.

All off-site transportation-related improvements are proposed to be located within existing public ROW, except potentially the extension of North Frontage Road through APN 091-325-022. An existing 40-foot-wide public ROW currently exists along the eastern boundary of this parcel. A partial-width roadway extension could be developed within the existing ROW; the County Public Works Department has indicated this improvement would be adequate for implementation of the DRSP. The project applicant is in negotiations with the property owner of APN 091-325-022 regarding the potential for acquisition of an additional 20 feet of ROW, to accommodate a standard (complete) width roadway extension within a

60-foot-wide ROW through this parcel. If the additional ROW is not acquired and a standard-width roadway is not developed as part of the DRSP, it would be a requirement for any future project development approval on APN 091-325-022, which is currently located within the Commercial Service (CS) land use category.

Buildout of the Specific Plan Area would also require a number of off-site water and wastewater system improvements to the existing NCSD service systems. While these improvements have not been designed and their precise locations are not currently known, all off-site water and wastewater system improvements are expected to occur within existing paved roadways, existing public ROW areas, and/or existing NCSD facilities (such as the Southland WWTF).

## 4.11.2 Regulatory Setting

### *4.11.2.1 Federal*

There are no federal land use regulations applicable to the project.

### *4.11.2.2 State*

#### 4.11.2.2.1 CORTESE-KNOX HETZBERG LOCAL GOVERNMENT REORGANIZATION ACT

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Cortese-Knox-Hertzberg Act; California Government Code Section 56000 et seq.) establishes procedures for local government changes of organizations, including annexations into a city or special district, incorporation of a city, and city and special district consolidations. The Cortese-Knox-Hertzberg Act delegates these processes to LAFCOs. A LAFCO is a state agency that performs growth management functions, and has approval authority regarding the establishment, expansion, reorganization, and elimination of any city and most types of special districts. LAFCOs establish SOIs for cities and special districts that define the appropriate and probable future jurisdictional boundary and service area of the agency. In addition to the Cortese-Knox-Hertzberg Act, the SLOLAFCO has adopted local policies that it considers in its review of projects, as further described below.

### *4.11.2.3 Local*

#### 4.11.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

##### Noise Element

The *County of San Luis Obispo General Plan Noise Element* provides a policy framework for addressing potential noise impacts in the planning process (County of San Luis Obispo 1992). 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 polices 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.

## Safety Element

The two primary principles of the County's Safety Element are emergency preparedness and managed development to reduce risk (County of San Luis Obispo 1999). The Safety Element identifies potential emergency situations and natural disasters within the county and includes goals and policies for response during an emergency or natural disaster and the avoidance of unnecessary risk. The Safety Element includes mapping of hazardous areas, including areas prone to liquefaction, landslides, fault hazards, flood hazards, and dam inundation.

## Parks and Recreation Element

The County's Parks and 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 (County of San Luis Obispo 2006).

## Agriculture Element

The County's Agriculture Element protects agricultural resources within the county by creating policies for promotion of the agricultural industry and preservation of open space within agricultural lands (County of San Luis Obispo 2010a). The goals, policies, and implementation measures of this Agriculture Element address the protection of agricultural resources as well as the protection of open space resources on lands zoned for Agriculture (AG) and on other lands used for production agriculture.

## Land Use and Circulation Elements

### *Framework for Planning (Inland)*

The first part of the County LUCE is the Framework for Planning (Inland) (County of San Luis Obispo 2015). The Framework for Planning (Inland) contains policies and procedures that apply to the unincorporated area outside the coastal zone and defines how the Land Use Element is used together with the LUO and other adopted plans. The Framework for Planning (Inland) also explains the criteria used in applying land use categories and combining designations to the land, and the operation of the Resource Management System. Combining designations are special map categories that identify areas of unique resources or potential hazards that necessitate more careful project review.

### *South County Inland Area Plan*

The County of San Luis Obispo Area Plans are included as Part II of the LUCE (County of San Luis Obispo 2014a). The South County Area Plan refines the general land use policies of the Framework for Planning (Inland) and serves as a guide for future development within the South County Inland Planning Area. The South County Area Plan identifies where land use categories are applied within the planning area and establishes policies and programs for land use, circulation, public facilities, services and resources that apply areawide, in rural areas, and/or unincorporated urban areas adjacent to cities.

### *Nipomo Community Plan*

The Nipomo Community Plan is intended to provide a long-term guide for land use and transportation within the community of Nipomo. The Nipomo Community Plan is related to the County's General Plan and is included in Part III of the LUCE (County of San Luis Obispo 2014b). While the Framework for Planning (Inland) is the central policy document, the Nipomo Community Plan provides programs that

are more specifically applicable to the community of Nipomo. The Nipomo Community Plan is consistent with other County General Plan elements.

### Conservation and Open Space Element

The COSE consists of a policy and program document and a technical appendix. The COSE policy and program document includes separate chapters to address air quality, biological resources, cultural resources, energy, mineral resources, open space, visual resources, and water resources (County of San Luis Obispo 2010b). The technical appendix includes the County's first baseline GHG emissions inventory. The COSE is based on the principles of strategic growth, with the intent to preserve unique or valuable natural resources, to manage development within the sustainable capacity of the county's resources, and to reduce the county's contribution to global climate change.

### Housing Element

The County's Housing Element establishes the framework to facilitate housing development and address current and projected housing needs, provides an assessment of housing needs for the unincorporated county, and provides a summary of the County's progress in implementing the programs from the previous housing element (County of San Luis Obispo 2020). The County's Housing Element identifies goals, objectives, policies, and programs to guide County decision making and focused efforts during the planning period.

#### 4.11.2.3.2 2019 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

SLOCOG is an association of local governments in San Luis Obispo County, which is comprised of seven incorporated cities (Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo) and the County, which governs the unincorporated areas of the county. SLOCOG's responsibilities include long-range regional transportation planning and funding for the region, preparation of the Regional Housing Needs Allocation (RHNA) report, and preparation of the SCS as part of the RTP.

The 2019 RTP/SCS is the region's long-term vision for the transportation system. As required by state law, this plan is updated every 4 years (SLOCOG 2019). The RTP/SCS outlines how the region will meet or exceed its GHG reduction targets through developing more compact, walkable, bike-friendly, transit-oriented communities; preserving important habitat and agricultural areas; and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. Key principles of the plan include locating new employment centers and neighborhoods near transit to reduce vehicle trips and peak congestion, creating communities around transit stations, with small businesses, housing, and restaurants within walking distance to reduce automobile travel, focusing future growth in urban centers and existing cities to reduce VMT and preserve rural and other natural areas, and preserving established single-family neighborhoods and existing natural and green spaces by accommodating new development within existing urbanized areas and downtown regions.

#### 4.11.2.3.3 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

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,

archaeological, and scenic resources within the county (County of San Luis Obispo 2021). The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the General Plan.

#### 4.11.2.3.4 SAN LUIS OBISPO COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

The San Luis Obispo County MJHMP has a goal of providing practical, meaningful, attainable, and cost-effective mitigation solutions to reduce vulnerability to the identified hazards and ultimately reduce both human and financial losses from hazard events (County of San Luis Obispo 2019).

#### 4.11.2.3.5 SAN LUIS OBISPO LOCAL AGENCY FORMATION COMMISSION

The SLOLAFCO is responsible for reviewing and approving proposed jurisdictional boundary changes in the county, including the annexation and detachment of territory to and/or from cities and most special districts, incorporations of new cities, formations of new special districts, and consolidations, mergers, and dissolutions of existing districts. Annexation of the Specific Plan Area into NCSD's service area would be subject to the review and approval of the SLOLAFCO.

#### 4.11.2.3.6 NIPOMO COMMUNITY SERVICES DISTRICT 2018 STRATEGIC PLAN

The NCSD 2018 Strategic Plan is the NCSD's highest-level planning document for the future (NCSD 2018). The purpose of the Strategic Plan is to provide clear direction of the goals and objectives of the NCSD for future planning purposes. It is a working tool to guide decision-making within the NCSD's service area.

### *4.11.2.4 Consistency with Plans and Policies*

Table 4.11-3 lists applicable plans and policies pertaining specifically to land use and planning that were adopted for the purpose of avoiding or mitigating an environmental effect and a preliminary evaluation of the project's consistency with the guidelines and requirements detailed therein. A general overview of these policy documents is presented above in Section 4.11.2, *Regulatory Setting*, and in Chapter 3, *Environmental Setting*. Policies for which the project is found to be potentially inconsistent with are discussed further in Section 4.11.5, *Project-Specific Impacts and Mitigation Measures*.

**Table 4.11-3. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan – Conservation and Open Space Element*** | | |
| **Policy AQ 1.1 Compact Development**. Encourage compact land development by concentrating new growth within existing communities and ensuring complete services to meet local needs. | The intent of this policy is to locate new development within existing communities. | **Potentially Consistent.** The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI, which identifies the probable future physical boundary and service area of a local agency or municipality. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy OS 1.1 Future open space protection.** Continue to identify and protect open space resources with the following characteristics:<br>• Recreation areas<br>• Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities, significant marine resources<br>• Archaeological, cultural, and historical resources<br>• Scenic areas<br>• Hazard areas<br>• Rural character | The intent of this policy is to protect open space resources. | **Potentially Consistent.** The DRSP proposes 49.8 acres of land within the Open Space (OS) land use designation, including undeveloped open space, trails, and stormwater basins, which would comprise approximately 17.3% of the Specific Plan Area. Open Space area includes areas that would remain undeveloped long term, as well as areas that would provide opportunities for passive uses. Examples of areas intended to remain undisturbed long term include the primary oak forest/woodland area centrally located within the Specific Plan Area, while passive open space areas would include pedestrian and equestrian trails and seating areas. These open space areas would serve to protect biological resources and help preserve the rural character and aesthetic quality of the project site. The oak forest to be protected as open space is one of the more visible scenic resources on-site, due to its visibility above other surrounding vegetation and development.<br>As discussed in Section 4.5, *Cultural Resources*, potential impacts to archaeological resources have been identified and would be reduced to a less-than-significant level with implementation of identified mitigation measures, including avoidance and preservation of sensitive areas as open space.<br>As discussed in Section 4.9, *Hazards and Hazardous Materials*, the DRSP is not located on a hazardous materials site pursuant to California Government Code Section 65962.5 and would not result in development on or adjacent to a hazardous materials site, and is not located within 2 miles of a public airport. |
| **Policy OS 1.8 Land divisions and development.** Encourage the use of cluster land divisions and cluster development that will locate residential clusters on the least environmentally sensitive portions of properties. | The intent of this policy is to maximize protection of environmentally sensitive resources. | **Potentially Consistent.** The project's list of objectives includes an objective to maintain the large, centrally located oak forest/ woodland area as a site feature and to minimize impacts to special-status plants and animals on-site. The DRSP proposes 49.8 acres of land within the Open Space land use designation, including undeveloped open space, trails, and stormwater basins, which would comprise approximately 17.3% of the Specific Plan Area. Open Space area includes areas that would remain undeveloped long term, as well as areas that would provide opportunities for passive uses. |
| **Policy OS 2.1 Open Space management to protect, sustain, and restore.** Manage open space resources on public lands to protect, sustain, and, where necessary, restore the resources. Encourage such management strategies on private lands. | The intent of this policy is to protect, sustain, and restore open space resources. | **Potentially Consistent.** The DRSP proposes 49.8 acres of land within the Open Space land use designation, including undeveloped open space, trails, and stormwater basins, which would comprise approximately 17.3% of the Specific Plan Area. Open Space area includes areas that would remain undeveloped long term, as well as areas that would provide opportunities for passive uses. Examples of areas intended to remain undisturbed long |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | term include the primary oak forest/woodland area centrally located within the Specific Plan Area, while passive open space areas would include pedestrian and equestrian trails, as well as seating areas. These open space areas would serve to protect biological resources and would help preserve the rural character and aesthetic quality of the project site. |
| **Policy OS 4.3 Conversion of rural areas to Urban Lands.** Limit the conversion of unincorporated rural areas to Urban Lands in accordance with the considerations for urban and village expansion in Framework for Planning of the Land Use Element. | The intent of this policy is to limit the conversion of rural areas to urban uses. | **Potentially Consistent.** While the Specific Plan Area is currently undeveloped, the site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI, which identifies the probable future physical boundary and service area of a local agency or municipality. Therefore, establishment of residential, retail, and education uses within the Specific Plan Area would occur adjacent to an existing urban community and would not result in the conversion of a rural area to urban uses. |
| **Policy OS 4.4 Annexation of urban development.** Urban development will be annexed to an incorporated city or an existing community services district (CSD) or County service area (CSA), specifically in the following scenarios:<br>a. Where cluster development from rural property is to be located adjacent to the urban area; or<br>**b.** Where and when higher density development is to occur consistent with resource and service capabilities and orderly extension of urban services. | The intent of this policy is to annex urban development into proximate jurisdictional and service area boundaries. | **Potentially Consistent.** The project would require annexation into the NCSD service area to facilitate the NCSD's provision of water and wastewater services within the Specific Plan Area. The DRSP is within the NCSD SOI and would be required to comply with the NCSD's annexation policies and guidelines. Annexation of the Specific Plan Area into the NCSD service area would be subject to the review and approval of the SLOLAFCO. |
| **Policy HE 1.01.** Support and prioritize new residential development in areas identified for strategic regional residential development and other areas that are (a) located along priority transportation corridors (i.e., highways identified by San Luis Obispo Council of Governments as priorities for regional infrastructure investments), (b) located in or between areas with higher concentration of jobs and services, and (c) located within or in close proximity to existing urbanized areas or communities. This includes, but is not limited to, supporting and prioritizing the following in such areas:<br>• improvements to infrastructure and facilities;<br>• reductions in infrastructure constraints for the development of housing to the extent possible; and increases in the supply of land for residential uses. | The intent of this policy is to prioritize residential development in strategic growth areas. | **Potentially Consistent.** The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI, which identifies the probable future physical boundary and service area of a local agency or municipality. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Framework for Planning (Inland)** | | |
| **Principle 1, Policy 1.** Maintain and protect a living environment that is safe, healthful and pleasant for all residents. | The intent of this policy is to maintain county residents' quality of life. | **Potentially Consistent.** The DRSP proposes 49.8 acres of land within the Open Space (OS) land use designation, including undeveloped open space, neighborhood pocket parks, a 10-acre public park, and pedestrian and equestrian trails. Parks and trails would offer numerous opportunities for both passive and active recreational activities on-site. The DRSP also includes design guidelines intended to reflect the rural visual character of the site, which would contribute to the visual quality of the site.<br>In addition, future development of commercial uses on-site would provide proximate employment opportunities and goods and services to residents of surrounding neighborhoods. |
| **Principle 1, Policy 7.** Give highest priority to avoiding significant environmental impacts from development through site and project design. Where such impacts cannot be avoided, minimize them to the maximum extent feasible. | The intent of this policy is to maximize avoidance of sensitive environmental resources through site design. | **Potentially Consistent.** The project's list of objectives includes an objective to maintain the large, centrally located oak forest/ woodland area as a site feature and to minimize impacts to special-status plants and animals on-site. Project design and redesign through the environmental review process has also effectively avoided direct impacts related to archaeological resources and noise. The DRSP proposes 49.8 acres of land within the Open Space (OS) land use designation, including undeveloped open space, trails, and stormwater basins, which would comprise approximately 17.3% of the Specific Plan Area. Open Space area includes areas that would remain undeveloped long term, as well as areas that would provide opportunities for passive uses. |
| **Principle 2:** Strengthen and direct development toward existing and strategically planned communities. | The intent of this policy is to focus future development within existing and planned communities. | **Potentially Consistent**. The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI, which identifies the probable future physical boundary and service area of a local agency or municipality, and is envisioned for future development in the current General Plan in policies and guidance related to Canada Ranch. |
| **Policy 1.** Maintain rural areas in agriculture, low-intensity recreation, very low-density residential uses, and open space uses that preserve and enhance a well-defined rural character. | The intent of this policy is to maintain the rural character of rural areas. | **Potentially Consistent.** While the Specific Plan Area is currently undeveloped, the site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI, which identifies the probable future physical boundary and service area of a local agency or municipality. Additionally, the Specific Plan Area is currently identified for growth in the General Plan through implementation of Canada Ranch. Though this project proposes to change the priority of uses at the project site from what was envisioned for Canada Ranch, establishment of residential, retail, and education uses within |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | the Specific Plan Area would not occur within a rural area not previously envisioned for growth in the County's General Plan. |
| **Policy 2.** Avoid establishing or expanding Residential Rural and Residential Suburban areas outside urban or village reserve areas. | The intent of this policy is to limit Residential Rural and Residential Suburban uses to existing urban or village reserve areas. | **Potentially Consistent.** The project includes a proposed modification of the Nipomo URL to include the Specific Plan Area and annexation of the Specific Plan Area into the NCSD service area. Therefore, the project would not expand residential areas outside the URL.<br>The Specific Plan Area is within the NCSD SOI, which identifies the probable future physical boundary and service area of a local agency or municipality, and development of the project site is also currently envisioned in the County's General Plan through development of Canada Ranch. |
| **Policy 3.** Plan for most future development to be within existing and strategically planned cities and communities. | The intent of this policy is to locate future development within existing and planned communities. | **Potentially Consistent.** The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI, which is indicative that the Specific Plan Area is an area designated for planned future growth. |
| **Policy 4.** Create complete communities with appropriate areas for housing, commerce, civic uses, schools, recreation and open spaces. | The intent of this policy is to create complete communities with a variety of uses. | **Potentially Consistent.** The DRSP would establish land use districts for future development of residential land uses, commercial land uses, educational uses, and recreation and open spaces uses. An overview of the proposed land use districts is provided within Chapter 2, *Project Description*. |
| **Policy 5.** Create active and vital urban and village environments that are attractive, compact and orderly arrangements of structures and open space, appropriate to the size and scale of each community. | The intent of this policy is to create active and strategically designed urban environments. | **Potentially Consistent.** The DRSP includes a 10-acre public neighborhood park and an approximately 1.01-acre equestrian trailhead and staging area within the Recreation land use category, as well as between 8.5 to 12 acres of publicly accessible but privately maintained pocket parks within residential neighborhoods. The pocket parks would be positioned along a system of connected trails to enable users to enter the trail system and safely walk to each park within the DRSP. |
| **Policy 6.** Plan adequate and convenient areas within communities for employment and economic development near transit and residential areas. | The intent of this policy is to develop residential uses near employment opportunities and transit infrastructure. | **Potentially Consistent.** The DRSP contains a variety of commercial land uses with varying density ranges. These include Village Commercial (DR-VC) and Flex Commercial (DR-FC). More specifically, anticipated individual commercial land uses include a village center, flex commercial, a neighborhood barn, a hotel, a daycare center, and an educational/training campus. These uses would be located within proximity to proposed residential uses on-site.<br>Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors, including two new public transit stops and a proposed Park and Ride lot. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy 7.** Phase urban development in a compact manner, first using vacant or underutilized "infill" parcels and lands next to or near existing development. | The intent of this policy is to prioritize infill development. | **Potentially Consistent.** The project site is generally surrounded by existing suburban and rural residential development. The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area and is within the NCSD's SOI, which is indicative that the Specific Plan Area is an area designated for planned future growth. |
| **Policy 8.** Consider urban expansion Land Use Element amendments when the available inventory of suitable internal or "infill" land is largely developed and only when resources, services and facilities to adequately accommodate the associated growth can be assured. | The intent of this policy is to allow for urban expansion when adequate services can be assured. | **Potentially Consistent.** The project site is generally surrounded by existing suburban and rural residential development. The project site is located within the NCSD SOI and would include various off-site improvements to NCSD infrastructure to ensure adequate service capacity to serve the project. Analysis provided in this EIR concludes that adequate resources are available (e.g., water, wastewater, transportation facilities, etc.) to serve the project with implementation of identified necessary off-site improvements and mitigation. |
| **Policy 9.** Give high priority to funding needed infrastructure improvements in a timely manner within existing and strategically planned urban and village areas. | The intent of this policy is to prioritize infrastructure improvements in existing and strategically planned areas. | **Potentially Consistent.** The project site is located within the Canada Ranch Specific Plan Area, where future buildout of commercial and residential uses has been anticipated in the County's General Plan. The Specific Plan Area is also within the NCSD SOI. |
| **Policy 10.** The cost of additional services and facilities will be fairly shared among those who most immediately benefit and the entire community. | The intent of this policy is to distribute the cost of service infrastructure fairly. | **Potentially Consistent.** The project would include off-site improvements to various roadways and intersections, as well as various off-site improvements to NCSD infrastructure that would be required to serve the project. The NCSD has initiated a detailed analysis of appropriate proportionate cost contributions that the project applicant and/or future developers of the Specific Plan Area would be required to provide to fund necessary improvements. |
| **Principle 3, Policy 3.** Establish and maintain a distinct edge between urban and rural areas to enhance community separation while allowing for appropriate and compact urban expansion at the urban edge. | The intent of this policy is to maintain a distinction between urban and rural areas. | **Potentially Consistent.** The project site is generally surrounded by existing suburban and rural residential development. The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. Based on proposed land use districts and densities, development of the Specific Plan Area would be compact and would maintain a distinct edge between urban and rural areas |
| **Principle 4, Policy 1.** Plan communities with schools, parks, public spaces, transit stops and commercial districts located as focal points within convenient walking distances of neighborhoods. | The intent of this policy is to encourage use of a variety of transportation modes through strategic design. | **Potentially Consistent.** The DRSP contains a variety of commercial land uses with varying density ranges, including Village Commercial (DR-VC) and Flex Commercial (DR-FC). More specifically, anticipated individual commercial land uses include a village center, flex commercial, a neighborhood barn, a hotel, a daycare center, and an educational/training campus. These uses would be located within proximity to proposed residential uses on-site |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | and would be accessible via the proposed system of connected trails, sidewalks, and crosswalks. Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. |
| **Principle 4, Policy 2.** Plan for maximum connectivity between different land uses through walkways or other means. | The intent of this policy is to maximize walkability between land uses. | **Potentially Consistent.** The DRSP proposes a pedestrian trail network to provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas of the site without the need to use an automobile. Approximately 3.8 miles of pedestrian trails would be accessible to residents and the community. |
| **Principle 4, Policy 3.** Create attractive street enhancements and public spaces that serve as gathering places on corridors and at connecting locations. | The intent of this policy is to provide gathering places along travel corridors. | **Potentially Consistent.** The DRSP includes guidelines for architecture, streetscapes, and landscaping that are intended to respond to the rural character of the area. In addition, the DRSP site design includes common areas to include pocket parks and open space areas, trains, recreation areas, landscaping, and drainage basins. |
| **Principle 4, Policy 5.** Create neighborhoods and non-residential areas that minimize fear and crime through environmental and urban design. | The intent of this policy is to minimize fear and crime in communities. | **Potentially Consistent.** The DRSP includes design guidelines for site and building lighting, which would help deter unauthorized entry into buildings and/or other criminal activities. |
| **Principle 6, Policy 1.** Plan for most new housing to be within urban or village areas and close to jobs while protecting residential areas from incompatible uses. | The intent of this policy is to locate housing near existing urban and village areas. | **Potentially Consistent.** The project site is generally surrounded by existing suburban and rural residential development. The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. |
| **Principle 7:** Encourage mixed land uses. | The intent of this policy is to encourage mixed land uses. | **Potentially Consistent.** The DRSP is a primarily residential project; however, it also identifies a mix of land uses within the Specific Plan Area to serve the new neighborhoods and surrounding community. The DRSP would allow for the future phased development of residential uses, village and flex commercial uses (including a hotel, educational/training facilities, and retail/light industrial uses), open space, trails, and a public neighborhood park within the Specific Plan Area. |
| **Policy 1.** Integrate residential units designed for affordability with non-residential uses in order to bring workplaces, commercial development and homes closer together for workers, senior citizens and others. | The intent of this policy is to encourage affordable residential development mixed use projects. | **Potentially Consistent.** The DRSP would allow for the construction of a minimum of 75 affordable residential units on-site and has a goal of providing substantial additional workforce-priced housing. These units would be located adjacent to village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy 2.** Integrate complementary uses within commercial sites, in order to build effective mixed-use neighborhoods. | The intent of this policy is to encourage development of mixed-use neighborhoods. | **Potentially Consistent.** The DRSP would allow for the future phased development of residential uses, village and flex commercial uses (including a hotel, educational/training facilities, and retail/light industrial uses), open space, trails, and a public neighborhood park within the Specific Plan Area. |
| **South County Inland Area Plan** | | |
| *Economic Expansion Goals* | | |
| 1. Encourage economic development of the sub-area that will generate local employment for residents, create an adequate supply of goods and services locally, and help generate sufficient revenue for necessary public services and facilities. | The intent of this policy is to generate jobs and revenue through provision of local retail and service centers. | **Potentially Consistent.** The DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. |
| 2. Provide sufficient areas for a variety of commercial, tourist-serving and light industrial developments to generate local business activity, and increase sales, transient occupancy and property tax revenues. | The intent of this policy is to generate local business activity. | **Potentially Consistent.** The DRSP is a primarily residential project; however, it also identifies a mix of land uses within the Specific Plan Area to serve the new neighborhoods and surrounding community. The DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. |
| 4. Develop an economic strategic plan for South County to enable it to play a stronger role in the economic future of the county while providing the resources necessary to sustain the needs of its citizens. | The intent of this policy is to encourage economic growth in the South County planning area. | **Potentially Consistent.** The DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. These uses would serve on-site residents, community members of Nipomo, and surrounding areas. |
| 5. Encourage and support commercial, recreational and industrial uses that will help facilitate economic independence for the possible future incorporation of Nipomo. | The intent of this policy is to facilitate economic independence for Nipomo. | **Potentially Consistent.** The DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. These uses would contribute to the economic vitality of Nipomo. |
| 6. Promote the development of commercial and industrial uses (light industrial and research/development) to provide for the functional needs of the community and an employment base for the South County (South) sub-area. | The intent of this policy is to promote development of commercial and industrial uses in the South County South subarea. | **Potentially Consistent.** The DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. These uses would contribute jobs and services for the community of Nipomo and surrounding areas. |
| 8. Analyze economic as well as environmental impacts in making future planning decisions. | The intent of this policy is to balance economic and environmental impacts in planning decisions. | **Potentially Consistent.** The DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. These uses would contribute to the economic vitality of Nipomo. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| *Public Facilities, Services, and Resources* | | |
| 4. Encourage the formation or addition of local community services to generate revenue that can be used to implement community programs. | The intent of this policy is to generate revenue from the formation or addition of community services. | **Potentially Consistent.** The DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. |
| *Water Systems* | | |
| 13. Water Service Plan Coordination, South County (South). The Planning Department should provide Land Use Element plan information to private water companies to coordinate future service expansions with County policies. | The intent of this policy is to coordinate future water service expansions. | **Potentially Consistent.** The DRSP would be served by the NCSD for water service and includes numerous off-site improvements to NCSD infrastructure to ensure adequate capacity of infrastructure to serve the project. The NCSD has been consulted and coordinated with during the planning process and has identified necessary off-site improvements needed to serve the project. |
| *Canada Ranch Objectives* | | |
| 1. Service commercial and light industrial uses designed as business or office parks that have site planning, architecture, and landscaping. | The intent of this policy is to support development of service commercial and light industrial uses within the Canada Ranch Specific Plan Area. | **Potentially Consistent.** The requested General Plan Amendment and Specific Plan would amend the priority of uses identified for Canada Ranch to provide a primarily residential project. However, the DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. |
| *Land Use Programs* | | |
| 4. Economic Development, South County (South). The Department of Planning and Building should help the community initiate a program for economic development within the sub-area, so that a variety of special district or redevelopment agency benefits and loan programs for physical improvements, image development and marketing can be created within an overall program.<br>a. With community participation, conduct a market study and fiscal impact analysis to determine the expected trends in business development and potential strategies for enhancing them in carefully selected markets, such as tourism, community retail or light industrial uses.<br>b. Establish a strategic plan for economic development that includes all income and ethnic segments of Nipomo and the south county, and undertake appropriate measures to implement the strategy.<br>**c.** Work with the South County Historical Society, Nipomo Chamber of Commerce and other community | The intent of this policy is to foster economic development. | **Potentially Consistent.** The DRSP would allow for the future phased development of village and flex commercial uses including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. These uses would contribute to the economic vitality of Nipomo.<br>The DRSP also proposes 49.8 acres of land within the Open Space (OS) land use designation, including undeveloped open space, pedestrian and equestrian trails, and a 10-acre public park that would attract tourists. |

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| organizations for additional promotion of Nipomo and the south county. | | |
| 10. Specific Plan Areas, South County (South). The County should work with property owners to schedule the preparation of specific plans for four areas to increase the amount of employment areas adjacent to or near Nipomo:<br>a. Canada Ranch, for industrial, commercial service, commercial retail and incidental residential uses;<br>b. Southland Street, for industrial and commercial retail uses;<br>c. West Nipomo Rural Village, for a mix of residential and neighborhood-serving and recreational uses;<br>d. Hanson Industries property, for a mix of recreational, industrial, office and residential uses.<br>The specific plans should identify the appropriate scale and intensity of these general uses in more detail, consistent with topics required by Government Code Sections 65450 through 65457 as well as economic issues concerning the most suitable uses. | The intent of this policy is to plan community growth through development of specific plans. | **Potentially Consistent.** The DRSP is a Specific Plan that has been designed within much of the same area that was included in the Canada Ranch Specific Plan Area. While the primary land use within the Specific Plan Area would be residential uses, the DRSP would also allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. These uses would provide additional employment opportunities adjacent to the existing Nipomo URL boundary. |
| *Other Means of Transportation* | | |
| 2. Open space or agricultural separators (greenbelts) are important between communities to prevent sprawl or strip commercial development that can interfere with development of urban village centers. The most effective land use categories to retain low-density development are Agriculture, Rural Lands, Residential Rural and Open Space. | The intent of this policy is to maintain open space buffers between existing urban and rural communities. | **Potentially Consistent.** The DRSP is located within a fringe area planned for future growth and development based on the Canada Ranch Specific Plan Area designation, its shared boundaries with the Nipomo URL and NCSD service area, and its location within the NCSD SOI. |
| **Nipomo Community Plan** | | |
| *Water Systems* | | |
| 10. **Water Service Plan Coordination.** The Planning Department should provide Land Use Element plan information to private water companies to coordinate future service expansions with county policies. | The intent of this policy is to coordinate future water service expansions. | **Potentially Consistent.** The DRSP would be served by the NCSD for water service and includes numerous off-site improvements to NCSD infrastructure to ensure adequate capacity of infrastructure to serve the project. The NCSD has been consulted and coordinated with during the planning process and identified necessary improvements. |
| *Land Use Programs* | | |
| 1. **Commercial/Residential Balance.** The County should monitor the annual amount of proposed commercial, industrial, and office development for its cumulative resource usage and to determine if the housing supply and annual residential development will be adequate for the demand generated by non-residential development. If resource usage or housing supply would be adversely affected | The intent of this policy is to maintain a balance of housing supply and proposed commercial, industrial, and office uses. | **Potentially Consistent.** While the primary land use within the Specific Plan Area would be residential uses, the DRSP would also allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. |

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| by such development, a system to restore proper balance should be proposed in future area plan updates. | | |
| 2. **Improvement Districts.** The County should work with property owners to establish a parking and business improvement district to finance curbs, gutters, sidewalks, street trees, landscaping, public open spaces, and street lights throughout the Central Business District. | The intent of this policy is to facilitate needed public improvements. | **Potentially Consistent.** The project would provide funding to facilitate numerous off-site roadway improvements as well as improvements to NCSD water and wastewater infrastructure that would be used to serve the project and its future tenants. |
| ***SLOCOG 2019 Regional Transportation Plan*** | | |
| **Policy Objective 2.2.** Improve opportunities for businesses and citizens to easily access goods, jobs, services, and housing. | The intent of this policy is to improve accessibility and connectivity between transportation modes. | **Potentially Consistent.** The DRSP would allow for the future development of roadways that connect the Specific Plan Area to off-site roads within the vicinity to act as a continuation of County-maintained roadways. Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. The DRSP also includes a system of connected trails that would provide accessibility for pedestrians and cyclists throughout the project site. |
| **Policy Objective 2.5.** Support cooperative planning activities that lead to an integrated multimodal transportation system. | The intent of this policy is to develop an integrated multimodal transportation system. | **Potentially Consistent.** The DRSP would allow for the future development of roadways that connect the Specific Plan Area to off-site roads within the vicinity to act as a continuation of County-maintained roadways. Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. The DRSP also includes a system of connected trails that would provide accessibility for pedestrians and cyclists throughout the project site. |
| **Goal 3.** Support a vibrant economy. | The intent of this policy is to support a vibrant economy. | **Potentially Consistent.** The DRSP would result in the generation of 273 new full-time equivalent jobs and short-term construction employment opportunities.<br>The DRSP would allow for the future phased development of village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses within the Specific Plan Area. These uses would contribute to the economic vitality of Nipomo.<br>The DRSP also proposes 49.8 acres of land within the Open Space land use designation, including undeveloped open space, pedestrian and equestrian trails, and a 10-acre public park that would attract tourists to the area. |
| **Policy Objective 3.1.** Support transportation investments and choices to enhance economic activity, travel, and tourism. | The intent of this policy is to support transportation system improvements. | **Potentially Consistent.** The project would provide funding to facilitate numerous off-site roadway improvements, as described in Chapter 2, *Project Description*. In addition, on-site circulation components would include a pedestrian and equestrian trail system, new |

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| | | public transit stops, and a new Park and Ride lot. |
| **Goal 5.** Foster livable, healthy communities and promote social equity. | The intent of this policy is to foster good quality of life. | **Potentially Consistent.** The DRSP proposes 49.8 acres of land within the Open Space (OS) land use designation, including undeveloped open space, neighborhood pocket parks, a 10-acre public park, and pedestrian and equestrian trails. Parks and trails would offer numerous opportunities for both passive and active recreational activities on-site. The DRSP also includes design guidelines intended to reflect the rural visual character of the site, which would contribute to the visual quality of the site.<br>In addition, future development of commercial uses on-site would provide proximate employment opportunities and goods and services to residents of surrounding neighborhoods. |
| **Policy Objective 5.1.** Reflect community values while integrating land use and transportation planning to connect communities through a variety of transportation choices that promote healthy lifestyles. | The intent of this policy is to integrate land use and transportation in a manner that promotes alternative transportation modes. | **Potentially Consistent.** The DRSP proposes a pedestrian trail network to provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas of the site without the need to use an automobile. Approximately 3.8 miles of pedestrian trails would be accessible to residents and the community. The DRSP also includes internal roadway design guidelines that include the provision of bicycle lanes and public spaces with bicycle racks. |
| **Policy Objective 5.2.** Integrate public health and social equity in transportation planning and decision-making. | The intent of this policy is to integrate public health and social equity in transportation infrastructure designs. | **Potentially Consistent.** The DRSP proposes a pedestrian trail network to provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas of the site without the need to use an automobile. Approximately 3.8 miles of pedestrian trails would be accessible to residents and the community. The DRSP also includes internal roadway design guidelines that include the provision of bicycle lanes and public spaces with bicycle racks.<br>The DRSP would allow for the construction of a minimum of 75 affordable residential units on-site. These units would be located greater than 500 feet from US 101 to minimize potential health impacts associated with vehicle DPM emissions. |
| **Policy Objective 5.3.** Support efforts to increase the supply and variety of housing, jobs, and basic services in locations that reduce trips, travel distances, and congestion on US 101. | The intent of this policy is to support mixed-use development that reduces vehicle congestion. | **Potentially Consistent.** The DRSP would establish land use districts for future development of residential land uses, commercial land uses, educational uses, and recreation and open spaces uses. Future development of commercial uses on-site would provide proximate employment opportunities and goods and services to residents of surrounding on- and off-site neighborhoods. |

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| **Policy Objective 5.4.** Make investments and develop programs that support local land use decisions that implement the SCS and other strategies to reduce GHG emissions and make our communities more healthy, livable, sustainable, and mobile. | The intent of this policy is to reduce GHG emissions through strategic land use development. | **Potentially Consistent.** The DRSP would establish land use districts for future development of residential land uses, commercial land uses, educational uses, and recreation and open spaces uses. Future development of commercial uses on-site would provide proximate employment opportunities and goods and services to residents of surrounding on- and off-site neighborhoods. The DRSP also includes a network of pedestrian trails, bicycle infrastructure, and transit stops that would encourage use of alternative transportation modes to access the site and associated land uses, which would minimize GHG emissions associated with vehicle trips. |
| **Goal 6.** Practice environmental stewardship | The intent of this policy is to practice environmental stewardship. | **Potentially Consistent.** The project's list of objectives includes an objective to maintain the large, centrally located oak forest/ woodland area as a site feature and to minimize impacts to special-status plants and animals on-site. The DRSP proposes 49.8 acres of land within the Open Space (OS) land use designation, including undeveloped open space, trails, and stormwater basins, which would comprise approximately 17.3% of the Specific Plan Area. Additional environmental resources, such as sensitive archaeological areas and noise, have been avoided or minimized through project design.<br>The DRSP also includes a network of pedestrian trails, bicycle infrastructure, and transit stops that would encourage use of alternative transportation modes to access the site and associated land uses, which would minimize air pollutant and GHG emissions associated with vehicle trips. |
| **Policy Objective 6.1.** Integrate environmental considerations in all stages of planning and implementation. | The intent of this policy is to integrate environmental considerations in planning decisions. | **Potentially Consistent.** The project's list of objectives includes an objective to maintain the large, centrally located oak forest/ woodland area as a site feature and to minimize impacts to special-status plants and animals on-site. The DRSP proposes 49.8 acres of land within the Open Space land use designation, including undeveloped open space, trails, and stormwater basins, which would comprise approximately 17.3% of the Specific Plan Area. Additional environmental resources, such as sensitive archaeological areas and noise, have been avoided or minimized through project design.<br>The DRSP also includes a network of pedestrian trails, bicycle infrastructure, and transit stops that would encourage use of alternative transportation modes to access the site and associated land uses, which would minimize air pollutant and GHG emissions associated with vehicle trips. |

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| **Goal 7.** Practice financial stewardship | The intent of this policy is to practice financial stewardship. | **Potentially Consistent.** The project would provide funding for numerous off-site roadway improvements as well as various off-site improvements to NCSD water and wastewater infrastructure that would serve the project site and its future tenants. |
| **Policy Objective 7.2.** Assure early and continual involvement of all parties affected by major transportation improvement projects and programs. | The intent of this policy is to encourage collaboration in major transportation improvement projects. | **Potentially Consistent.** The project would provide funding for numerous off-site roadway improvements. These improvements have been identified and designed in coordination with the County Public Works Department, Caltrans, and other responsible agencies. |
| **Policy Objective 7.3.** Seek sustainable, flexible, and competitive funding to maintain and improve the transportation system. | The intent of this policy is to secure funding for transportation improvement projects. | **Potentially Consistent.** The project would provide funding for numerous off-site roadway improvements that would facilitate vehicle traffic generated by the buildout of uses within the Specific Plan Area and maintain applicable standards for safety and vehicle queuing. |
| **Sustainable Communities Strategy** | | |
| *Community Planning and Development Standards* | | |
| 2. Support the update and modification of zoning and development standards in downtowns and villages to consider or support (Near):<br>• Mixed-use, infill, and residential development,<br>• Reduced vehicle parking requirements,<br>• Increased bicycle parking requirements,<br>• Intensification of land use, and<br>• Modification of setbacks, building height, and size limitations. | The intent of this policy is to support high-density, mixed-use, and/or transit-oriented development. | **Potentially Consistent.** The Specific Plan Area is generally surrounded by existing residential land uses and US 101 and would be infill development. The DRSP would establish land use districts for future development of residential land uses, commercial land uses, educational uses, and recreation and open spaces uses. |
| *Housing Options and Affordability* | | |
| 3. Support residential development near existing employment centers. (Ongoing) | The intent of this policy is to encourage residential development near employment opportunities. | **Potentially Consistent.** The DRSP would establish land use districts for future development of residential land uses, commercial land uses, educational uses, and recreation and open spaces uses. Future development of commercial uses on-site would provide proximate employment opportunities and goods and services to residents of surrounding on- and off-site neighborhoods. |
| 6. Support expanded housing options for people of all ages and incomes to increase mobility and lower the combined cost of housing and transportation. (Near) | The intent of this policy is to provide a variety of housing opportunities. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the County's Housing Element, the County's Inclusionary Housing Ordinance, |

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| | | and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site. |
| *Infill Development and Location Efficiency* | | |
| 8. Support mixed-use and infill development near existing transit services and activity centers. (Ongoing) | The intent of this policy is to support mixed-use, infill, and transit-oriented development. | **Potentially Consistent.** Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. Collectors A and C have been designed to accommodate a future transit stop within the Village Commercial area just west of the roundabout and at the Park and Ride location along Collector A just south of Willow Road. San Luis Obispo County Regional Transit Authority (RTA) is expected to provide service to and stops within these designated transit hub locations. |
| 10. Support local jurisdictions' zoning changes that establish minimum residential density on appropriate sites along existing commercial and transit corridors. (Ongoing) | The intent of this policy is to encourage higher-density residential uses along commercial and transit corridors. | **Potentially Consistent.** The DRSP would establish land use districts for future development of residential land uses, including multi-family residential neighborhoods, commercial land uses, educational uses, and recreation and open spaces uses. Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. |
| *Healthy, Livable Communities* | | |
| 13. Coordinate with local jurisdictions to ensure best practices of incorporating healthy community design in land use, circulation, and health elements of agency general plans. (Ongoing) | The intent of this policy is to encourage healthy community design in land use and circulation planning. | **Potentially Consistent.** The DRSP proposes a pedestrian trail network to provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas of the site without the need to use an automobile. Approximately 3.8 miles of pedestrian trails would be accessible to residents and the community. The DRSP also includes internal roadway design guidelines that include the provision of bicycle lanes and public spaces with bicycle racks. |
| 15. As part of agency review and comment on specific plans and significant development projects, encourage healthy and livable community design concepts, and incorporation of multimodal transportation options. (Ongoing) | The intent of this policy is to encourage healthy community design in land use and circulation planning. | **Potentially Consistent.** The DRSP proposes a pedestrian trail network to provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas of the site without the need to use an automobile. Approximately 3.8 miles of pedestrian trails would be accessible to residents and the community. The DRSP also includes internal roadway design guidelines that include the provision of bicycle lanes and public spaces with bicycle racks. |
| *Social Equity* | | |
| 16. Engage with community members representing the region's disadvantaged communities to better understand long-term housing and transportation concerns and needs. (Near) | The intent of this policy is to provide housing and transportation services to better serve disadvantaged communities. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals |

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| | | and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site, which would be affordable by design.<br>Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents and employees. Use of transit, in addition to the bicycle infrastructure provided on-site, would provide affordable means of transportation for residents and employees. |
| 17. Support social equity and environmental justice considerations in the implementation of projects and programs. (Near) | The intent of this policy is to support social equity and environmental justice considerations in project and program implementation. | **Potentially Consistent.** The DRSP would allow for the construction of a minimum of 75 affordable residential units on-site. These units would be located greater than 500 feet from US 101 to minimize potential health impacts associated with vehicle DPM emissions. |
| *Land Use Transportation Connection* | | |
| 18. Support local jurisdictions' efforts to direct new and future development to existing downtowns, villages, and commercial corridors. (Ongoing) | The intent of this policy is to focus new development in existing urban and suburban areas. | **Potentially Consistent.** The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI, which identifies the probable future physical boundary and service area of a local agency or municipality. |
| 19. Support local jurisdictions' efforts to improve connectivity between adjacent land uses. (Ongoing) | The intent of this policy is to improve connectivity between adjacent land uses. | **Potentially Consistent.** The DRSP proposes a pedestrian trail network to provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas of the site without the need to use an automobile. |
| *Parking & Parking Demand Management* | | |
| 23. Support ordinances that reduce required parking and parking reduction strategies that reduce the quantity of off-street parking in downtown and village areas over time. (Near) | The intent of this policy is to reduce the number of off-street parking in downtown and village areas. | **Potentially Consistent.** The DRSP includes parking requirements, including a standard for when any two or more nonresidential uses are located on a single property, the number of parking spaces may be reduced at a rate of 5% for each nonresidential use, up to a maximum of 20%. |
| 24. Support local jurisdictions' policies that encourage a "park-once" philosophy in downtown and village areas. (Near) | The intent of this policy is to improve connectivity in downtown and village areas. | **Potentially Consistent.** The DRSP proposes a pedestrian trail network to provide recreational opportunities and connect the individual neighborhoods to the commercial and job areas of the site without the need to use an automobile. |
| 25. Investigate best practices for the implementation of successful in-lieu parking fee programs to provide a financing mechanism for structured parking in downtown areas in concert with policies that reduce the long-term supply of off-street parking in downtown areas. (Near) | The intent of this policy is to reduce off-street parking in downtown areas. | **Potentially Consistent.** The DRSP includes parking requirements, including a standard for when any two or more nonresidential uses are located on a single property, the number of parking spaces may be reduced at a rate of 5% for each nonresidential use, up to a maximum of 20%. |

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| 27. Support roadway corridor plans in downtown and village areas that investigate how to best use existing roadway width relative to traffic demands to assess options of reducing travel lanes and providing additional on-street parking and enhanced pedestrian and bicycle facilities, additional public space, and aesthetic streetscape improvements. (Ongoing) | The intent of this policy is to use roadway widths strategically in downtown and village areas. | **Potentially Consistent.** The DRSP includes roadway design standards for internal circulation components that would include vehicle lanes, bicycle lanes, emergency access, landscaped buffers, and pedestrian walkways. |
| *Economic Vitality & Jobs-Housing Balance* | | |
| 31. Support the expansion of the region's supply of housing for renters, first-time home-buyers, and the broader workforce to maintain the vitality of regional economy, by supporting employee recruitment and retention, and new business formation. (Near) | The intent of this policy is to maintain the vitality of the regional economy through housing opportunities and employee benefits. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site, which would be affordable by design.<br>The DRSP would establish land use districts for future development of residential land uses, including multi-family residential neighborhoods, commercial land uses, educational uses, and recreation and open spaces uses. Future commercial retail uses would provide attractive employment opportunities to a diverse workforce due to its proximity to proposed transit stops, bicycle and pedestrian infrastructure, and location next to public park and recreation facilities. |
| *Context Sensitivity* | | |
| 37. Support context sensitive solutions in all aspects of project development to ensure community concerns are integrated in project design and construction. (Ongoing) | The intent of this policy is to integrate community input into project design and construction. | **Potentially Consistent.** The project would include numerous off-site roadway and intersection improvements that would mitigate traffic impacts of future development of land uses on-site on surrounding land uses. |
| *Funding Mechanisms* | | |
| 42. Support modifications in existing mechanisms for financing transportation improvements that will support long-term sustainable land use and transportation development. (Ongoing) | The intent of this policy is to support transportation improvements that support long-tern sustainable land use and transportation development. | **Potentially Consistent.** The project would provide funding for numerous off-site roadway improvements that would facilitate vehicle traffic generated by the buildout of uses within the Specific Plan Area and maintain applicable standards for safety and vehicle queuing. |
| ***County of San Luis Obispo Inland Land Use Ordinance (Title 22)*** | | |
| **22.98.072(H)(d) Varied lot pattern and geometry:** Design parcels to have varied front dimensions and a different overall geometry, responding to natural topography and the location of natural features such as vegetation, to provide interest and avoid rectilinear grid lot patterns. | The intent of this policy is to design parcels to accommodate unique site features. | **Potentially Consistent.** The project's list of objectives includes an objective to maintain the large, centrally located oak woodland area as a site feature and to minimize impacts to special-status plants and animals on-site. The DRSP site design has also been designed to |

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| | | accommodate natural terrain and topography features, such as drainages. |
| ***SLOLAFCO Policies and Procedures*** | | |
| **General Policies** | | |
| 3. Cities and Special Districts are discouraged from annexations outside of their Sphere of Influence unless the need for services is clearly demonstrated (CKH 56375.5). | The intent of this policy is to discourage annexation of property outside of the SOI. | **Potentially Consistent.** The project would require annexation into the NCSD service area to facilitate NCSD's provision of water and wastewater services within the Specific Plan Area. The Specific Plan Area is located within the NCSD SOI. |
| 4. Jurisdictions are encouraged to create places to live that integrate various land uses as a way of providing for a diverse social and economic community. | The intent of this policy is to encourage mixed use communities. | **Potentially Consistent.** The DRSP would establish land use districts for future development of residential land uses, commercial land uses, educational uses, and recreation and open spaces uses. |
| 5. Cities and special districts are encouraged to annex unincorporated islands as well as land that is mostly surrounded by a jurisdiction. (CKH 56001, & 56375.3). | The intent of this policy is to encourage annexations that share boundaries with a jurisdiction. | **Potentially Consistent.** The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI. |
| 6. The Commission encourages development of vacant land within a municipality over development in fringe areas and discourages strip or noncontiguous annexations to Cities (CKH 56301). | The intent of this policy is to encourage infill development and annexations adjacent to jurisdictions. | **Potentially Consistent.** The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The DRSP Area is also within the NCSD SOI. |
| 7. The Commission prefers urban development within Cities and the Urban Reserve Line of unincorporated communities as opposed to development in the unincorporated area (CKH 56001). | The intent of this policy is to encourage development within planned areas of growth. | **Potentially Consistent.** The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI. While this policy states that development outside of an existing URL is not preferred, the DRSP's location adjacent to areas within the Nipomo URL and its location within the NCSD SOI make it consistent with the intent of this policy to encourage development within planned areas of growth. |
| 9. The Commission favors annexation to an existing agency over creation of a new agency. When the formation of a new government entity is proposed, the Commission shall make a determination as to whether existing agencies can feasibly provide the service in a more efficient manner (CKH 56301). | The intent of this policy is to encourage annexations into existing agencies. | **Potentially Consistent.** The project would require annexation into the NCSD service area to facilitate NCSD's provision of water and wastewater services within the Specific Plan Area. The Specific Plan Area is located within the NCSD SOI. |
| 10. The Commission discourages special districts from extending services by agreement without annexation. A municipality or district may provide new or extended services by contract or agreement outside its boundaries only if it requests and receives written approval from LAFCO (CKH 56133). | The intent of this policy is to encourage annexations into agencies for areas within their service area. | **Potentially Consistent.** The project would require annexation into the NCSD service area to facilitate NCSD's provision of water and wastewater services within the Specific Plan Area. The Specific Plan Area is located within the NCSD SOI. |
| 14. In any proposal, the impacts on affordable housing must be considered. The Commission will consider the impact of the creation of new jobs on affordable housing stock, not only in the jurisdiction to which the | The intent of this policy is to consider the effects of a project on affordable housing. | **Potentially Consistent.** The DRSP would allow for the construction of a minimum of 75 affordable residential units on-site. |

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| annexation is proposed, but also in neighboring jurisdictions. The agency to which the annexation is proposed should demonstrate to the Commission that the effects of the proposed project on affordable housing have been mitigated (CKH 56001). | | |
| 18. The Commission shall give "great weight" to a proposal that is supported by a community's long-range vision for its growth and development. This may include a Memorandum of Agreement that has been approved by the County and another jurisdiction regarding a Sphere of Influence or other proposal. | The intent of this policy is to consider a community's long-range vision in annexation determinations. | **Potentially Consistent.** The DRSP is located within the same property as the Canada Ranch Specific Plan Area, which is described in the County Land Use Element as an area for future growth of commercial and residential uses. |
| **Policies for Annexation to Special Districts** | | |
| 1. A demonstrated need exists for the required services and there is no reasonable alternative manner of providing these services. | The intent of this policy is to ensure the necessity of the annexation. | **Potentially Consistent.** The project would require annexation into the NCSD service area to facilitate the NCSD's provision of water and wastewater services within the Specific Plan Area. No other water or wastewater service providers could serve the project site. The DRSP is within the NCSD SOI. |
| 2. The proposed annexation represents a logical and reasonable expansion of the district. | The intent of this policy is to ensure proposed annexation is logical and reasonable for the district. | **Potentially Consistent.** The DRSP is within the NCSD SOI. The project would require annexation into the NCSD service area to facilitate the NCSD's provision of water and wastewater services within the Specific Plan Area. No other water or wastewater service providers could serve the project site. |
| 3. The proposed annexation reflects the plans of the adjacent governmental agencies. | The intent of this policy is to ensure proposed annexation is coordinated with adjacent governmental agencies. | **Potentially Consistent.** Numerous responsible agencies have been consulted and conferred with on the project, including, but not limited to, Caltrans, SLOCOG, and CAL FIRE. |
| 4. The proposed annexation does not represent an attempt to annex only revenue producing property. | The intent of this policy is to ensure annexation is not financially discriminatory. | **Potentially Consistent.** The project would require annexation of the entire Specific Plan Area into the NCSD service area to facilitate the NCSD's provision of water and wastewater services within the Specific Plan Area. No other water or wastewater service providers could serve the project site. The DRSP is within the NCSD SOI. |
| 5. The proposed boundaries must be definite and certain and conform to lines of assessment whenever possible. | The intent of this policy is to ensure the finality of the annexation. | **Potentially Consistent**. The boundaries of the proposed annexation area are definite. |
| 6. The district has the capability of meeting the need for services and has submitted studies and information documenting its capabilities. | The intent of this policy is to ensure the district has capacity to serve the proposed annexed area. | **Potentially Consistent.** Buildout of the Specific Plan Area would require a number of off-site water and wastewater system improvements to the existing NCSD service systems. These improvements would be funded by the project developer. |

## 4.11.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on land use and planning if the effects exceed the significance criteria described below:

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.

Each of these thresholds is discussed under Section 4.11.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.11.4 Impact Assessment and Methodology

Sources utilized in the assessment of land use and planning impacts include the General Plan, LUO, Bikeways Plan, SLOCOG 2019 RTP, San Luis Obispo County MJHMP, SLOLAFCO policies and procedures, and NCSD 2018 Strategic Plan, as well as available geographic data provided by the County.

The project's potential consistency with relevant plans and policies is evaluated in Section 4.11.2.4, *Consistency with Plans and Policies*. Only project elements that have the potential to conflict with an applicable goal, policy, or program are evaluated further in this section. Based on State CEQA Guidelines, inconsistency with an adopted policy does not constitute an impact unless it may cause either a direct or indirect physical change in the environment, or a reasonably foreseeable physical change in the environment (Section 21065). Therefore, the analysis provided in this section focuses on the goals, plans, policies, and programs that the project may potentially be inconsistent with and the potential physical impacts on the environment that may result from those potential inconsistencies.

## 4.11.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?

### Specific Plan Area

#### *LUP Impact 1: The project would not physically divide an established community. Impacts would be less than significant (Class III).*

As described in the project IS/NOP, the project would not result in the removal or blockage of any existing public roadways or other travel patterns and would not otherwise include any features that would physically divide an established community. The Specific Plan Area is located on the northern fringe of the community of Nipomo and would provide improved regional access through the site to Willow Road. Therefore, the project would not physically divide an established community and potential impacts would be *less than significant*.

| **LUP Impact 1 (Class III)** |
|---|
| The project would not physically divide an established community. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |

| LUP Impact 1 (Class III) |
|---|
| ***Residual Impacts*** |
| *Potential impacts associated with physically dividing an established community would be less than significant (Class III).* |

## Off-Site Improvements

### *LUP Impact 2: Off-site improvements would not physically divide an established community. Impacts would be less than significant (Class III).*

Buildout of the Specific Plan Area would require a number of off-site transportation, water, and wastewater system improvements to existing surrounding roadways and the existing NCSD service systems. While these improvements have not been designed and their precise locations are not currently known, all off-site water and wastewater system improvements are expected to occur within existing paved roadways, existing public ROW areas, and/or existing NCSD facilities. Implementation of these improvements may require future temporary road or lane closures, but no permanent road closures or other major modifications to existing circulation patterns would result from the proposed off-site transportation, water, and wastewater system improvements. Therefore, proposed off-site improvements would not physically divide an established community and potential impacts would be *less than significant*.

| LUP Impact 2 (Class III) |
|---|
| Off-site improvements would not physically divide an established community. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Potential impacts associated with physically dividing an established community would be considered less than significant (Class III).* |

## WOULD THE PROJECT 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?

Based on the evaluation of the project's potential consistency with relevant plans and policies in Chapter 4, *Environmental Impacts Analysis*, of this EIR, the project would have the potential to result in inconsistencies with applicable policies pertaining to air quality, biological resources, GHG emissions, transportation, land use and planning, public services, and recreation. Potential environmental impacts that could result from inconsistency with these policies are identified in Table 4.11-4 and evaluated below.

**Table 4.11-4. Policies for which the Project would be Potentially Inconsistent With**

| Policies | Project Consistency |
|---|---|
| ***SLOAPCD Clean Air Plan*** | |
| **Land Use Planning Strategies** | |
| **L-3 Balancing Jobs and Housing.**<br>Within cities and unincorporated communities, the gap between the availability of jobs and housing should be narrowed and should not be allowed to expand. | **Potentially Inconsistent**. The proposed project is located within the NCSD SOI. Nipomo is an unincorporated area with a jobs/housing imbalance characterized by a shortage of jobs compared to the number of housing units. The project would result in the creation of 1,441 dwelling units (including potential ADUs) and approximately 273 new jobs, which would increase the gap between jobs and housing. Deterioration in a jobs-to-housing imbalance would be anticipated to hinder local and regional improvements related to increased transportation mobility and potential increase in VMT. Although the DRSP would include commercial uses and infrastructure to promote the use of public transit and walking and bicycling (e.g., Park and Ride lot, transit service expansion, connections to bicycle lane network), it would remain potentially inconsistent with this measure. |
| ***County of San Luis Obispo General Plan*** | |
| **Conservation and Open Space Element** | |
| **GOAL 2.** The natural and historic character and identity of rural areas will be protected. | **Potentially Inconsistent.** The project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration. |
| **Policy VR 2.1** Develop in a manner compatible with Historical and Visual Resources. Through the review of proposed development, encourage designs that are compatible with the natural landscape and with recognized historical character, and discourage designs that are clearly out of place within rural areas. | **Potentially Inconsistent.** The project would be inconsistent with the existing rural visual character of the site and surrounding natural landscape through the introduction of commercial, institutional, and residential development, the removal of over 4,000 mature oak trees, and substantial landform alteration. |
| **Policy VR 2.2** Site development and landscaping sensitivity. Through the review of proposed development, encourage designs that emphasize native vegetation and conform grading to existing natural forms. Encourage abundant native and/or drought-tolerant landscaping that screens buildings and parking lots and blends development with the natural landscape. Consider fire safety in the selection and placement of plant material, consistent with Biological Resources Policy BR 2.7 regarding fire suppression and sensitive plants and habitats. | **Potentially Inconsistent.** Although the project site would preserve the existing oak ridge, it would severely alter the existing native vegetation and natural landforms of the remainder of the site with the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees, and substantial landform alteration. |
| **Policy AQ 1.2** Reduce vehicle miles traveled. Require projects subject to discretionary review to minimize additional vehicle travel. | **Potentially Inconsistent.** Buildout of the DRSP would result in an increase in overall regional VMT and would generate VMT per employee above local significance thresholds even with implementation of Mitigation Measure TR/mm-3.1. |
| **Goal BR 1.** Native habitat and biodiversity will be protected, restored, and enhanced. | **Potentially Inconsistent.** The project would result in significant impacts to special-status plant species and sensitive natural communities that would constitute a net loss of species and habitat diversity in the county. The 1:1 mitigation ratio in Mitigation Measure BIO/mm-4.1 for California spineflower, sand buck brush, and sand almond would constitute a net loss for these species. Of the 3,943 oak trees to be removed, the mitigation only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the county. |

| Policies | Project Consistency |
|---|---|
| **Policy BR 1.2 Limit development impacts.** Regulate and minimize proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, coastal and riparian habitats, and wildlife habitat and movement corridors as necessary to ensure the continued health and survival of these species and protection of sensitive areas. | **Potentially Inconsistent.** The proposed development would require mitigation for impacts to special-status species through the preservation and restoration of off-site occupied habitat areas (Mitigation Measures BIO/mm-2.1 through BIO/mm-2.4, BIO/mm-4.1, and BIO/mm-16.1). However, suitable off-site habitat areas may not exist; therefore, the impact could potentially prevent the continued health and survival of species such as the Nipomo Mesa ceanothus or mesa horkelia. In addition, the 1:1 mitigation ratio in Mitigation Measure BIO/mm-4.1 would constitute a net loss for the species. The proposed development will not disrupt known major wildlife movement corridors. Mitigation Measure BIO/mm-16.1 would prevent impacts to wetlands and other aquatic habitat from the installation of off-site water improvements. There are no other wetland or riparian habitats on the main project site. |
| **Policy BR 1.4 No Net Loss.** Require that development projects are approved with conditions and mitigation measures to ensure the protection of sensitive resources and to achieve "no net loss" of sensitive habitat acreage, values, and function. Give highest priority to avoidance of sensitive habitat. When avoidance is not feasible, require provision of replacement habitat onsite through restoration and/or habitat creation. When onsite mitigation is not feasible, provide for offsite mitigation that reflects no net loss. | **Potentially Inconsistent.** The project would result in significant impacts to special-status plant species and sensitive natural communities that would constitute a net loss of species and habitat diversity in the county. The 1:1 mitigation ratio in Mitigation Measure BIO/mm-4.1 for California spineflower, sand buck brush, and sand almond would constitute a net loss for these species. Of the 3,943 oak trees to be removed, the mitigation only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the county. Although significant resources would be permanently protected off-site at Dana Ridge, the preservation of similar resources would not compensate for the loss of resources on-site and a net loss would still occur. |
| **Policy BR 1.9 Preserve Ecotones.** Require that proposed discretionary development protects and enhances ecotones, or natural transitions between habitat types because of their importance to vegetation and wildlife. Ecotones of particular concern include those along the margins of riparian corridors, baylands and marshlands, vernal pools, and woodlands and forests where they transition to grasslands and other habitat types. | **Potentially Inconsistent.** It is currently unknown whether it would be feasible to locate and preserve coast live oak woodland within the range of Burton Mesa chaparral, as required by Mitigation Measure BIO/mm 13, because that combination of habitats is not a common occurrence. It is within this unique transitional area were certain special-status plant species thrive. Similar ecotones will be preserved on the Dana Ridge Mitigation Site, but it does not preserve the same habitat types or support the same woodland species. |
| **Policy BR 2.6 Development Impacts to Listed Species.** Ensure that potential adverse impacts to threatened, rare, and endangered species from development are avoided or minimized through project siting and design. Ensure that proposed development avoids significant disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species. When avoidance is not feasible, require no net loss of sensitive natural plant communities and critical habitat areas.<br>**Implementation Strategy BR 2.6.1. Use of biological resource surveys.** Require applications for discretionary projects and land divisions to provide a biological resource survey performed by a qualified biologist when needed to address special-status animal and plant species and their associated habitats.<br>**Implementation Strategy BR 2.6.2. Use of habitat preservation ratio.** Where avoidance, restoration, or replacement of habitat of special status species is not feasible, require preservation and/or enhancement of similar habitat at a minimum 2:1 ratio to avoid significant cumulative loss of valuable habitats and to achieve no net loss of habitat value.<br>**Implementation Strategy BR 2.6.3. Use of easements to protect habitat.** Obtain easements or dedications to protect habitat, especially where it is connected to other large areas of unique or sensitive habitat. Natural open space areas in development projects should be contiguous to natural areas adjacent to the site wherever possible. | **Potentially Inconsistent.** The 1:1 mitigation ratio specified in Mitigation Measure BIO/mm 4.1 is inconsistent with County COSE Policy BR 2.6 and constitutes a net loss for the species. In addition, there is a lack of information about the cultural requirements to successfully propagate California spineflower at a large scale and sand almond propagation is very difficult. Because the feasibility of successfully implementing this mitigation, residual impacts would be significant and unavoidable. Therefore, the project would be potentially inconsistent with this policy. |

| Policies | Project Consistency |
|---|---|
| **Implementation Strategy BR 2.6.4. Use of habitat banking or TDC program.** As an alternative to onsite mitigation and habitat protection, consider participation in an established habitat banking or Transfer of Development Credit (TDC) program if the project meets the criteria of the program.<br>**Implementation Strategy BR 2.6.5. Habitat banking program.** Evaluate the development of a habitat-banking program to mitigate the effects of development on unique or sensitive habitat. | |
| **Goal BR 3** Maintain the acreage of native woodlands, forests, and trees at 2008 levels. | **Potentially Inconsistent.** Of the 3,943 oak trees to be removed, the mitigation only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the county. |
| **Policy BR 3.1 Native tree protection.** Protect native and biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats to the maximum extent feasible. | **Potentially Inconsistent.** The project would result in significant unavoidable impacts to oak woodlands that would constitute a significant loss in the biological value of oak woodlands in the county. |
| **Policy BR 3.2 Protection of native trees in new development.** Require proposed discretionary development and land divisions to avoid damage to native trees (e.g., Monterey Pines, oaks) through setbacks, clustering, or other appropriate measures. When avoidance is not feasible, require mitigation measures.<br>**Implementation Strategy BR 3.2.1.** Tree replacement in new development. If avoidance of damage to native specimen trees is not feasible in discretionary land use permits and land divisions, require mitigation measures such as tree replacement using native stock at specified ratios, replanting plans, reseeding disturbed open areas with native, drought, and fire resistant species. A long-term monitoring plan will also be required. | **Potentially Inconsistent.** The project would result in the removal of 3,943 native oak trees. Of the 3,943 oak trees to be removed, the mitigation only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the county. |
| **Policy BR 3.3 Oak Woodland Preservation.** Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat.<br>**Implementation Strategy BR 3.3.1.** Implement Oak Woodlands Preservation Act. Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) through the review of proposed discretionary development by maintaining the integrity and diversity of oak woodlands, chaparral communities, and other significant vegetation. | **Potentially Inconsistent.** In order to maintain the diversity of oak woodlands in the county, per County COSE Policy BR 3.3.1, mitigation for coast live oak woodlands should occur adjacent to the conservation/restoration of Burton Mesa chaparral. However, it is currently unknown whether it would be feasible to locate and preserve coast live oak woodland within the range of Burton Mesa chaparral, as required by Mitigation Measure BIO/mm-14.1, because that combination of habitats is not a common occurrence. |
| **Parks and Recreation Element** | |
| **Policy 2.2** When acquiring parkland or considering the acceptance of a parkland donation give first priority to sites that would:<br>1. Augment needed park or recreation opportunities as defined in this Element.<br>2. Serve a good mix of users at a reasonable cost.<br>3. Provide an appreciable amount of parkland or recreation as a result of being adjacent to a compatible site, such as a school.<br>4. Allow development in a reasonable time period. The County should not obtain lands that have extensive permit and mitigation requirements that may conflict with the project's proposed use(s) or County policy.<br>5. Serve an important existing or future need. The site should be able to be developed consistent with that need.<br>6. Accommodate planned uses in terms of size, location, and existing constraints. The property should be largely devoid of constraints or hazards. | **Potentially Inconsistent.** The County Parks and Recreation Department (County Parks) has commented that the proposed park would not meet an identified need due to its size, lack of park facilities, and proximate location to the existing Nipomo Community Park. However, the park would serve a good mix of users from within the Dana Reserve and would provide an appreciable amount of parkland adjacent to a compatible use, such as the childcare facility proposed in the park concept plan or surrounding affordable or workforce housing.<br>County Parks has commented that the park would not serve an important existing or future need and that the proposed park site is too small and encumbered with drainage features that should not count toward acres used for park land. The applicant has requested a Quimby Fee credit for conveyance of the park land to the County. However, County Parks has stated that a waiver of Quimby fees would mean the long-term maintenance of the park would not be adequately accommodated. |

| Policies | Project Consistency |
|---|---|
| 7. Adequately accommodate long-term maintenance.<br>Concentrate park acquisition efforts on sites larger than ten acres, except when (a) the proposal is for a linear park connecting important community components or providing key alternative transportation (such as a link between two schools), (b) a proposed park provides the only available park site in a community, (c) another agency will provide maintenance for the park, or (d) a smaller parcel has outstanding characteristics or unique features. | |
| **Goal 2. Objective B.** Provide new and expanded recreation within the County consistent with Chapter 8 Parks and Recreation Project List, and the County's available funding. | **Potentially Inconsistent.** The DRSP includes the development of new on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public park; a 1-acre equestrian trailhead; and 49.8 acres of open space areas. However, the project is requesting a Quimby Fee credit for dedication of the park land. County Parks has indicated it would not have available funding to provide ongoing maintenance of proposed public recreational facilities. |
| **Policy 6.4.** Prior to accepting or developing a new park, County Parks shall determine the long-term maintenance and operating costs associated with the proposed project. The County shall not develop the park until adequate funds are available for maintenance. | **Potentially Inconsistent.** The project includes the construction of a 10-acre public park to be maintained by the County. Based on correspondence with County Parks, adequate funding for the long-term maintenance of the new public park has not been secured. Therefore, the project may be inconsistent with this policy. |
| **Policy 6.9.** County Parks should not undertake maintenance responsibilities better handled by another body. For example, facilities within private development (such as mini-parks, basin parks, mitigation areas, open space, and short segments of trails) shall be maintained by a homeowner's association or a similar entity. | **Potentially Inconsistent.** As proposed, the DRSP HOA would maintain pocket parks and open space areas; however, the public park would be maintained by the County. Based on correspondence with County Parks, adequate funding for the long-term maintenance of the new public park has not been secured. Therefore, the project may be inconsistent with this policy. |
| **Policy 6.10.** If County maintenance funding is inadequate to provide all park types, concentrate new park acquisition on regional park lands since these parks serve the largest number of users and are the least costly for the County to maintain. | **Potentially Inconsistent.** The project includes development of a new public neighborhood park. Based on correspondence with County Parks, adequate funding for the long-term maintenance of the new public park has not been secured. The project proposes a neighborhood (rather than regional) park. Therefore, the project may be inconsistent with this policy. |
| **Framework for Planning (Inland)** | |
| *Planning Principles, Policies, and Implementing Strategies* | |
| **Principal. 1, Policy 1.** Preserve open space, scenic natural beauty, and natural resources. Conserve energy resources. Protect agricultural land and resources.<br>Maintain rural areas in agriculture, low-intensity recreation, very low-density residential uses, and open space uses that preserve and enhance a well-defined rural character. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| **Principal 1, Policy 2.** Keep the amount, location and rate of growth allowed by the Land Use Element within the sustainable capacity of resources, public services, and facilities.<br>Implementation Strategy 4. Direct the extension of urban services (water, sewers, police services, fire protection, parks, ambulance, libraries, etc.) to areas within urban and village reserve lines and restrict urban services from being provided outside urban or village areas. | **Potentially Inconsistent.** Although the project, as mitigated, was determined to be within the sustainable capacity of resources, the project proposes provision of multiple urban services (public park, roads, fire station location, extension of water, wastewater, and solid waste services, etc.) to areas outside of the Nipomo URL and NCSD service area. |

| Policies | Project Consistency |
|---|---|
| **Principal 2, Policy 1.** Maintain rural areas in agriculture, low-intensity recreation, very low-density residential uses, and open space uses that preserve and enhance a well-defined rural character. | **Potentially Inconsistent.** Although the Specific Plan area is planned for development in the County's existing General Plan, and the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| **Principal 2, Policy 2.** Avoid establishing or expanding Residential Rural and Residential Suburban areas outside urban or village reserve areas. | **Potentially Inconsistent.** The project would include designation of Residential Single-Family and Residential Multi-Family land use zones within the Specific Plan Area. The Specific Plan Area is currently not located within the Nipomo URL. |
| **County of San Luis Obispo Land Use Ordinance** | |
| *22.10.095 – Highway Corridor Design Standards* | |
| **D. 5. Project Design and processing – Discretionary permit applications.** Minor Use Permit approval is required for projects subject to Subsection D.4 that are unable to meet the requirements for a Zoning Clearance in Standards D.4.c through D.4.h. Minor Use Permit and any Conditional Use Permit applications that may otherwise be required by this Title shall include a visual analysis that is prepared by a registered architect, landscape architect, or other qualified individual acceptable to the Environmental Coordinator. The visual analysis shall be utilized to determine compliance with the intent of D.4 and the following:<br>a. Locate development, including access roads, in the least visible portion of the site consistent with the protection of other resources, as viewed from Highway 101, unless mitigated to insignificant levels. Use existing vegetation and topographic features to screen development from view as much as possible.<br>b. Minimize grading for both structures and roads that would create cut and fill slopes visible from Highway 101.<br>c. Minimize building height and mass by using low-profile design where applicable. Minimize the visual impacts of buildings by using colors that blend with surrounding natural colors and/or screen the building from view.<br>d. Provide landscaping to screen and buffer both road and building development with native or drought-resistant plants, including the extensive use of trees and large-growing shrubs.<br>**e.** Use of minimal signage is encouraged. Locate signs that are subject to a discretionary land use permit so that they minimize interference with important public views from Highway 101, such as those listed in the preamble to this section. | **Potentially Inconsistent.** The project would inherently change the visual character of the site and surroundings through the introduction of roads, commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration within highly visible locations as seen from US 101. Mitigation Measure AES/mm-3.2 would require implementation of a Visual Screening Zone along the length of the project site adjacent to the required utility easement and US 101, for the purpose of reducing visibility of the development and minimizing visual impacts to the vegetated visual character of the site and its surroundings as seen from the highway. The proposed landscaping would, by necessity, be more urban in appearance and would likely take several decades to provide meaningful restoration of the vegetative character and quality of the site. |

| Policies | Project Consistency |
|---|---|
| **South County Inland Area Plan** | |
| *Public Facilities, Services, and Resources* | |
| Secure adequate means of generating revenues that can provide necessary public resources, services, and facilities to better serve the existing population as well as future growth. | **Potentially Inconsistent.** The project would result in an increased demand on fire protection services, police protection services, existing school district facilities, and library services. The demand on police protection services, existing school district facilities, and library services would be offset through payment of Public Facilities Fees and fees paid directly to the Lucia Mar School District. Additionally, the need for fire protection services, which would be offset through mitigation requiring the provision of land for future development of a new fire station. However, the applicant is requesting to waive the payment of Quimby Fees based on the dedication of a public park, which may be inconsistent with this policy. |
| Projects resulting from general plan amendments and urban expansion shall fund their share of public resources, services and facilities to the limits allowed by law. | **Potentially Inconsistent.** The project would result in an increased demand on fire protection services, police protection services, existing school district facilities, and library services. The demand on police protection services, existing school district facilities, and library services would be offset through payment of Public Facilities Fees and fees paid directly to the Lucia Mar School District. Additionally, the need for fire protection services, which would be offset through mitigation requiring the provision of land for future development of a new fire station. However, the applicant is requesting to waive the payment of Quimby Fees based on the dedication of a public park, which may be inconsistent with this policy. |
| Evaluate the financial capability of service providers to accommodate additional growth by reviewing capital improvement plans before urban expansion or major projects are approved. | **Potentially Inconsistent.** The project would offset the increased demand on fire protection, police protection, and library services through the payment of Public Facilities Fees. The project will also pay school impact fees to the LMUSD to offset its impact on school facilities. However, the applicant is requesting to waive the payment of Quimby Fees based on the dedication of a public park, which may be inconsistent with this policy. The capacity of service providers to accommodate additional growth associated with buildout of the Specific Plan Area has been evaluated in this EIR. |
| *South County (South) Sub-area* | |
| **Guideline:** Retain land in open space in new land divisions that will preserve oak woodlands, riparian and other important biological habitats, and historic place surroundings. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| Primary Goals | |
| **4.** The rural character and heritage of South County with a strong sense of identity and place. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| **6.** The long-term sustainability of natural resources as growth occurs with sensitivity to the natural and built environment. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |

| Policies | Project Consistency |
|---|---|
| Supportive Goals | |
| **Environment. 1.** Promote the protection of natural resources and encourage the following in new development proposals:<br>a. Retention of sensitive vegetation.<br>d. Blending of new structures into the surrounding environment and minimal visual impacts in areas considered to be scenic.<br>e. Protection of cultural and historic resources.<br>f. Separation of new residential development from adjacent commercial agricultural and industrial operations. | **Potentially Inconsistent.** Although the project would preserve the existing oak ridge, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial sensitive habitat loss and landform alteration. |
| **San Luis Obispo County Inland Land Use Ordinance (Title 22)** | |
| **22.98.072(H)(f) Siting of Buildings:** Locate building envelopes that are subordinate to rural character, such as by varying their elevation along hills and ridges, and where siting below the highest elevations takes advantage of wind-protected locations. | **Potentially Inconsistent.** The project would not affect existing public views of the Temettate Ridge to the east. The project would preserve the existing oak ridge within the site. The locations, massing, and density of future on-site development, however, would dominate views along US 101 and limit views of the oak ridge. |
| **Sustainable Communities Strategy** | |
| Infill Development and Location Efficiency | |
| 8. Support mixed-use and infill development near existing transit services and activity centers. (Ongoing) | **Potentially Inconsistent.** The DRSP proposes a mix of residential, commercial, and open space uses outside of the existing Nipomo URL. The Specific Plan area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service, and is generally surrounded by existing residential development; however, the project does not propose infill development and does not promote location efficiency. |

## Specific Plan Area

### *LUP Impact 3: The project would adversely affect the local jobs-to-housing ratio within the project area and would be inconsistent with Land Use Planning Policy L-3 of the San Luis Obispo County Clean Air Plan. Impacts would be significant and unavoidable (Class I).*

The project would result in the creation of 1,441 dwelling units and approximately 273 new jobs, which would increase the gap between jobs and housing in the community of Nipomo. The proposed project would potentially be inconsistent with Land Use Planning Policy L-3 of the SLOAPCD Clean Air Plan because implementation of the proposed project would further divide the jobs-to-housing ratio within the project area. As described in Section 4.14, *Population and Housing*, an imbalance between jobs and housing has the potential to result in a range of adverse environmental impacts, including:

- increased vehicle commute distances and time (VMT);
- increased energy consumption, GHG emissions, and air pollutant emissions from additional commuters; and
- indirect impacts on other communities that build housing, such as loss of habitat.

Based on an evaluation of the project objectives, no feasible mitigation has been identified that would reduce this significant impact while maintaining consistency with most of the project objectives.

Therefore, potential impacts associated with inconsistency with Policy L-3 would be *significant and unavoidable.*

| **LUP Impact 3 (Class I)** |
|---|
| *The project would adversely affect the local jobs-to-housing ratio within the project area and would be inconsistent with Land Use Planning Policy L-3 of the San Luis Obispo County Clean Air Plan.* |
| ***Mitigation Measures*** |
| *No feasible mitigation has been identified.* |
| ***Residual Impacts*** |
| *Potential impacts associated with policy inconsistency would be significant and unavoidable (Class I).* |

### *LUP Impact 4: The project would result in an increase in regional VMT and would generate VMT per employee above applicable thresholds; therefore, the project would be potentially inconsistent with Policy AQ 1.2 of the County of San Luis Obispo General Plan Conservation and Open Space Element. Impacts would be less than significant with mitigation (Class II).*

Policy AQ 1.2 of the County COSE identifies the need for the reduction in VMT and requires discretionary projects to minimize VMT. The proposed project would be potentially inconsistent with Policy AQ 1.2 because the project's estimated VMT per employee and residential VMT per capita are higher than the regional averages and that the project would generate an increase in regional VMT. Mitigation Measure TR/mm-2.1 has been identified to require implementation of a variety of transportation demand management strategies and transit system improvement management strategies to reduce and minimize project-generated VMT. While implementation of these measures is not certain to reduce project VMT below applicable project thresholds, and implementation of the project would still result in an increase in regional VMT, these reduction measures would minimize project VMT to the greatest extent feasible and would therefore be consistent with the intent of Policy AQ 1.2. Therefore, potential impacts associated with potential inconsistency with County COSE Policy AQ 1.2 would be *less than significant with mitigation.*

| **LUP Impact 4 (Class II)** |
|---|
| The project would result in an increase in regional VMT and would generate VMT per employee above applicable thresholds; therefore, the project would be potentially inconsistent with Policy AQ 1.2 of the County of San Luis Obispo General Plan Conservation and Open Space Element. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure TR/mm-2.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measure TR/mm-2.1, potential impacts associated with inconsistency with County COSE Policy AQ 1.2 would be less than significant with mitigation (Class II).* |

### *LUP Impact 5: The project would result in the net loss of CRPR 4 and Watch List plant species, native oak woodland, and sensitive habitats; therefore, the project would be potentially inconsistent with goals and policies of the County of San Luis Obispo General Plan Conservation Open Space Element pertaining to preservation of biological resources and Policy 3.8 of the Parks and Recreation Element. Impacts would be signification and unavoidable (Class I).*

As described in Table 4.11-4, the project would be potentially inconsistent with County COSE Goal BR 1, Policy 1.2, BR Policy 1.4, BR Policy 1.9, Policy BR 2.6, Goal BR 3, Policy BR 3.1, Policy BR 3.2, Policy BR 3.3, and several Implementation Strategies set forth in the County COSE.

Policy BR 1.4 in the COSE requires mitigation for development projects to achieve "no net loss" of sensitive habitat acreage, values, and function and Goal BR 3 is to maintain the acreage of native woodlands, forests, and trees at 2008 levels. As described in Section 4.4, *Biological Resources*, the project would result in the removal of 3,943 native oak trees. Of the 3,943 oak trees to be removed, the mitigation only requires the applicant to plant replacement trees for 194 of the trees being removed. At this level, this is a significant net loss of oak trees and acreage of oak woodlands in the county. The project would also result in significant impacts to special-status plant species and sensitive natural communities that would constitute a net loss of species and habitat diversity in the county. The 1:1 mitigation ratio in Mitigation Measure BIO/mm-4.1 for California spineflower, sand buck brush, and sand almond would constitute a net loss for these species.

Policy BR 3.3.1 requires the County to maintain the integrity and diversity of oak woodlands, chaparral communities, and other significant vegetation as part of the compliance with the Oak Woodlands Preservation Act (PRC Section 21083.4). The species composition of the coast live oak woodland in the project area contains the same species characteristic of the Burton Mesa chaparral vegetation community on-site. The understory vegetation on the mitigation parcel is distinctly different and does not support the special-status species that occurs on-site. That is because the soils and elevation range of the mitigation parcel is significantly different that the Dana Reserve project area. Without proper in-kind preservation and restoration of coast live oak woodland habitat on similar soil types and in an elevation range similar to the project area, the mitigation would not be able to maintain the diversity of oak woodland communities in the county.

Policy 3.8 of the County Parks and Recreation Element states that trail projects shall be built to minimize impacts to sensitive resources. As described in Section 4.4., *Biological Resources*, the project, including the associated proposed pedestrian and equestrian trail system, would result in significant and unavoidable net loss of sensitive biological resources.

Mitigation measures have been identified in Section 4.4, *Biological Resources*, to reduce, minimize, and compensate for the project's impacts to sensitive biological resources. However, not all impacts to biological resources would be able to be mitigated to a level of less than significant and would still have the potential to be inconsistent and/or conflict with policies identified in the County COSE and Parks and Recreation Element. The project's inconsistency with these goals, policies, and implementation strategies identified in the County COSE and Parks and Recreation Element would result in *significant, unavoidable impacts*.

| **LUP Impact 5 (Class I)** |
|---|
| The project would result in the net loss of California Rare Plant Rank 4 and Watch List plant species, native oak woodland, and sensitive habitats; therefore, the project would be potentially inconsistent with goals and policies of the County of San Luis Obispo General Plan Conservation Open Space Element pertaining to preservation of biological resources and Policy 3.8 of the Parks and Recreation Element. |

| **LUP Impact 5 (Class I)** |
|---|
| ***Mitigation Measures*** |
| *Implement Mitigation Measures BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-4.1, BIO/mm-15.1, BIO/mm-16.1, BIO/mm-18.1 through BIO/mm-18.4, and BIO/mm-19.1.* |
| ***Residual Impacts*** |
| *Even with implementation of Mitigation Measures BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-4.1, BIO/mm-15.1, BIO/mm-16.1, BIO/mm-18.1 through BIO/mm-18.4, and BIO/mm-19.1, residual impacts associated with inconsistency with goals and policies of the County COSE pertaining to preservation of biological resources and Policy 3.8 of the County Parks and Recreation Element would be significant and unavoidable (Class I).* |

### *LUP Impact 6: The project could be inconsistent with Policy 2.2, Goal 2/Objective B, and Policies 6.4, 6.9, and 6.10 of the County of San Luis Obispo General Plan Parks and Recreation Element and three Public Facilities, Services, and Resources policies in the South County Inland Area Plan. Impacts would be less than significant (Class III).*

Policy 2.2 of the County Parks and Recreation Element states that the County shall prioritize parkland donations that would meet identified park or recreation needs identified in the Parks and Recreation Element, serve a good mix of users, provide an appreciable amount of parkland or recreation, serve an important existing or future need, and adequately accommodate long-term maintenance. The County Parks and Recreation Department (County Parks) has provided comments that state that the proposed park would not meet an identified need due to its size, lack of park facilities, and proximate location to the existing Nipomo Community Park. However, the park would serve a good mix of users from within the Dana Reserve and would provide an appreciable amount of parkland adjacent to a compatible use, such as the childcare facility proposed in the park concept plan or surrounding affordable or workforce housing.

County Parks' comments also stated that the park would not serve an important existing or future need and that the proposed park site is too small and encumbered with drainage features that should not count toward acres used for park land. The applicant has requested a Quimby Fee credit for conveyance of the park land to the County. However, County Parks' comments stated that a waiver of Quimby fees would mean the long-term maintenance of the park would not be adequately accommodated. Regardless of whether the Quimby fees are paid, if the project is approved, it is proposed that the 10-acre park is proposed to be donated to County Parks and maintenance of the park and its facilities would be the County's responsibility.

Three policies identified in the South County Inland Area Plan under Public Facilities, Services, and Resources state adequate means of generating revenues that can provide necessary public resources, services, and facilities shall be secured to better serve the existing population as well as future growth and projects that include general plan amendments and shall provide their fair share of funding for these types of public facilities. The project would result in an increased demand on fire protection services, police protection services, existing school district facilities, and library services, which would be offset through payment of Public Facilities Fees and fees paid directly to the Lucia Mar School District. Additionally, the need for fire protection services, which would be offset through mitigation requiring the provision of land for future development of a new fire station. However, as discussed above, the applicant is requesting to waive the payment of Quimby Fees based on the dedication of a public park, which may be inconsistent with these policies.

While the project would be potentially inconsistent with policies set forth in the Parks and Recreation Element and South County Inland Area Plan pertaining to donation of parkland criteria, including insufficient size, lack of meeting an identified need for park or recreation facilities, and adequate funding for long-term maintenance, inconsistency with these policies would not result in any potentially significant direct or indirect impacts to the environment. Therefore, potential impacts would be *less than significant*.

| **LUP Impact 6 (Class III)** |
|---|
| The project could be inconsistent with Policy 2.2, Goal 2/Objective B, and Policies 6.4, 6.9, and 6.10 of the County of San Luis Obispo General Plan Parks and Recreation Element and three Public Facilities, Services, and Resources policies in the South County Inland Area Plan. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Potential impacts associated with inconsistency with policies and objectives in the County Parks and Recreation Element and South County Inland Area Plan would be less than significant (Class III).* |

### *LUP Impact 7: The project could be inconsistent with policies within the County of San Luis Obispo General Plan Conservation and Open Space Element, Framework for Planning (Inland), Land Use Ordinance, and South County Inland Area Plan related to preservation of rural visual character, compatibility with the natural landscape, and preservation of views of oak woodlands and other visually significant features. Impacts would be significant and unavoidable (Class I).*

The County COSE includes one goal and two policies that pertain directly to preservation of the natural and historic character and identity of rural areas. The County Framework for Planning (Inland) Policy 1 and South County Inland Area Plan Guidelines, Primary Goals, and Supporting Goals similarly include policies that emphasize the importance of preserving and enhancing a well-defined rural character. While the project would preserve the existing scenic oak ridge on-site and proposed open space areas would encompass approximately 49.8 acres of the Specific Plan Area, the project would inherently change the visual character of the site and surroundings through the introduction of commercial, institutional, and residential development; the removal of over 4,000 mature oak trees; and substantial landform alteration. Mitigation Measure AES/mm-3.1, included in Section 4.1, *Aesthetics*, has been identified to require implementation of a Visual Screening Zone along the length of project site adjacent to the required utility easement and US 101, for the purpose of reducing visibility of the development and minimizing visual impacts to the vegetated visual character of the site and its surroundings as seen from the highway. The proposed landscaping would**,** by necessity, be more urban in appearance and would likely take several decades to provide meaningful restoration of the vegetative character and quality of the site. Mitigation has also been identified to require preservation and replacement of oak trees and preparation of a Visual Impact Assessment for each subsequent implementing development.

The County LUO includes Highway Corridor Design Standards and Building Siting Standards aimed towards minimizing visual impacts along major transportation corridors and encouraging development that is subordinate to the natural landscape. Although the existing visual context as seen from most surrounding public viewpoints is a product of both built and natural elements, the Specific Plan Area itself is clearly rural, and is a major contributor to the visual quality and character of the community. The Temettate Ridge and foothills east of US 101 also support the natural and rural visual quality and

character of the area. As seen from US 101, the proposed commercial development along the highway would partially block views to the western portion of the project. Proposed landscaping along US 101 would somewhat reduce the urban character of the development. However, because of the project's extensive grading and loss of mature native oak trees, the existing visual value of the site and its inherent substantial contribution to the rural and open space character valued by the community and reflected in County visual policy would be lost.

Mitigation measures have been identified in Section 4.1, *Aesthetics*, to reduce the project's impacts associated with degradation of rural visual quality and character and views from US 101. However, the project would still have the potential to be inconsistent and/or conflict with policies identified in the County COSE, Framework for Planning (Inland), LUO, and the South County Area Plan. With incorporation of these measures, the project's inconsistency with these goals, policies, and guidelines would be *less than significant with mitigation*.

| **LUP Impact 7 (Class II)** |
|---|
| The project could be inconsistent with policies within the County Conservation and Open Space Element, Framework for Planning (Inland), Land Use Ordinance, and South County Inland Area Plan related to preservation of rural visual character, compatibility with the natural landscape, and preservation of views of oak woodlands and other visually significant features. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AES/mm-3.1, AES/mm-3.2, and AES/mm-7.1.* |
| ***Residual Impacts*** |
| *Even with implementation of Mitigation Measures AES/mm-3.1, AES/mm-3.2, and AES/mm-7.1, residual impacts associated with inconsistency with goals and policies of the County COSE, Framework for Planning (Inland), LUO, and South County Area Plan related to preservation of rural visual character, compatibility with the natural landscape, and preservation of views of oak woodlands and other visually significant features would be less than significant (Class II).* |

### *LUP Impact 8: The project could be inconsistent with policies in the Sustainable Communities Strategy and County Framework for Planning (Inland) associated with establishment of development and utility services within of existing transit corridors and/or urban reserve line/village reserve line boundaries. Impacts would be less than significant with mitigation (Class II).*

The SCS prepared by SLOCOG includes Infill Development and Location Efficiency Policy 8, which states that mixed-use and infill development near existing transit services and activity centers shall be supported. Similarly, Principal 1, Policy 2 and Implementation Strategy 4 of the County's Framework for Planning (Inland) states that extension of urban services shall be directed within existing urban and village areas. The DRSP proposes a mix of residential, commercial, and open space uses outside of the existing Nipomo URL. Based on its location outside of the existing Nipomo URL and low density of surrounding development, implementation of the DRSP would not consider infill development. However, the Specific Plan Area is located adjacent to the Nipomo URL in an area planned for growth, including expansion of transit service, and is generally surrounded by existing residential development.

Consistent with the *US 101 Transportation Concept Report*, 2019 RTP, and South County Circulation Study, the Specific Plan Area would include a Park and Ride lot and transit stops and facilitate the extension of transit service into the site along with maintenance of the existing bus stop located along North Thompson Avenue.

The project would result in an increased demand on fire protection services, police protection services, existing school district facilities, and library services. The demand on police protection services, existing school district facilities, and library services would be offset through payment of Public Facilities Fees and fees paid directly to the LMUSD. Additionally, the need for fire protection services, which would be offset through implementation of Mitigation Measure PS/mm-1.1, which requires the provision of land for future development of a new fire station.

While the project would result in establishment of mixed-use development and new utility infrastructure outside of the Nipomo URL, potential impacts would be minimized through provision of transit service facilities on-site and maintenance of existing transit facilities, payment of Public Facility Fees and fees paid directly to the LMUSD, and mitigation requiring provision of land for a new fire station. Therefore, impacts associated with inconsistency with policies in the County Framework for Planning (Inland) associated with establishment of development and utility services outside of URL/village reserve line (VRL) boundaries would be *less than significant with mitigation*.

| **LUP Impact 8 (Class II)** |
|---|
| The project could be inconsistent with policies in the Sustainable Communities Strategy and County Framework for Planning (Inland) associated with establishment of development and utility services within of existing transit corridors and/or urban reserve line/village reserve line boundaries. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure PS/mm-1.1.* |
| ***Residual Impacts*** |
| *Potential impacts associated with consistency with policies in the County Framework for Planning associated with establishment of development and utility services outside of existing URL/VRL boundaries would be less than significant with mitigation (Class II).* |

## Off-Site Improvements

### *LUP Impact 9: Off-site improvements would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant (Class III).*

Based on the evaluation of the project's potential consistency with relevant plans and policies in Section 4.11.2.4, *Consistency with Plans and Policies*, the proposed off-site transportation, water, and wastewater improvements would be potentially consistent with all applicable plans and policies adopted for the purpose of avoiding or mitigating an environmental effect, and impacts would be *less than significant*.

| **LUP Impact 9 (Class III)** |
|---|
| Off-site improvements would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Potential impacts associated with consistency with applicable land use plans, policies, or regulations would be less than significant (Class III).* |

## 4.11.6 Cumulative Impacts

### *LUP Impact 10: The project would result in cumulative impacts associated with inconsistency with goals and policies identified within the County of San Luis Obispo General Plan Conservation and Open Space Element, Framework for Planning (Inland), Land Use Ordinance, and South County Area Plan regarding preservation and no net loss of sensitive biological resources and preservation of rural visual character. Impacts would be significant and unavoidable (Class I).*

As discussed above, implementation of the project would generally be consistent with the majority of applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. The project would have potential to be inconsistent with multiple applicable land use policies, as described and evaluated above. Of these policies, potential inconsistency with Land Use Planning Policy L-3, goals and policies of the County COSE pertaining to preservation of biological resources and Policy 3.8 of the Parks and Recreation Element, and policies within the County COSE, Framework for Planning (Inland), LUO, and South County Inland Area Plan related to preservation of rural visual character, compatibility with the natural landscape, and preservation of views of oak woodlands and other visually significant features would result in significant and unavoidable impacts.

Impacts associated with inconsistency with Land Use Planning Policy L-3 would be cumulative in nature, in that the project would contribute to an existing imbalance between jobs and housing created by historical development trends within the project area. Therefore, inconsistency with Land Use Planning Policy L-3 would result in a potentially significant cumulative impact. No feasible mitigation measures have been identified to address this potentially significant impact.

The project's potential inconsistency with goals and policies identified within the County COSE, Framework for Planning (Inland), LUO, and South County Area Plan regarding preservation and no net loss of sensitive biological resources and preservation of rural visual character, compatibility with the natural landscape, and preservation of views of oak woodlands and other visually significant features would also result in a significant and unavoidable impact. Loss of sensitive habitats and plant species associated with the project would contribute to countywide habitat and species loss.

Degradation of rural views and character and loss of natural landscapes and oak woodland habitat associated with the project would result in a considerable contribution to the loss of rural visual character in the South County/Nipomo area. Therefore, cumulative impacts associated with inconsistency with Land Use Planning Policy L-3 and goals and policies identified within the County COSE, Framework for Planning (Inland), LUO, and South County Area Plan regarding preservation and no net loss of sensitive biological resources and preservation of rural visual character would be *significant and unavoidable*.

| **LUP Impact 10 (Class I)** |
|---|
| The project would result in cumulative impacts associated with inconsistency with Land Use Planning Policy L-3 and goals and policies identified within the County of San Luis Obispo General Plan Conservation and Open Space Element, Framework for Planning (Inland), Land Use Ordinance, and South County Area Plan regarding preservation and no net loss of sensitive biological resources and preservation of rural visual character, compatibility with the natural landscape, and preservation of views of oak woodlands and other visually significant features. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AES/mm-3.1 and AES/mm-3.2, AES/mm-7.1, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-4.1, BIO/mm-15.1, BIO/mm-16.1, BIO/mm-18.1 through BIO/mm-18.4, and BIO/mm-19.1.* |

| **LUP Impact 10 (Class I)** |
| --- |
| ***Residual Impacts*** |
| *Residual cumulative impacts associated with inconsistency with goals and policies of the County COSE pertaining to preservation of biological resources would be significant and unavoidable (Class I).* |

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# 4.12 MINERAL RESOURCES

This section evaluates the project's potential to impact mineral resources within and adjacent to the project area. The analysis consists of a description of existing conditions of the project site and surrounding area, a summary of the regulatory framework, and an evaluation of potential impacts associated with mineral resources.

## 4.12.1 Existing Conditions

### *4.12.1.1 Regional Setting*

There are a wide variety of mineral resources found in San Luis Obispo County, although relatively few minerals are currently extracted commercially. Quarries and mines in the San Luis Obispo area produce basaltic stone for masonry, "red rock" for road base and surfacing, and cinnabar, an ore of mercury. Petroleum, natural gas, mercury, gypsum, sand and gravel, construction stone, and clay are also produced in the county. The primary factor in the production of sand, gravel, and stone is local demand, and this activity is directly related to growth trends and construction needs (County of San Luis Obispo 2010). Sand, gravel, and crushed stone are collectively referred to as construction aggregate, which provide the bulk and strength to PCC, asphaltic concrete (AC, commonly called "black top"), plaster, and stucco. Material specifications for PCC-grade aggregate are more restrictive than specifications for other grades of aggregates, deposits suitable for use as PCC aggregate are the scarcest and most valuable of aggregate resources.

The San Luis Obispo-Santa Barbara Production-Consumption Region (P-C Region) is defined by the CDOC as the 2,062 square miles in western San Luis Obispo and Santa Barbara Counties in which significant aggregate resources and active operations exist (CDOC 2017). The P-C Region includes the cities of Atascadero, Buellton, Paso Robles, Santa Maria, and Solvang. Atascadero and Paso Robles have active aggregate operations within their respective jurisdictions, and Atascadero, Paso Robles, Buellton, Santa Maria, and Solvang have land classified for concrete-grade aggregate within their jurisdictions.

Within the San Luis Obispo-Santa Barbara P-C Region, the land classified as containing significant PCC- and AC-grade resources and not precluded from mining by incompatible land uses covers 38,132 acres. The most recent CDOC publication also included 2,763 acres of newly identified resources near the P-C Region (CDOC 2017). The P-C Region contains an estimated total of 10.7 billion tons of PCC-grade and AC-grade aggregate resources. This is a decrease of approximately 788 million tons from what was identified in 1989 due to land use changes (273 million tons), production (90 million tons), and a change in waste factors used (425 million tons) (CDOC 2017). Mining sites are currently permitted for extraction of approximately 75 million tons of PCC- and AC-grade aggregate resources (CDOC 2017).

## 4.12.2 Regulatory Setting

### *4.12.2.1 Federal*

There are no federal regulations related to mineral resources applicable to the project.

### *4.12.2.2 State*

#### 4.12.2.2.1 SURFACE MINING AND RECLAMATION ACT

The Surface Mining and Reclamation Act (SMARA) of 1975 mandates that the State Mining and Geology Board (SMGB) and CDOC Division of Mines and Geology (DMG) prepare a mineral resource

report for each county. SMARA additionally regulates the permitting of mining operations, provides for inspections during the life of the mine, and contains provisions to ensure that remediation occurs after completion of mining operations. SMARA is administered by the CDOC Division of Mine Reclamation (DMR). SMARA requires cooperative efforts from the CGS and the SMGB to identify and classify mineral areas in the state.

SMARA Sections 2761(a) and (b) and 2790 provide for a mineral lands inventory process termed Classification-Designation. The primary objective of the process is to provide local agencies, such as counties and cities, with information on the location, need, and importance of minerals within their respective jurisdictions. It is also the intent of this process, through the adoption of general plan mineral resource management policies, that this information be considered in future local land use planning decisions.

Areas are classified based on geologic factors, without regard for existing land use and land ownership for each P-C Region. The mineral resource areas within the San Luis Obispo-Santa Barbara P-C Region are categorized into one of four Mineral Resource Zones (MRZs), described below (CDOC 2017).

- **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 on 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 mineral occurrences of undetermined mineral resource significance.
- **MRZ-4:** Areas where geologic information does not rule out either the presence or absence of mineral resources

In many regions, large portions of the areas classified as MRZ-2 are already committed to various urban uses that limit or prohibit access to underlying resources. If an area is classified by the SMGB as an area of statewide significance, the lead agency must designate that area in its general plan as having important minerals to be protected pursuant PRC Section 2762(a). If a lead agency has given classified areas such designation, then prior to permitting a use that would threaten the potential to extract minerals in that area, the lead agency shall prepare a statement specifying its reasons for permitting the proposed use, in accordance with the requirements set forth in PRC Section 2762(d). As an aid to local planning agencies, classification reports prepared for metropolitan areas also identify MRZ-2 areas that have not been urbanized. These non-urbanized areas, called resource sectors, are areas judged to contain a significant deposit of construction quality aggregate that is available, from a general land-use perspective, to meet future needs of the region. In other words, areas currently permitted for mining and areas found to have land uses compatible with possible mining are identified as sectors.

## *4.12.2.3 Local*

### 4.12.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Conservation and Open Space Element

The County's COSE provides goals, policies, and implementation measures for the protection of natural resources and open space areas (including mineral resources) throughout the region (County of San Luis

Obispo 2010). The COSE includes policies for the conservation and development of significant mineral deposits in balance with other County General Plan goals and policies.

## Land Use and Circulation Elements

### *Framework for Planning (Inland)*

The County's Framework for Planning (Inland) is Part 1 of the County's LUCE and provides a comprehensive overview of the County's land use policies and defines land use categories for all unincorporated areas within the county. The Framework for Planning (Inland) established the EX (Energy or Extractive Resource Area) and EX1 (Extractive Resource Area) combining designations (zoning overlays) to protect significant resource extraction and energy production areas. As outlined in County LUO Section 22.14.040, Energy and Extractive Resource Area (EX), the intent of this designation is to prevent 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. The EX combining designation identifies where mineral or petroleum extraction occurs or is proposed to occur, the state geologist has designated a mineral resource area of statewide significance, and/or major public utility electric generation facilities exist or are proposed.

In addition to the EX designation, as outlined in the County LUO Section 22.14.050, Extractive Resource Area (EX1), there is a EX1 designation for mineral extraction and mineral resources of regional significance. The EX1 designation is used to identify areas of the county that the CDOC DMG has classified as containing or being highly likely to contain significant mineral deposits. The purpose of the EX1 is to protect existing resource extraction operations from encroachment by incompatible land uses that could hinder resource extraction (County of San Luis Obispo 2010). In general, a CUP is required to establish a new mining operation in those land use categories in which mines and quarries are allowable (COSE 2010 appendices).

The County is currently updating the mining combining designations to incorporate recent updates by the California Mining and Geology Board (County of San Luis Obispo 2018a). These proposed amendments would adjust boundary maps of regionally significant Mineral Resource Areas, EX1 designated areas, and create Mining Disclosure Zones (MDZ) throughout the County. The current EX designated areas would be extended to include the footprint of existing active and idle mining operations. The EX1 designation would be renamed to Mineral Resource Area (MRA), clarify the designation is intended for areas with mineral resources of regional significance, and revised the current boundaries to match boundaries classified by the SMGB. The new MDZ designation would apply to a 0.25-mile buffer around legally established existing active and idle mining operations to serve as a means of notification and public disclosure for landowners and the general public within the vicinity of the mine (County of San Luis Obispo 2018a).

#### 4.12.2.3.1 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

The County's LUO, Title 22 of the County Code, includes regulations that have been adopted by the County to implement the General Plan and to guide and manage the future growth of the county in compliance with the General Plan; to regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county; to minimize adverse effects on the public resulting from the inappropriate creation, location, use or design of building sites, buildings, land uses, parking areas, or other forms of land development by providing appropriate standards for development; to protect and enhance the significant natural, historic, archaeological and scenic resources within the county as identified by the county General Plan; and to assist the public in identifying and understanding regulations affecting the development and use of land.

Chapter 22.14 of the LUO includes site planning and project design standards pertaining to Combining Designations, which apply to areas of the county having natural or built features that are sensitive, hazardous, fragile, of cultural or educational value, or of economic value as extractable natural resources. As described above, County LUO Section 22.14.040, Energy and Extractive Resource Area (EX), and Section 22.14.050, Energy and Extractive Resource Area (EX1), defines the purpose, applicability, processing requirements, and development standards of the EX and EX1 designations.

Chapter 22.36 of the LUO, Surface Mining and Reclamation, provides regulations for surface mining and related mineral extraction operations, to provide for the reclamation of mined lands, prevent or minimize adverse environmental effects and safety hazards, and provide for the protection and subsequent beneficial use of mined and reclaimed lands. This section also adopts the state guidelines as minimum acceptable practices for surface mining and reclamation practices contained in SMARA Section 2207, PRC Section 2710 et seq., and CCR Chapter 8, Title 14, Section 3500 et seq. The section outlines the permit requirements for surface mining, the required reclamation plan, annual inspections, and standards related to underground mining.

### *4.12.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Mineral Resources*

Table 4.12-1 lists applicable state, regional, and local land use policies and regulations pertaining to mineral resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.12.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.12-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.12.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.12-1. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Conservation and Open Space Element** | | |
| **Goal MN 1** Conservation and development of significant mineral deposits will be a high priority, but will be balanced with other County general plan goals and policies. | | |
| **Policy MN 1.1 Balance Test.** Evaluate proposed mining operations in areas having open space, scenic, habitat, recreational, or agricultural value by balancing these values against the need for extracting mineral resources from such areas. | The intent of this policy is to weigh the need for mining operations in areas with other value. | **Potentially Consistent.** The project does not include proposed mining operations. |
| **Policy MN 2.2 Incompatible Development.** Protect existing resource extraction operations from encroachment by incompatible land uses, land use category changes, and land divisions that could hinder resource extraction. | The intent of this policy is to protect resource extraction from conflicting with development. | **Potentially Consistent.** The project does not encroach upon and would not hinder existing resource extraction operations or areas suitable for resource extraction in the future. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy MN 2.1 Protect mineral resources.** Protect mineral and aggregate resources from incompatible uses in designated areas likely to contain significant mineral deposits in order that such deposits may be available for future use. Extract in-stream aggregate materials in a sustainable manner that balances the rate of extraction with the rate of natural replenishment. | The intent of this policy is to protect mineral resource-designated areas from incompatible uses to preserve such deposits for future use. | **Potentially Consistent.** The project is not located within a mineral resource designation. |
| **Policy MN 2.4 Discretionary Land Use Permits.** Require that proposed uses that require a discretionary land use permit will not adversely affect the continuing operation or expansion of an existing extraction use. | The intent of this policy is to ensure proposed development does not conflict with existing resource extraction. | **Potentially Consistent.** The project does not encroach upon and would not hinder existing resource extraction operations or areas suitable for resource extraction in the future. |

## 4.12.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on mineral resources if the effects exceed the significance criteria described below:

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.

Each of these thresholds is discussed under Section 4.12.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.12.4 Impact Assessment and Methodology

The project's potential impacts associated with mineral resources were evaluated by use of the environmental checklist questions included in Appendix G of the State CEQA Guidelines, included in Section 4.12.3, *Thresholds of Significance*. Potential impacts were evaluated based on a comprehensive review of the proposed project and all associated components, CDOC applicable database information, and all applicable regulatory requirements.

## 4.12.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT 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?

#### Specific Plan Area

No portion of the Specific Plan Area or adjacent properties are within a County-designated Energy or Extractive Area or Extractive Resource Area (County of San Luis Obispo 2010; CDOC 2017). The project site does not fall within the proposed revised boundaries of the EX1 designation (renamed as MRA), expanded EX designation boundaries, or a 0.25-mile buffer under the MDZ designation (County of San Luis Obispo 2018a). The entire project site has been classified as MRZ-3 (indicating there are

known or inferred mineral occurrences of undetermined mineral resource significance) (CDOC 1989). In addition, based on a review of the CalGEM Well Finder, there are no oil or gas wells or fields on the project site (CDOC 2019). As such, there are no identified significant mineral resources in the project site vicinity, and project development would not result in the loss of availability of any known mineral resources. The project does not propose exploration or mining of any known mineral resources. Therefore, the project would not preclude the future extraction or in any way result in impacts to such resources, and there would be *no impact*.

### Off-Site Improvements

Proposed off-site improvements would result in construction and installation of transportation, water, and wastewater infrastructure improvements within previously developed roadways, road shoulder areas, or otherwise disturbed areas within existing NCSD facilities (e.g., Southland WWTF) (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). The proposed off-site improvements are in areas classified as MRZ-3 and would not fall within a County-designated Energy or Extractive Area or Extractive Resource Area (CDOC 1989). There are no oil or gas wells or fields within the off-site improvement areas (CDOC 2019). The project would not result in the loss of availability of a known mineral resource, and *no impact* would occur.

### WOULD THE PROJECT 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?

### Specific Plan Area

As stated under MR Impact 1, there are no identified significant mineral resources in the project site vicinity, and the project does not propose exploration or mining. The project site is not located on land designated for mineral resources. It is currently designated as the Cañada Ranch Specific Plan in the County's General Plan and an expansion area under the South County Area Plan, as well as County LUO Section 22.98.072. Implementation of the project would not conflict with any local general plan, specific plan, or other land use plan. Therefore, the project would have *no impact* related to the loss of a locally important mineral resource recovery site.

### Off-Site Improvements

The proposed off-site improvements are not located on land designated for mineral resources by the County's General Plan. Implementation of these improvements would not conflict with any local general plan, specific plan, or other land use plan. Therefore, the project would have *no impact* related to the loss of a locally important mineral resource recovery site.

## 4.12.6 Cumulative Impacts

### *MR Impact 1: The project would not result in a cumulatively considerable impact to mineral resources. Impacts would be less than significant (Class III).*

The project's cumulative study area and development scenario is described in Chapter 3, *Environmental Setting* (refer to Table 3-2, Cumulative Development Scenario Project List). The project would not result in effects that, when considered in combination with the impacts of nearby regional projects, would be considered cumulatively considerable or significant. The County's proposed mining designation amendments would adjust EX combining designations to reflect state-designated regionally significant mineral resources and would help prevent closure and elimination of these sites. The County's

Infrastructure and Facilities Capital Improvement Plan does not indicate expectation of any projects that would impact availability of mineral resources or mineral resource recovery sites (County of San Luis Obispo 2017). The County's proposed mining designation amendments would adjust EX combining designations to reflect state-designated regionally significant mineral resources and would help prevent closure and elimination of these sites. The County's Infrastructure and Facilities Capital Improvement Plan does not indicate expectation of any projects that would impact availability of mineral resources or mineral resource recovery sites. Therefore, the project is not expected to result in significant cumulative impacts to mineral resources or mineral resource recovery sites. Potential cumulative impacts would be *less than significant*.

| **MR Impact 1 (Class III)** |
|---|
| The project would not result in a cumulatively considerable impact to mineral resources. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *The project would not contribute to a loss of mineral resources; therefore, residual cumulative impacts would be less than significant (Class III).* |

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# 4.13 NOISE

The following setting and impact discussion is based, in part, on the *Noise Impact Assessment for Dana Reservice Specific Plan* prepared for the project (AMBIENT 2022; EIR Appendix I). The Noise Impact Assessment includes an in-depth assessment of potential sources of noise generated by the project and the potential for existing sources of noise to disturb proposed land uses. The following setting information also includes applicable noise standards and thresholds established by the *County of San Luis Obispo General Plan Noise Element* and the County's LUO.

## 4.13.1 Existing Conditions

### *4.13.1.1 Overview of Environmental Noise*

Noise is generally defined as sound that is loud, disagreeable, or unexpected. The general definition of sound includes the mechanical energy transmitted in the form of a wave because of a disturbance or vibration and is described in terms of the loudness (amplitude) and pitch (frequency) of the sound.

Amplitude is the difference between ambient air pressure and the peak pressure of the sound wave. Amplitude is interpreted by the ear as corresponding to different degrees of loudness and is measured in decibels (dB) on a logarithmic scale. Therefore, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dB higher than one source under the same conditions. For example, a 65-dB source of a sound, such as a truck, when joined by another 65-dB source results in a sound amplitude of 68 dB, not 130 dB (i.e., doubling the source strength increases the sound pressure by 3 dB). Further, under the decibel scale, three sources of equal loudness together would produce an increase of 5 dB. Laboratory measurements correlate a 10-dB increase in amplitude with a perceived doubling of loudness and establish a 3-dB change in amplitude as the minimum audible difference perceptible to the average person.

Frequency is the number of fluctuations in the pressure wave per second. The unit of frequency is the Hertz (Hz). One Hz equals one cycle per second. The human ear is not equally sensitive to the sound of different frequencies. Sound waves below 16 Hz or above 20,000 Hz cannot be heard at all, and the ear is more sensitive to sound in the higher portion of this range than in the lower. To approximate this sensitivity, the environmental sound is usually measured in A-weighted decibels (dBA). On this scale, the normal range of human hearing extends from about 10 dBA to about 140 dBA (AMBIENT 2022).

#### 4.13.1.1.1 SOUND PROPAGATION AND ATTENUATION

Propagation is defined as the way noise is spread from the source and attenuation is defined as the rate which sound is reduced as it propagates from the source. The sound from a localized source (i.e., a point source) propagates uniformly outward in a spherical pattern. The sound level attenuates at a rate of approximately 6 dB for each doubling of distance from a point source.

A line source consists of several localized noise sources on a defined path (i.e., highways). Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of approximately 3 dB for each doubling of distance from a line source, depending on ground surface characteristics. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receiver, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between a line source and the receiver, such as soft dirt, grass, or scattered bushes and trees), an excess ground-attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the

cylindrical spreading, the excess ground attenuation for soft surfaces results in an overall attenuation rate of 4.5 dB per doubling of distance from a line source.

A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Natural terrain features (e.g., hills, dense woods) and human-made features (e.g., buildings, walls) can substantially reduce noise levels. Walls are often constructed between a source and a receiver specifically to reduce noise. A barrier that breaks the line of sight between a source and a receiver will typically result in an approximate 5 dB of noise reduction. Further, taller barriers provide increased noise reduction (AMBIENT 2022).

#### 4.13.1.1.2 NOISE DESCRIPTORS

The decibel scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Although the intensity (energy per unit area) of the sound is a purely physical quantity, the loudness or human response is determined by the characteristics of the human ear.

Human hearing is limited in the range of audible frequencies as well as in the way it perceives the sound-pressure level in that range. Typically, people are most sensitive to the frequency range of 1,000 to 8,000 Hz and perceive sounds within that range better than sounds of the same amplitude in higher or lower frequencies. To approximate the response of the human ear, sound levels of individual frequency bands are weighted, depending on the human sensitivity to those frequencies, and is referred to as the "A-weighted" sound level (dBA). The A-weighting network approximates the frequency response of the average ear when listening to most ordinary sounds. Other weighting networks have been devised to address high noise levels or other special problems (e.g., B, C, and D scales), but these scales are rarely used in conjunction with environmental noise.

The intensity of environmental noise fluctuates over time, and several descriptors of time-averaged noise levels are typically used. Common noise descriptors used for the evaluation of environmental noise include energy-equivalent noise level (Leq), day-night average noise level (Ldn), and community noise equivalent (CNEL). Leq is a measure of the average energy content (intensity) of noise over any given period. Additionally, many communities use 24-hour descriptors of noise levels to regulate noise, including Ldn and CNEL. Ldn is the 24-hour average of the noise intensity, with a 10-dBA reduction added for nighttime noise (10:00 p.m.–7:00 a.m.) to account for the greater sensitivity to noise during this period. CNEL is similar to Ldn but adds an additional 5-dBA penalty for evening noise (7:00 p.m.–10:00 p.m.) (AMBIENT 2022). Common noise descriptors are included in Table 4.13-1.

**Table 4.13-1. Common Noise Descriptors**

| Descriptor | Definition |
|---|---|
| Decibel (dB) | A unitless measure of sound on a logarithmic scale, which indicates the squared ratio of sound pressure amplitude to referenced sound pressure amplitude. The reference pressure is 20 micro-pascals. |
| A-Weighted Decibel (dBA) | An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear. |
| Energy Equivalent Noise Level (Leq) | The energy mean (average) noise level. The instantaneous noise levels during a specific period of time in dBA are converted to relative energy values. From the sum of the relative energy values, an average energy value (in dBA) is calculated. |
| Minimum Noise Level (Lmin) | The minimum instantaneous noise level during a specific period of time. |

| Descriptor | Definition |
|---|---|
| Maximum Noise Level (Lmax) | The maximum instantaneous noise level during a specific period of time. |
| Day-Night Average Noise Level (DNL or Ldn) | The 24-hour Leq with a 10 dBA "penalty" for noise events that occur during the noise-sensitive hours between 10:00 p.m. and 7:00 a.m. In other words, 10 dBA is "added" to noise events that occur in the nighttime hours to account for increased sensitivity to noise during these hours. |
| Community Noise Equivalent Level (CNEL) | The CNEL is similar to the Ldn described above, but with an additional 5 dBA "penalty" added to noise events that occur between the hours of 7:00 p.m. to 10:00 p.m. The calculated CNEL is typically approximately 0.5 dBA higher than the calculated Ldn. |

Source: AMBIENT (2022)

### 4.13.1.1.3 HUMAN RESPONSE TO NOISE

The human response to environmental noise is subjective and varies considerably from individual to individual. Noise in the community has often been cited as a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to stress and annoyance. The health effects of noise in the community arise from interference with human activities, including sleep, speech, recreation, and tasks that demand concentration or coordination. Hearing loss can occur at the highest noise intensity levels. When community noise interferes with human activities or contributes to stress, public annoyance with the noise source increases. The acceptability of noise and the threat to public well-being are the basis for land use planning policies preventing exposure to excessive community noise levels.

The primary way of determining a person's subjective reaction to a new noise is the comparison of it to the existing environment, also known as the "ambient" environment. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged. Regarding increases in A-weighted noise levels, knowledge of the following relationships will be helpful in understanding this analysis:

- Except in carefully controlled laboratory experiments, a change of 1 dB cannot be perceived by humans;
- Outside of the laboratory, a 3-dB change is considered a just-perceivable difference;
- A change in the level of at least 5 dB is required before any noticeable change in community response would be expected. An increase of 5 dB is typically considered substantial;
- A 10-dB change is subjectively heard as an approximate doubling in loudness and would almost certainly cause an adverse change in community response.

For most noise-sensitive land uses, an interior noise level of 45-dB Leq and an exterior noise level of 60-dBA Leq is typically identified for the protection of speech communication. Based on this information, speech interference begins to become a problem when steady noise levels reach approximately 60 to 65 dBA.

The evaluation of potential increases in annoyance, activity interference, and sleep disruption for land use compatibility determinations are typically based on the use of the cumulative noise exposure metrics (i.e., CNEL or Ldn). Research conducted by Theodore J. Schultz identifies a correlation between the cumulative noise exposure metric and individuals who were highly annoyed by transportation noise. The Schultz Curve, which expresses the correlation between noise exposure and annoyance, indicates that approximately 13% of the population is highly annoyed at a noise level of 65 dBA Ldn. It also indicates that the percentage of people describing themselves as being highly annoyed increases between 55 and 70 dBA Ldn. A noise level of 65 dBA Ldn is a commonly referenced dividing point between lower and

higher rates of people describing themselves as being highly annoyed. The Schultz Curve and associated research became the basis for many of the noise criteria subsequently established for federal, state, and local entities. Most federal and state regulations and policies related to transportation noise sources establish a noise level of 65 dBA CNEL/Ldn as the basic limit of acceptable noise exposure for residential and other noise-sensitive land uses. Additionally, an interior noise level of 45 dB CNEL/Ldn is generally considered sufficient to protect against long-term sleep interference (AMBIENT 2022).

#### 4.13.1.1.4 CONSTRUCTION NOISE

Noise levels generated by construction equipment may vary based on factors such as the type of equipment, the equipment model, the operation being performed, and the condition of the equipment. Typically, the dominant source of noise from most construction equipment is the engine, often a diesel engine, which usually does not have sufficient muffling. In other cases, actions such as impact pile-driving or pavement-breaking would dominate the noise area. Construction equipment is operated as a stationary noise source or a mobile noise source. Stationary equipment operates in one location for one or more days at a time with a fixed power operation (e.g., pumps, generators, compressors) or intermittent, variable noises (e.g., pile drivers, pavement breakers). Mobile equipment moves around the site or to and from the site and includes bulldozers, loaders, trucks, etc. (Federal Transit Administration [FTA] 2018). Typical equipment used for construction activities and associated noise levels are included in Table 4.13-2 below.

**Table 4.13-2. Typical Construction Equipment Noise Levels**

| | Typical Noise Level (dBA)[1] 50 feet From Source | |
|---|---|---|
| **Equipment Type** | **Maximum Noise Level (Lmax)** | **Average-Hourly Noise Levels (Leq)** |
| Backhoe | 78 | 74 |
| Bulldozer | 82 | 78 |
| Compressor | 78 | 74 |
| Cranes | 81 | 73 |
| Concrete Pump Truck | 81 | 74 |
| Drill Rigs | 79 | 72 |
| Dump Trucks | 77 | 73 |
| Excavator | 81 | 77 |
| Generator | 81 | 78 |
| Gradall | 83 | 79 |
| Grader | 85 | 81 |
| Hydraulic Break Ram | 90 | 80 |
| Front End Loader | 79 | 75 |
| Pneumatic Tools | 85 | 82 |
| Pumps | 81 | 78 |
| Roller | 80 | 73 |
| Scraper | 84 | 80 |
| Tractor | 84 | 80 |

Source: Federal Highway Administration (FHWA) (2008)

[1] Based on measured instantaneous noise levels (Lmax), average equipment usage rates, and calculated average hourly (Leq) noise levels derived from the FHWA Road Construction Noise Model (FHWA 2008).

### *4.13.1.2 Groundborne Vibration*

Groundborne noise occurs when vibration radiates through the ground and creates a low-frequency sound, often described as a "rumble." Groundborne vibration can be a concern for nearby neighbors of a fixed rail transit system route or maintenance facility. However, groundborne vibration is not commonly perceived as an environmental problem because it is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Construction activities can result in varying degrees of groundborne vibration, depending on the equipment, model, and methods employed. Operation of construction equipment causes groundborne vibrations that spread through the ground and diminish in strength with distance (FTA 2018).

The threshold at which there is a risk to normal structures from continuous events is peak particle velocity (PPV) of 0.3 inches per second (in/sec) for older residential structures and 0.5 in/sec PPV for newer building construction. No existing historic or fragile structures were identified in the project area. With regard to human perception, vibration levels would begin to become distinctly perceptible at levels of 0.04 in/sec PPV for continuous events. Continuous vibration levels are considered potentially annoying for people in buildings at levels of 0.2 in/sec PPV. Table 4.13-3 identifies the level at which groundborne vibration is perceptible.

**Table 4.13-3. Groundborne Vibration Levels and Potential Effects**

| Vibration Level (in/sec PPV)[1] | Human Reaction | Effect on Buildings |
|---|---|---|
| 0.006–0.019 | Threshold of perception; possibility of intrusion. | Vibrations unlikely to cause damage of any type. |
| 0.08 | Vibrations readily perceptible. | Recommended upper level of the vibration to which ruins and ancient monuments should be subjected. |
| 0.10 | Level at which continuous vibrations begin to annoy people. | Virtually no risk of "architectural" damage to normal buildings. |
| 0.20 | Vibrations annoying to people in buildings (this agrees with the levels established for people standing on bridges and subjected to relatively short periods of vibrations). | Threshold at which there is a risk of "architectural" damage to fragile buildings. |
| 0.3–0.6 | Vibrations become distinctly perceptible at 0.04 in/sec PPV and considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges. | Potential risk of "architectural" damage may occur at levels above 0.3 in/sec PPV for older residential structures and above 0.5 in/sec PPV for newer structures. |

Source: Caltrans (2020)

[1] The vibration levels are based on PPV in the vertical direction for continuous vibration sources, which includes most construction activities.

### *4.13.1.3 Existing Ambient Noise Environment*

#### 4.13.1.3.1 SENSITIVE NOISE RECEPTORS

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are also considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places where low interior noise levels are essential are also considered noise-sensitive land uses (AMBIENT 2022). The nearest sensitive receptor

locations are residential dwellings located adjacent to the western, southern, and northern boundaries of the DRSP area.

#### 4.13.1.3.2 AMBIENT NOISE ENVIRONMENT

The DRSP area is surrounded by residential land uses to the north along Cherokee Place, to the west along Pomeroy Road, and to the south along Sandydale Drive. Additionally, the eastern boundary of the DRSP area is bordered by US 101. Ambient noise levels in the vicinity of the DRSP area are predominantly influenced by vehicle traffic on US 101 and other local roadways. Based on a short-term survey of the project area, the existing ambient noise environment within the vicinity of the DRSP is summarized in Table 4.13-4.

**Table 4.13-4. Existing Ambient Noise Levels**

| Monitoring Location[1] | Existing Noise Level (dBA) | |
|---|---|---|
| | Average-Hourly Noise Level (Leq) | Maximum Noise Level (Lmax) |
| Southeast corner of the DRSP area, approximately 33 yards (99 feet) from the median of US 101 | 70.3 | 77.4 |
| Southern boundary of the DRSP area on Cory Way, approximately 212 yards (636 feet) north of Sandydale Drive | 41.3 | 57.9 |
| West side of the DRSP area, on Hetrick Avenue, approximately 56 yards (168 feet) north of Pomeroy Road | 56.6 | 66.6 |
| North side of the DRSP area, on Cherokee Place, approximately 306 yards (918 feet) south of Willow Road | 44.3 | 65.4 |

Source: AMBIENT (2022)

[1] Four short-term noise measurement surveys were conducted on November 15 and November 16, 2021, using a Larson Davis Laboratories, Type I, Model 820 integrating sound-level meter positioned at a height of approximately 5 feet above ground level.

Based on Table 4.13-4, measured short-term daytime average-hourly noise levels in the project area generally range from approximately 41.3 dBA Leq to approximately 70.3 dBA Leq.

In addition to the four short-term noise measurement surveys (see Table 4.13-4), a 24-hour noise measurement was conducted near the southeastern boundary of the project site, approximately 100 feet from the median of US 101 to determine long-term ambient noise levels within the vicinity of the DRSP area. Noise levels at this location were primarily affected by vehicle traffic on US 101. Measured average-hourly noise levels ranged from approximately 57.3 dBA Leq during the nighttime hours to approximately 70.4 dBA Leq during the daytime hours (AMBIENT 2022).

#### 4.13.1.3.3 EXISTING TRAFFIC NOISE LEVELS

Vehicle traffic on area roadways is the primary source of noise in the project area. Calculated existing traffic noise levels at 50 feet from the near-travel-lane centerline and distances to existing noise contours for area roadways are summarized in Table 4.13-5.

**Table 4.13-5. Existing Traffic Noise Levels**

| Roadway Segment | Existing Noise Level (dBA CNEL)[1] | | | | |
|---|---|---|---|---|---|
| | 50 feet from the Near-Travel-Lane Centerline | Distance (Feet) to CNEL/Ldn Contours From Roadway Centerline | | | |
| | | 70 | 65 | 60 | 55 |
| Willow Road, State Route 1 to Pomeroy Road | 68.0 | WR | 88.8 | 191 | 411.2 |
| Willow Road, Pomeroy Road to Hetrick Avenue | 67.6 | WR | 83.5 | 179.4 | 386.3 |
| Willow Road, Hetrick Ave. to US 101 SB Ramp | 68.9 | WR | 101.6 | 218.5 | 470.6 |
| Willow Road, US 101 SB Ramp to NB Ramp | 65.2 | WR | 70.3 | 147.4 | 315.6 |
| Pomeroy Road, Willow Road to SW Project Entry | 63.4 | WR | WR | 93.3 | 200.6 |
| Pomeroy Road, SW Project Enter to Tefft Street | 64.5 | WR | 51.8 | 111 | 238.8 |
| Tefft Street, Pomeroy Road to Mary Avenue | 66.9 | WR | 96.4 | 202.8 | 434.5 |
| Tefft Street, Mary Avenue to US 101 SB Ramp | 65.6 | WR | 79.2 | 164.8 | 352.1 |
| Tefft Street, US 101 SB Ramp to NB Ramp | 65.3 | WR | 83.9 | 170.9 | 363.3 |
| Mary Avenue, Tefft Street to Juniper Street | 61.8 | WR | WR | 77.9 | 166.8 |
| North Thompson Avenue, South of Willow Road | 66.4 | WR | 69.4 | 149 | 320.7 |

Source: AMBIENT (2022)

Note: WR = Within Road Right-of-Way

[1] Traffic noise levels were calculated using the FHWA roadway noise prediction model based on traffic data obtained from the traffic analysis prepared for this project.

Based on Table 4.13-5, existing traffic noise levels along nearby roadways range from approximately 61.8 to 66.9 dBA CNEL/Ldn at 50 feet from the near-travel-lane centerline.

#### 4.13.1.3.4 GROUNDBORNE VIBRATION

No major existing sources of groundborne vibration were identified in the project area. Vehicle traffic on area roadways, particularly heavy-duty trucks, can result in increased groundborne vibration. However, groundborne vibration levels associated with vehicle traffic is typically considered minor and would not exceed applicable criteria at the project site boundaries (AMBIENT 2022).

### *4.13.1.4 Off-Site Improvements*

Off-site transportation, water, and wastewater improvement areas would be located within previously developed areas within the community of Nipomo. Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed off-site water system improvements would occur along North Oakglen Avenue and Tefft Street and proposed off-site wastewater system improvements are anticipated to occur along North Frontage Road (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). Land uses adjacent to proposed off-site transportation improvements include residential and commercial uses. Land uses along proposed off-site wastewater improvements include commercial development and land uses along proposed off-site water system improvements include commercial, residential, and agricultural land uses. The nearest sensitive receptor locations include residential dwellings along Willow Road, Pomeroy Road, Hetrick Avenue, Cory Way, and Tefft Street, which would be located adjacent to proposed transportation and water system improvement areas. The existing ambient noise environment within the vicinity of proposed

off-site improvement areas is dominated by vehicle traffic along associated roadways, including US 101, and is also comprised of noise from residential, commercial, and agricultural land uses.

## 4.13.2 Regulatory Setting

### *4.13.2.1 Federal*

#### 4.13.2.1.1 NOISE CONTROL ACT

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans that is free from noise that jeopardizes their health and welfare. The act also serves the following purposes (USEPA 2020):

- Establish a means for effective coordination of federal research and activities in noise control;
- Authorize the establishment of federal noise emission standards for products distributed in commerce; and
- Provide information to the public respecting the noise emission and noise reduction characteristics of such products.

#### 4.13.2.1.2 FEDERAL TRANSIT ADMINISTRATION CRITERIA

The FTA developed methodology and significance criteria to evaluate vibration impacts from surface transportation modes (i.e., passenger cars, trucks, buses, and rail) in the *Transit Noise and Vibration Impact Assessment* (FTA 2018). This assessment provides guidance for preparing and reviewing the noise and vibration sections of environmental documents by setting forth methods and procedures for determining the level the level of noise and vibration impacts resulting from federally funded transit projects and determining appropriate and feasible mitigation.

#### 4.13.2.1.3 FEDERAL HIGHWAY ADMINISTRATION

The Federal Highway Administration (FHWA) is the agency responsible for administering the federal-aid highway program in accordance with federal statutes and regulations. The FHWA developed noise regulations as required by the Federal-Aid Highway Act of 1970 (Public Law 91-605, 84 Stat. 1713). The Regulation 23 CFR 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise applies to highway construction projects where a state department of transportation has requested federal funding for participation in the project. The regulation requires the highway agency to investigate traffic noise impacts in areas adjacent to federally aided highways for proposed construction of a highway on a new location or the reconstruction of an existing highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the highway agency identifies impacts, it must consider abatement. The highway agency must incorporate all feasible and reasonable noise abatement into the project design (FWHA 2011).

#### 4.13.2.1.4 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

U.S. Department of Housing and Urban Development (HUD) guidelines for the acceptability of residential land use are included in the 24 CFR Part 51. These guidelines establish that noise exposure of 65 dBA CNEL/Ldn, or less, is acceptable and between 65 and 75 dBA CNEL/Ldn noise exposure is considered normally acceptable provided appropriate sound-reduction measures are provided. Above 75 dBA CNEL/Ldn noise exposure is generally considered unacceptable. The guidelines also identify the recommended interior noise levels of 45 dBA CNEL/Ldn. These guidelines apply only to new construction supported by HUD grants and are not binding on local communities.

## *4.13.2.2 State*

### 4.13.2.2.1 STATE OF CALIFORNIA GUIDELINES FOR THE PREPARATION AND CONTENT OF NOISE ELEMENT OF THE GENERAL PLAN

These guidelines reference land use compatibility standards for community noise environments as developed by the California Department of Health Services, Office of Noise Control. Sound levels up to 70 Ldn or CNEL are determined in these guidelines to be normally acceptable for office building and professional land uses and 75 Ldn or CNEL are determined in these guidelines to be normally acceptable for industrial uses.

### 4.13.2.2.2 CALIFORNIA BUILDING STANDARDS CODE

The State of California's noise insulation standards are codified in 24 CCR Part 2 – California Building Code and the California Building Standards Code. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are developed near major transportation noise sources, and where such noise sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans for noise-sensitive land uses must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

### 4.13.2.2.3 CALIFORNIA GREEN BUILDING STANDARDS

The *2019 California Green Building Standards* (24 CCR Part 11, Section 5.507) requires that the wall and roof-ceiling assemblies making up a building envelope to have a minimum Sound Transmissions Class (STC) of 50, and exterior windows to have a minimum STC of 40 or equivalent for any of the following building locations:

- Within 65 CNEL noise contour of an airport
- Within the 65 CNEL of Ldn noise contour of a freeway or expressway, railroad, industrial source, or fixed-guideway source as determined by the Noise Element of the General Plan.

The above standards do not apply to buildings with few or no occupants or where occupants are not likely to be affected by exterior noise (as determined by the enforcement authority), such as factories, stadiums, storage, enclosed parking structures, and utility buildings. This section also identifies a minimum STC of 40 for interior walls and floor-ceiling assemblies that separate tenant spaces and public spaces (CBSC 2019).

### 4.13.2.2.4 CALIFORNIA ADMINISTRATIVE CODE TITLE 24, NOISE INSULATION STANDARDS

Interior noise levels for habitable rooms are regulated also by Title 24 of the CCR, California Noise Insulation Standards. In the CBC, 24 1207.4 requires that interior noise levels attributable to exterior sources not exceed 45 CNEL in any habitable room within a residential structure. A habitable room is a room used for living, sleeping, eating, or cooking. Bathrooms, closets, hallways, utility spaces, and similar areas are not considered habitable rooms for this regulation (24 CCR 1207).

## *4.13.2.3 Local*

### 4.13.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Noise Element

The *County of San Luis Obispo General Plan Noise Element* 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.

As shown in Table 4.13-6, Ldn/CNEL noise levels for outdoor activity areas range from 60 to 70 dB. Interior spaces have an Ldn/CNEL standard of 45 dB for residences, hotels, motels, hospitals, and nursing facilities. Interior spaces for public assembly and entertainment-type land uses have a 35 Leq dB standard and office, places of worship, and school-type land uses have a 45 Leq dB standard.

**Table 4.13-6. County of San Luis Obispo Maximum Allowable Noise-Exposure Standards for Transportation Noise Sources**

| Land Use | Outdoor Activity Areas[1] | Interior Spaces | |
|---|---|---|---|
| | Ldn/CNEL (dB) | Ldn/CNEL (dB) | Leq (dB)[2] |
| Residential (except temporary dwellings and residential accessory uses) | 60[3] | 45 | -- |
| Bed and Breakfast Facilities, Hotels and Motels | 60[3] | 45 | -- |
| Hospitals, Nursing and Personal Care | 60[3] | 45 | -- |
| Public Assembly and Entertainment (except Meeting Halls) | -- | -- | 35 |
| Offices | 60[3] | -- | 45 |
| Churches, Meeting Halls | -- | -- | 45 |
| Schools: Preschool to Secondary, College and University, Specialized Education, Training Libraries and Museums | -- | -- | 45 |
| Outdoor Sports and Recreation | 70 | -- | -- |

Source: County of San Luis Obispo (1992)

[1] Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use.

[2] As determined for a typical worst-case hour during periods of use.

[3] For other than residential uses, where an outdoor activity area is not proposed, the standard shall not apply. Where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.

As shown in Table 4.13-7, the maximum allowable noise exposure standards vary depending on the duration of exposure and time of day. During the daytime hours of 7:00 a.m. to 10:00 p.m., average-hourly noise levels are limited to 50 dBA Leq at the property line of the receiving noise-sensitive land use. Daytime maximum instantaneous noise levels associated with non-transportation noise sources are limited to 70 dBA Lmax and impulsive noise levels are limited to 65 dBA Lmax at the property line of

noise-sensitive land uses. These daytime noise standards are reduced by 5 dBA for events occurring during the more noise-sensitive nighttime hours (10:00 p.m.–7:00 a.m.).

**Table 4.13-7. County of San Luis Obispo Maximum Allowable Noise-Exposure Standards for Stationary Noise Sources**

| Descriptor [1] | Daytime (7 a.m. to 10 p.m.) | Nighttime (10 p.m. to 7 a.m.) |
|---|---|---|
| Hourly Leq, dB | 50 | 45 |
| Maximum level, dB | 70 | 65 |
| Maximum level, dB-Impulsive Noise | 65 | 60 |

Source: County of San Luis Obispo (1992)

[1] As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures. Applies only where the receiving land use operates or is occupied during nighttime hours.

#### 4.13.2.3.2 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

County LUO Section 22.10.120 provides the County's noise standards. Per this section of the County's LUO, construction activities would be limited to daytime hours between 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends. This section of the County's LUO also includes maximum allowed interior and exterior noise level standards, shown in Table 4.13-8.

**Table 4.13-8. Maximum Allowable Interior and Exterior Noise Level Standards**

| | Interior | | Exterior[1] | |
|---|---|---|---|---|
| Sound Levels | Daytime 7 a.m.–10 p.m. | Nighttime[2] | Daytime 7 a.m.–10 p.m. | Nighttime[2] |
| Hourly Equivalent Sound Level (Leq, dB) | 40 | 35 | 50 | 45 |
| Maximum level (dB) | 60 | 55 | 70 | 65 |

Source: LUO (Title 22 of the County Code)

[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.

### *4.13.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Noise*

Table 4.13-9 lists applicable state, regional, and local land use policies and regulations pertaining to noise that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.13-2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.13-9 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.13-5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

## Table 4.13-9. Consistency Analysis for Noise

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Noise Element** | | |
| **Policy 3.3.1.** The noise standards in this chapter represent maximum acceptable noise levels. New development should minimize noise exposure and noise generation. | The intent of this policy is to minimize noise exposure and noise generation. | **Potentially Consistent.** The DRSP has been prepared to be consistent with the goals and policies of the General Plan. DRSP policies and standards related to noise include design guidelines to screen and/or enclose outdoor mechanical equipment and to allow for walls up to 8 feet in height for noise buffers around loading areas and areas adjacent to residential and educational uses. |
| **Policy 3.3.2.** New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future levels of noise from transportation noise sources which exceed 60 dB $L_{DN}$ or CNEL (70 $L_{DN}$ or CNEL for outdoor sports and recreation) unless the project design includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces to or below the levels specified for the given land use. | The intent of this policy is to limit exposure of noise-sensitive uses to existing and future transportation-related noise sources. | **Potentially Consistent.** DRSP policies and standards related to noise would be applicable to future development. Mitigation Measure N/mm-1.2 would require site-specific acoustical analyses to ensure that noise does not exceed thresholds for outdoor activity areas and for interior spaces of proposed residential, educational, hotel, and commercial land uses. |
| **Policy 3.3.3.** Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as to not exceed the established noise levels within the outdoor activity areas or interior spaces of existing noise sensitive land uses. | The intent of this policy is to limit exposure of noise-sensitive uses to future transportation-related noise sources. | **Potentially Consistent.** DRSP policies and standards related to noise would be applicable to future development. Mitigation Measure N/mm-1.2 would require site-specific acoustical analyses to ensure that noise does not exceed thresholds for outdoor activity areas and for interior spaces of proposed residential, educational, hotel, and commercial land uses. |
| **Policy 3.3.4.** New development of noise-sensitive land uses shall not be permitted where the noise level due to existing stationary noise sources will exceed the noise level standards unless effective noise mitigation measures have been incorporated into the design of the development to reduce noise exposure to or below established levels. | The intent of this policy is to avoid overexposure of new noise-sensitive land uses to noise generated by stationary sources. | **Potentially Consistent.** DRSP policies and standards related to noise would be applicable to future development. Mitigation Measure N/mm-1.2 would require site-specific acoustical analyses to ensure that noise does not exceed thresholds for outdoor activity areas and for interior spaces of proposed residential, educational, hotel, and commercial land uses. |
| **Policy 3.3.5.** Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modifications that may increase noise levels shall be mitigated as follows and shall be the responsibility of the developer of the stationary noise source:<br>a. Noise from agricultural operations conducted in accordance with accepted standards and practices is not required to be mitigated.<br>b. Noise levels shall be reduced to or below noise level standards where the stationary noise source will expose an existing noise-sensitive land use to noise levels which exceed established standards. | The intent of this policy is to mitigate potential conflict between noise-sensitive uses and noise generated by stationary sources. | **Potentially Consistent.** DRSP policies and standards related to operational noise would be applicable to future development. Mitigation Measure N/mm-1.2 would require site-specific acoustical analyses to ensure that stationary noise sources, such as HVAC and back-up generators, would not exceed thresholds for outdoor activity areas and for interior spaces of proposed residential and educational land uses. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| c. Noise levels shall be reduced to or below the noise level standards where the stationary noise source will expose vacant land in the Agriculture, Rural Lands, Residential rural, Residential Suburban, Residential Single-Family, Residential Multi-Family, Recreation, Office and Professional, and Commercial Retail land use categories to noise levels which exceed the established standards. | | |
| **Policy 3.3.6.** San Luis Obispo County shall consider implementing mitigation measures where existing noise levels produce significant noise impacts to noise-sensitive land uses or where new development may result in cumulative increases of noise upon noise-sensitive land uses. | The intent of this policy is to rectify existing noise conflicts and avoid new noise conflicts between land uses. | **Potentially Consistent.** DRSP policies and standards related to noise would be applicable to future development. Mitigation Measure N/mm-1.2 would require site-specific acoustical analyses to ensure that potential contributions from buildout of the DRSP would not result in substantial cumulative increases to ambient noise levels at outdoor activity areas and in interior spaces of proposed residential, educational, hotel, and commercial land uses. |

## 4.13.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on noise if the effects exceed the significance criteria described below:

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.

Each of these thresholds is discussed under Section 4.13.5, *Project-Specific Impacts and Mitigation Measures*, below.

As discussed in the IS/NOP, the project site is not located within an airport land use plan or within 2 miles of a public airport or public use airport and would not result in impacts related to exposure of people to excessive aircraft-related noise levels. Therefore, issues related to the following threshold of significance is not discussed further in the EIR.

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.

See EIR Appendix B, *Notice of Preparation for the Draft Environmental Impact Report and Comment Letters*, for more information related to this topic.

## 4.13.4 Impact Assessment and Methodology

The following impact assessment is based, in part, on the Noise Impact Assessment prepared for the DRSP (AMBIENT 2022), the Noise Element, and the County's LUO. A significant impact related to noise would occur if the proposed project would result in an increase in short- or long-term environmental noise within the vicinity of the project or if the proposed project would generate groundborne noise or vibration in a manner that could cause disturbance to historic buildings or humans.

## 4.13.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT RESULT IN THE 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?

### Specific Plan Area

#### *N Impact 1: The project would generate a substantial temporary or permanent increase in ambient noise levels in excess of established standards. Impacts would be less than significant with mitigation (Class II).*

CONSTRUCTION

The proposed project would generate a short-term, intermittent increase in ambient noise during the construction phase of the project from initial site improvements, vehicle and equipment movement, and future construction of residential and commercial land uses. The exact timing of buildout of the DRSP area is currently not known; however, the anticipated buildout schedule is assumed to occur over a span of 6 years beginning in 2024 (see Table 2-11 in Chapter 2, *Project Description*). Construction activities would be limited to daytime hours between 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends per County LUO Section 22.10.120.

As identified in Table 4.13-2 included in Section 4.13.1.1.4, *Construction Noise*, typical maximum construction noise levels range from approximately 77 to 90 dBA Lmax at 50 feet from the noise source and average-hourly noise levels associated with construction equipment generally range from approximately 72 to 82 dBA Leq at 50 feet. Based on these equipment noise levels, equipment commonly associated with community development projects, and assuming the two loudest pieces of equipment operating simultaneously in close proximity, predicted average-hourly noise levels occurring during the loudest phases of construction generally range from approximately 78 to 84 dBA Leq at 50 feet (AMBIENT 2022).

The County has not adopted noise standards that apply to short-term construction activities. However, based on screening noise criteria commonly recommended by federal agencies, construction activities would generally be considered to have a potentially significant impact if average daytime noise levels would exceed 90 dBA Leq when averaged over a 1-hour period (Leq), or 80 dBA Leq when averaged over an 8-hour period (Leq) (AMBIENT 2022). The nearest sensitive receptor locations are residential dwellings located adjacent to the western, southern, and northern boundaries of the DRSP area. Noise attenuation rate describes the rate at which a noise level is reduced from the source to surrounding areas. Assuming a minimum noise attenuation rate of 6 dB per doubling of distance from the source, construction-related noise levels could reach 80 dBA Leq at roughly 50 feet from on-site activities. Therefore, depending on the construction activities being conducted, noise levels at adjacent sensitive

receptor locations have the potential to exceed 80 dBA Leq when more intensive activities, such as site grading, occur near the western, southern, and northern boundaries of the DRSP area (AMBIENT 2022).

Due to the proximity of the nearest sensitive receptor locations, there is potential for short-term construction-related noise to increase ambient noise levels during the anticipated 6-year buildout phase that may result in disturbance. Mitigation Measure N/mm-1.1 has been included to reduce short-term construction noise through implementation of construction noise best management practices (BMPs). Following implementation of noise BMPs included in Mitigation Measure N/mm-1.1, average-hourly construction noise levels would be reduced to less than 80 dBA Leq at nearby noise-sensitive land uses (AMBIENT 2022). Therefore, potential impacts related to a temporary increase in ambient noise would be *less than significant with mitigation*.

## OPERATION

Buildout of the DRSP area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, 152 ADUs, and approximately 203,000 square feet of land dedicated to commercial and light industrial development. Commercial and light industrial areas may include retail, hotel, and/or educational land uses. Full buildout of the DRSP area is anticipated to generate a total population of 4,554 residents and 272 new employees (4,826 people). In addition, buildout of the DRSP area includes development of a new 10-acre public park, a 1-acre equestrian staging area, and 8.5 to 12 acres of neighborhood pocket parks.

### Residential Uses

Operation of up to 1,441 proposed residential units would expose existing and proposed residential dwellings within the vicinity of the project to minor increases in long-term ambient noise levels. Noise typically associated with such development includes lawn and garden equipment, voices, air conditioning equipment, and amplified music. Noise generated by these land uses would result in only minor increases in ambient noise levels, primarily during the day and evening hours and less frequently at night. Air conditioning units for residential uses typically generate noise levels of approximately 60 dBA Leq at 3 feet during operation. Typical operational cycles for residential air condition units occur for periods of approximately 10 minutes in 20- to 30-minute intervals. When averaged over an approximate 1-hour period and assuming a setback distance of 5 feet, predicted average-hourly noise levels at nearby residential land uses would not be anticipated to exceed the County's noise standards. As a result, increased noise levels associated with proposed residential land uses would be *less than significant.*

### Commercial, Hotel, and Retail Uses

Noise sources commonly associated with commercial, hotel, and retail uses include building mechanical systems (e.g., HVAC systems), back-up power generators, vehicle activity within parking lots, and loading dock activities. Noise levels associated with building mechanical systems, such as larger air conditioning units, can range from 60 to 79 dBA Leq at 5 feet. Back-up power generators can generate noise levels of approximately 79 dBA Leq at 50 feet. Assuming a maximum noise level of 79 dBA Leq at 50 feet, predicted operational noise levels associated with back-up power generators could potentially exceed 50 dBA Leq at approximately 1,500 feet and approximately 45 dBA Leq at 2,700 feet. Additionally, noise levels associated with loading dock operations and material-handling activities have the potential to generate noise levels of approximately 65 dBA Leq at 50 feet. Predicted operational noise levels associated with loading dock operations could potentially exceed 50 dBA Leq at approximately 150 feet and approximately 45 dBA Leq at 265 feet. Other outdoor equipment, such as commercial-use air conditioning condensers and trash compactors, and material handling activities may also result in intermittent increases in operational noise levels (AMBIENT 2022).

Depending on the specific uses proposed, site design, and hours of operation predicted noise levels associated with proposed commercial land uses could potentially exceed the County's stationary noise source standards at nearby noise-sensitive land uses. Areas where commercial and residential development would occur in close proximity, such as planned mixed-use development, would be of particular concern. Since the specific buildout schedule and development plan for the DRSP area is currently not known, Mitigation Measure N/mm-1.2 has been included to require an acoustical survey for future commercial development to determine areas where noise may exceed established county thresholds. If proposed commercial development is identified as exceeding established thresholds, long-term noise reduction features, such as setbacks, sound barriers, berms, hourly limitations, and/or equipment enclosures would be required to be included in the final design plan to ensure new noise sources do not exceed established noise thresholds. Therefore, potential impacts related to long-term increase in ambient noise levels from commercial development would be *less than significant with mitigation*.

### Parking Lots

The proposed project would include multiple parking lots dispersed throughout the project site, primarily associated with proposed commercial uses and multi-family land uses located within the easternmost portion of the DRSP area. Noise levels associated with parking lots typically includes vehicle operations, the opening and closing of vehicle doors, and the operation of vehicle sound systems. Parking areas associated with commercial uses, as well as multi-family land uses, would be separated from nearby residential land uses by proposed on-site roadways; therefore, noise levels at the nearest residential land uses would not be projected to exceed county noise standards and would be largely masked by vehicular traffic on area roadways, including US 101. Potential impacts would be *less than significant*.

### Outdoor Recreational and Special Event Uses

Noise typically associated with neighborhood parks, small playgrounds, trails, and open space areas are typically limited to the voices of adults and children and the occasional opening and closing of vehicle doors. Noise events are typically sporadic and limited primarily to the daytime hours of operation. Parks and open space areas are typically considered to be an accepted land use within residential developments and generally do not result in noise events that are uncharacteristic of typical residential noise environments. However, some outdoor uses, such as outdoor athletic and temporary event facilities, may incorporate the use of an amplified public address (PA) sound system. Depending on the location of the PA system and speaker orientation, the use of amplified public address systems can generate noise levels of approximately 75 dBA Leq at 100 feet. Based on this noise level, predicted operational noise levels within approximately 1,050 feet and 3,300 feet could potentially exceed the County's daytime and nighttime noise standards of 50 and 45 dBA Leq, respectively. Depending on operational characteristics and location, predicted noise levels at nearby noise-sensitive land uses could potentially exceed the County's noise standards. Since the specific buildout schedule and development plan for the DRSP area is currently not known, Mitigation Measure N/mm-1.2 has been included to require an acoustical survey for future outdoor recreational development to determine areas where noise may exceed established county thresholds. If proposed outdoor recreational development is identified as exceeding established thresholds, long-term noise reduction features, such as setbacks, sound barriers, berms, hourly limitations, and/or equipment enclosures, would be required to be included in the final design plan to ensure new noise sources do not exceed established County noise thresholds. Therefore, potential impacts related to a long-term increase in ambient noise levels from outdoor recreational development would be *less than significant with mitigation*.

### Educational Land Uses

Noise generated by the proposed satellite junior college campus and childcare center would be predominantly generated by elevated children's voices, adult voices, building mechanical equipment, parking lots, and exterior PA system speakers. Noise levels associated with small playgrounds and recreation areas can generate intermittent noise levels of approximately 55 to 60 dBA Leq at 50 feet. Noise levels associated with outdoor playgrounds would not be anticipated to exceed the County's noise standards at nearby land uses and would be largely masked by traffic noise emanating from area roadways, including US 101. Building mechanical equipment is typically located within the structure, enclosed, or placed on rooftop areas away from direct public exposure. Noise generated by on-site noise sources would be predominantly limited to the daytime hours of operation. However, as discussed above, outdoor equipment, such as back-up power generators, trash compactors, and exterior amplified PA sound systems, may result in increases in ambient noise levels at nearby noise-sensitive land uses in excess of the County's noise standards. As described above, Mitigation Measure N/mm-1.2 has been included to require an acoustical survey for future development to determine areas where noise may exceed established County thresholds and requires implementation of long-term noise reduction measures, such as setbacks, sound barriers, berms, hourly limitations, and/or equipment enclosures, to ensure new noise sources do not exceed established noise thresholds. Therefore, potential impacts related to a long-term increase in ambient noise levels from future development, including educational land uses, would be *less than significant with mitigation*.

### Increases in Long-Term Traffic Noise Levels

Implementation of the proposed project would result in increased traffic volumes on area roadways, which is anticipated to contribute to increases in traffic noise levels within the vicinity of the DRSP area. Predicted increases in traffic noise levels, with and without implementation of the proposed project, are shown in Table 4.13-10.

**Table 4.13-10. Predicted Increases in Existing Traffic Noise Levels**

| | Predicted Community Noise Equivalent (CNEL), 50 Feet from Near-Travel-Lane Centerline | | | |
|---|---|---|---|---|
| **Roadway Segment** | **Existing Without Project** | **With Project** | **Predicted Change** | **Significant Increase** |
| Willow Road, State Route 1 to Pomeroy Road | 68.0 | 68.5 | 0.5 | No |
| Willow Road, Pomeroy Road to Hetrick Avenue | 67.6 | 68.1 | 0.5 | No |
| Willow Road, Hetrick Avenue to US 101 SB Ramp | 68.9 | 71.6 | 2.7 | No |
| Willow Road, US 101 SB Ramp to NB Ramp | 65.2 | 68.1 | 2.9 | No |
| Pomeroy Road, Willow Road to SW Project Entry | 63.4 | 64.4 | 1.0 | No |
| Pomeroy Road, SW Project Enter to Tefft Street | 64.5 | 66.0 | 1.5 | No |
| Tefft Street, Pomeroy Road to Mary Ave. | 66.9 | 66.9 | 0.0 | No |
| Tefft Street, Mary Avenue to US 101 SB Ramp | 65.6 | 65.5 | -0.1 | No |
| Tefft Street, US 101 SB Ramp to NB Ramp | 65.3 | 65.3 | 0.0 | No |
| Mary Avenue, Tefft Street to Juniper Street | 61.8 | 61.6 | -0.2 | No |
| North Thompson Avenue, South of Willow Road | 66.4 | 67.3 | 0.9 | No |

Source: AMBIENT (2022)

[1] Traffic noise levels were calculated using the FHWA roadway noise prediction model based on traffic data obtained from the traffic analysis prepared for this project.

[2] A significant impact is defined as a substantial increase (i.e., 3 dB, or greater) in traffic noise levels.

As depicted in Table 4.13-10, increases in existing traffic noise levels along local roadways within the vicinity of the DRSP area would range from less than 0.1 to 2.9 dBA CNEL/Ldn. Typically, perceptible changes in ambient noise levels do not occur at levels below 3 dBA (AMBIENT 2022). Implementation of the proposed project would not result in an increase of 3 dBA or greater along any of the roadway segments; therefore, potential impacts related to increases in long-term ambient noise along roadways would be *less than significant*.

### Compatibility of Proposed Land Uses with Traffic Noise Levels

The County's noise standards for exposure to transportation noise sources are 60 dBA CNEL/Ldn for residential, commercial office, and hotel uses and 70 dBA CNEL/Ldn for outdoor sports and recreation uses. Noise exposure standards for other land uses considered to be potentially sensitive to noise, such as educational use facilities, are based on an interior noise exposure level of 45 dBA CNEL/Ldn.

As previously discussed, ambient noise levels at the project site are primarily influenced by vehicle traffic on US 101, which extends in a general north-to-south direction along the eastern boundary of the project site. Traffic noise modeling was conducted for future year 2032 conditions. Based on the traffic noise modeling, the predicted 70, 65, and 60 dBA CNEL noise contours would extend to approximately 220 feet, 468 feet, and 1,005 feet from the centerline of US 101, respectively. Predicted traffic noise levels at proposed multi-family land uses located within the easternmost portions of the project site would be projected to exceed the County's exterior noise standard of 60 dBA CNEL/Ldn. Other land uses, such as the proposed offices or educational land uses, also have the potential to exceed the County's interior noise standard of 45 dBA CNEL/Ldn. Predicted traffic noise levels at other future planned land uses located along proposed Collector B and proposed Collector C, including proposed residential land uses and the daycare facility, would be approximately 60 dBA CNEL/Ldn or less and would not exceed applicable County noise standards (AMBIENT 2022).

Since the specific buildout schedule and development plan for the DRSP area is currently not known, Mitigation Measure N/mm-1.2 has been included to require an acoustical survey to determine areas where transportation-related noise may exceed established County thresholds. If roadway and vehicle traffic noise is determined to exceed existing thresholds at proposed future development, long-term noise reduction features, such as setbacks, sound barriers, and/or berms, would be required to be included in the final design plan to ensure transportation noise levels do not exceed established County thresholds. Therefore, potential impacts related to a long-term increase in ambient noise levels from roadway and vehicle noise would be *less than significant with mitigation*.

| **N Impact 1 (Class II)** | |
|---|---|
| The project would generate a substantial temporary or permanent increase in ambient noise levels in excess of established standards. | |
| ***Mitigation Measures*** | |
| *N/mm-1.1* | *The following mitigation measures shall be implemented to reduce exposure to short-term construction noise.*<br>*1. Unless otherwise provided for in a validly issued permit or approval, noise-generating construction activities should be limited to between the hours of 7:00 a.m. and 7:00 p.m. Noise-generating construction activities should not occur on Sundays or legal holidays.*<br>*2. Construction equipment should be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment-engine shrouds should be closed during equipment operation.* |

| **N Impact 1 (Class II)** |
|---|
| 3. *Equipment shall be turned off when not in use for an excess of 5 minutes, except for equipment that requires idling to maintain performance.*<br>4. *Construction haul truck routes shall be routed away from nearby noise-sensitive land uses to the extent possible.*<br>5. *Staging and queuing areas shall be located at the farthest distance possible from nearby noise-sensitive land use identified in the project area at the time of construction.*<br>6. *Stationary equipment (e.g., generators, compressors) shall be located at the farthest distance possible from nearby noise-sensitive land use identified in the project area at the time of construction.*<br>7. *A public liaison shall be appointed for project construction and shall be responsible for addressing public concerns related to construction-generated noise, including excessive noise. As needed, the liaison shall determine the cause of the concern (e.g., starting too early, bad muffler) and implement measures to address the concern. Where necessary, additional measures, such as equipment repairs, equipment enclosures, or temporary barriers, shall be implemented to address local concerns.*<br>8. *Signage shall be placed at the project site construction entrance(s) to advise the public of anticipated dates of construction. The signage shall include the phone number of the public liaison appointed to address construction-related noise concerns.* |
| *N/mm-1.2* *The following mitigation measures shall be implemented to reduce long-term exposure to transportation and non-transportation noise:*<br>1. *The County of San Luis Obispo shall require acoustical assessments to be prepared as part of the County development review process for future noise-sensitive land uses located within the projected 60 A-weighted decibels Community Noise Equivalent Level noise contour of U.S. Route 101 (i.e., within 1,005 feet from the centerline of U.S. Route 101, refer to Figure 4 in Environmental Impact Report Appendix I). The acoustical assessments shall address compatibility with the County of San Luis Obispo's noise standards for transportation noise sources. Where the acoustical assessments determine that transportation noise levels would exceed applicable County noise standards, noise-reduction measures shall be incorporated sufficient to reduce operational noise levels to below applicable noise standards. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, or berms. The emphasis of such measures shall be placed upon site planning and project design. (Refer to Table 4.13-6 of this Environmental Impact Report for noise-sensitive land uses and corresponding noise standards.)*<br>2. *The County shall require acoustical assessments to be prepared as part of the environmental review process for future commercial land uses involving the proposed installation of exterior noise-generating equipment, including, but not limited to, back-up power generators, trash compactors, amplified public address systems, and commercial-use air conditioning condensers. The acoustical assessments shall evaluate potential noise impacts attributable to the proposed project in comparison to applicable County noise standards for stationary noise sources (refer to Table 4.13-7). The acoustical assessment shall evaluate impacts to nearby existing off-site, as well as future planned on-site, noise-sensitive land uses. Where the acoustical analysis determines that stationary-source noise levels would exceed applicable County noise standards, noise-reduction measures shall be incorporated sufficient to reduce operational noise levels to below applicable noise standards. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, berms, hourly limitations, or equipment enclosures. The emphasis of such measures shall be placed upon site planning and project design (see Table 4.13-7 of this Environmental Impact Report for applicable County of San Luis Obispo noise standards).* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures N/mm-1.1 and N/mm-1.2, residual impacts related to the short- and long-term increase in ambient noise would be less than significant (Class II).* |

## Off-Site Improvements

### *N Impact 2: Off-site improvements would generate a substantial temporary or permanent increase in ambient noise levels in excess of established standards. Impacts would be less than significant with mitigation (Class II).*

Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed water system improvements are anticipated to be located along North Oakglen Avenue and Tefft Street, and proposed wastewater system improvements are anticipated to occur along North Frontage Road (see Figures 2-4 and 2-5 in Chapter 2, *Project Description*). Proposed wastewater system improvements would occur within previously developed areas and along existing commercial land uses and the US 101. Proposed transportation and water system improvements would also occur in previously developed areas and would occur along existing commercial and residential land uses. Proposed construction activities for off-site improvements would be short term, intermittent, and conducted in accordance with County LUO requirements for construction timing. However, based on the proximity of residential land uses to the proposed transportation and water system improvements, Mitigation Measure N/mm-1.1 has been included to reduce construction-related noise where feasible through implementation of construction noise BMPs. Therefore, potential impacts related to an increase in short-term ambient noise levels would be *less than significant with mitigation.*

Operation of the proposed off-site NCSD improvements would require maintenance and repair trips on an as-needed basis and would not generate an increase in ambient noise levels that may exceed established County noise standards. Therefore, impacts related to a long-term increase in ambient noise levels during operation of the proposed off-site NCSD water and wastewater system improvements would be *less than significant*.

| **N Impact 2 (Class II)** |
|---|
| Off-site improvements would generate a substantial temporary or permanent increase in ambient noise levels in excess of established standards. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure N/mm-1.1.* |
| ***Residual Impacts*** |
| *With implementation of the identified mitigation measure, residual impacts related to the short- and long-term increase in ambient noise would be considered less than significant (Class II).* |

## WOULD THE PROJECT RESULT IN THE GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?

## Specific Plan Area

### *N Impact 3: The project would not result in the generation of excessive short- or long-term groundborne vibration or noise levels. Therefore, impacts would be less than significant (Class III).*

Typically, groundborne noise and vibration occurs as a result of the excitation of a structure or surface. Most types of typical construction equipment generally do not create groundborne noise or vibration that

is perceptible to humans. Construction equipment that has the potential to generate groundborne noise includes large bulldozers, loaded trucks, jackhammers, and small bulldozers. Proposed construction activities associated with the project would require the use of various tractors, trucks, and jackhammers that could result in intermittent increases in groundborne vibration levels. The use of major groundborne vibration-generating construction equipment/processes (i.e., blasting, pile driving) is not anticipated to be required for construction of future on-site land uses. Groundborne vibration levels generated by construction equipment would have an approximately 0.09 in/sec PPV or less at 25 feet. Therefore, predicted groundborne vibration levels would not be anticipated to exceed the minimum recommended criteria for structural damage (0.5 in/sec PPV) or human annoyance (0.2 in/sec PPV) at nearby land uses (see Table 4.13-3; AMBIENT 2022).

During operation, haul trucks traveling along project area roadways have the potential to result in perceptible increases in vibration levels. However, these vibration levels would be transient and instantaneous events, which would be typical of existing vibrations along the roadway network. Further, on-road heavy-duty trucks would not generate substantial increases in groundborne vibration that would be expected to exceed commonly applied criteria for structural damage or annoyance. In addition, based on the evaluation of existing development surrounding the project area, no major stationary sources of groundborne vibration were identified that would result in the long-term exposure of proposed on-site land uses to unacceptable levels of ground vibration (AMBIENT 2022). Construction and operation of the proposed project would not exceed the minimum recommended criteria for structural damage or human annoyance related to groundborne noise and/or vibration; therefore, potential impacts would be *less than significant*.

| **N Impact 3 (Class III)** |
|---|
| The project would not result in the generation of excessive short- or long-term groundborne vibration or noise levels. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts associated with the generation of excessive groundborne vibration or groundborne noise levels would be less than significant (Class III).* |

## Off-Site Improvements

### *N Impact 4: Off-site improvements would not result in the generation of excessive short- or long-term groundborne vibration or noise levels. Therefore, impacts would be less than significant (Class III).*

Construction activities for installation of proposed off-site transportation, water, and wastewater improvements would require ground disturbance and road demolition activities that have the potential to increase groundborne noise or vibration within the vicinity of proposed improvement areas (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). As described above, groundborne vibration levels generated by typical construction equipment would have an approximately 0.09 in/sec PPV or less at 25 feet. Therefore, predicted groundborne vibration levels would not be anticipated to exceed the minimum recommended criteria for structural damage (0.5 in/sec PPV) or human annoyance (0.2 in/sec PPV) at nearby residential or commercial land uses (AMBIENT 2022). Further, off-site NCSD improvements do not include major groundborne vibration-generating construction activities, including blasting or pile

driving. Operation of proposed off-site transportation and NCSD-related improvements would require maintenance and repair trips on an as-needed basis but would not generate a significant level of groundborne noise or vibration. Therefore, construction and operation of the proposed off-site transportation, water, and wastewater system improvements would not generate excessive groundborne noise and impacts would be *less than significant*.

| **N Impact 4 (Class III)** |
|---|
| Off-site improvements would not result in the generation of excessive short- or long-term groundborne vibration or noise levels. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts associated with the generation of excessive groundborne vibration or groundborne noise levels would be less than significant (Class III).* |

## 4.13.6 Cumulative Impacts

### *N Impact 5: The project would not result in a cumulatively considerable impact to noise. Impacts would be less than cumulatively considerable and less than significant (Class III).*

Reasonably foreseeable projects in and around the community of Nipomo have the potential to expose people to an increase in short- and long-term ambient noise and/or groundborne vibration. Project-specific construction-related and operational noise impacts would be mitigated to a less-than-significant level with implementation of Mitigation Measures N/mm-1.1 and N/mm-1.2 and are not anticipated to permanently increase ambient noise levels within the vicinity of the DRSP area in a manner that would exceed County noise thresholds. Construction of reasonably foreseeable future projects has the potential to increase short-term ambient noise; however, construction-related noise generated by reasonably foreseeable present and future projects would be short-term, intermittent, and required to comply with County LUO Section 23.06.042 for acceptable construction hours. Reasonably foreseeable future projects would be subject to separate environmental review to determine potential sources of short- or long-term increases in ambient noise levels that may exceed established County noise standards and would be required to reduce noise impacts where feasible. Therefore, impacts related to the generation of short- and long-term ambient noise levels would be *less than cumulatively considerable*.

Project-specific impacts related to the generation of groundborne noise and vibration would be less than significant, and no mitigation is required. Typical construction activities do not generate groundborne noise or vibration in a manner that would be perceptible to humans; therefore, other reasonably foreseeable future projects are not anticipated to result in significant impacts related to the generation of groundborne noise or vibration. Nevertheless, reasonably foreseeable present and future projects would be subject to separate environmental review to determine potential sources of groundborne noise and vibration and to reduce potential impacts as necessary. Therefore, impacts related to the generation of groundborne noise and vibration and the exposure of project occupants to excessive aircraft noise would be *less than cumulatively considerable*.

| **N Impact 5 (Class III)** |
|---|
| The project would not result in a cumulatively considerable impact to noise. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Cumulative impacts would be avoided through compliance with identified project-specific mitigation, and no additional mitigation is needed to avoid or minimize potential cumulative impacts; therefore, residual impacts would be less than significant (Class III).* |

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# 4.14 POPULATION AND HOUSING

This section provides information on the existing population, employment characteristics, and housing availability within San Luis Obispo County and the unincorporated community of Nipomo and evaluates the potential effects of the proposed DRSP on these resources.

## 4.14.1 Existing Conditions

### *4.14.1.1 Population*

#### 4.14.1.1.1 COUNTY OF SAN LUIS OBISPO

The project site is located in the unincorporated community of Nipomo in San Luis Obispo County. Based on the 2050 Regional Growth Forecast prepared by the SLOCOG, San Luis Obispo County's population has grown steadily over the last few decades, although the rate has slowed markedly in recent years (Table 4.14-1). According to the latest estimates provided by the California Department of Finance (CDOF), county population growth has not exceeded 1.0% since 2002, and has generally trended lower since then. One of the primary reasons for slower population growth in a given region is declining fertility rates, and San Luis Obispo County is no exception. The CDOF's estimates of fertility rates in California have been 2.1% since 2009, and its projections are about 1.9% through 2023 (SLOCOG 2017).

**Table 4.14-1. Population Growth between 1990 and 2020**

| Population | 1990 | 2000 | 2010 | 2020 |
|---|---|---|---|---|
| Nipomo | 8,376[1] | 12,626[2] | 16,714[2] | 18,176[2] |
| Average Annual Growth (%) | -- | 5.1% | 3.2% | 0.9% |
| San Luis Obispo County – Unincorporated Areas | 90,116 | 103,975 | 118,118 | 120,452 |
| Average Annual Growth (%) | -- | 1.5% | 1.4% | 0.2% |
| San Luis Obispo County – Countywide | 217,162 | 246,681 | 269,637 | 282,424 |
| Average Annual Growth (%) | -- | 1.4% | 0.9% | 0.5% |

[1] Within Nipomo URL (County of San Luis Obispo [1994])

[2] Within Nipomo Census designated place (U.S. Census Bureau [2022])

Two sources for regional population growth assumptions are used in the 2050 Regional Growth Forecast: the CDOF population projections and an independent population growth model developed by Beacon Economics developed for San Luis Obispo County. The Beacon Economics model reflects historical trends and accounts for the assumption that the growth rate will continue to decline. Beacon Economics estimated that the county's population will surpass 320,000 by 2050, which is 2.2% higher than the CDOF's projection of 313,500 at the time the 2050 Regional Growth Forecast was published (Table 4.14-2; SLOCOG 2017).

Current CDOF population projections estimate that the county's population will decline to approximately 273,542 in 2050 and decrease to 263,650 by the year 2060 (CDOF 2021).

**Table 4.14-2. County of San Luis Obispo Population Projections, 2025 to 2060**

| Projection | 2025 | 2030 | 2035 | 2040 | 2045 | 2050 | 2055 | 2060 |
|---|---|---|---|---|---|---|---|---|
| California Department of Finance | 281,643 | 284,334 | 285,918 | 284,346 | 280,262 | 274,677 | 268,911 | 263,650 |
| California Department of Finance Average Annual Growth Rate | -- | 1.0% | 0.6% | -0.5% | -1.4% | -2.0% | -2.1% | -2.0% |

Source: CDOF (2021)

Although not the fastest-growing area in the county, the unincorporated areas of the county account for just under half of the county's population growth between 2000 to 2016 (SLOCOG 2017). The city of Paso Robles has been the fastest-growing city in the county, increasing by 7,100 persons since 2000, resulting in an average annual growth rate of 1.83%. The city of Atascadero has also had a higher growth rate than that of the countywide growth rate at 1.06% per year. Conversely, the city of Pismo Beach has experienced a decline in population since 2000, losing over 4% of its population. The city of San Luis Obispo, the largest city in the county and the centrally located employment center, increased by fewer than 2,000 persons since 2000, resulting in a growth rate of 0.27%. By comparison, the population of the city of Santa Maria, located just south of Nipomo, has increased by nearly 35% between 2000 and 2016, approximately double the state's growth rate during that period. Santa Maria's increased growth rate is likely attributable to its proximity to employment centers in San Luis Obispo County, as well as its relatively affordable housing prices (SLOCOG 2017).

In 2019 the median age in San Luis Obispo County (40.0) was 3 years higher than the statewide median age (37.0), with the median age of Nipomo only 0.4 year below the county median (39.6). The under-18-years age cohort provides some insight into the rate of household formation of a given region, as well as the desire for young couples to put down roots in a given area (SLOCOG 2017). San Luis Obispo County has a lower percentage of population of 19 years and younger (21.9%) when compared to the state as a whole (25.6%). However, Nipomo's share of residents that are 19 years old or younger accounts for approximately 24.4% of its population (Table 4.14-3).

**Table 4.14-3. Comparison of Selected Age Cohorts in Nipomo, the County of San Luis Obispo, and California**

| Age Cohort | | Nipomo CDP[1] | San Luis Obispo County | California |
|---|---|---|---|---|
| 0 to 19 Years | Population | 4,297 | 60,568 | 10,166,189 |
| | Share of Population | 24.4% | 21.9% | 25.6% |
| 20 to 39 Years | Population | 4,571 | 72,342 | 10,825,180 |
| | Share of Population | 26.0% | 26.2% | 27.2% |
| 40 to 64 years | Population | 5,697 | 79,649 | 12,504,034 |
| | Share of Population | 32.4% | 28.8% | 31.4% |
| 65 years and older | Population | 3,036 | 63,592 | 6,287,016 |
| | Share of Population | 17.2% | 23.0% | 15.8% |

Source: CDOF (2020)

Note: CDP = census designated place

[1] Source: U.S. Census Bureau (2019).

#### 4.14.1.1.2 UNINCORPORATED COMMUNITY OF NIPOMO

The project site is located in the unincorporated community of Nipomo in the South County Planning Area in San Luis Obispo County. Nipomo is a is a community located in the southern portion of San Luis Obispo County between the city of Arroyo Grande and the city of Santa Maria, approximately 6 miles east of the Pacific Ocean coastline.

Nipomo is defined geographically by several different boundaries. The Nipomo URL is a boundary separating urban/suburban land uses and rural land uses. It is identified by the County's Framework for Planning (Inland) and defines growth areas and urban centers in which the County actively coordinates plans, policies, and standards relating to building construction, subdivision development, land use and zoning regulations, street and highway construction, public utility systems, and other matters related directly to the orderly development of urban areas. Consequently, the Nipomo Community Plan Area boundary and the Nipomo URL boundary are the same.

Nipomo is also identified as a census designated place (CDP) by the U.S. Census Bureau. The Nipomo CDP Boundary includes the area within the Nipomo URL in addition to certain areas immediately outside of the URL (see Figure 4.14-1). A CDP is defined for statistical purposes only.

Lastly, the Nipomo Mesa area is an approximately 19,092-acre area, including the Nipomo URL area and the Blacklake, Woodlands, Callender-Garrett, Palo Mesa, and Los Berros village areas for which the County has limited the maximum number of new dwelling units allowed to no more than 1.8% above the number of existing dwelling units from the previous fiscal year (see Figure 4.14-1).

In 2020, the Nipomo CDP had a population of 18,176, comprising approximately 6.4% of the county's population of 282,424. The Nipomo CDP has experienced an average annual increase in population of 3.07% between 1990 and 2020 (see Table 4.14-1). Comparatively, the county has experienced an average annual increase of 0.93% since 1990. Based on the 2050 Regional Growth Forecast for San Luis Obispo County, the Nipomo URL is anticipated to reach an estimated buildout population of 23,462 by the year 2060 (SLOCOG 2019b).

As shown in Table 4.14-3, the Nipomo CDP has a higher percentage of children and young adults 19 or younger than the county as a whole but is still slightly lower than the state. Alternatively, the Nipomo CDP has a higher percentage of individuals 65 or older than the state but is slightly less than the overall county's percentage. The racial demographics of individuals ages 18 and older in the community of the Nipomo CDP are summarized in Table 4.14-4.

According to the California Office of Environmental Health and Hazard Assessment (OEHHA), the project site is located within a census tract that is within the 31st percentile for population characteristics. This means that on average, resident population characteristics fall below 31% of all census tracts in the state of California. Population characteristics represent physiological traits, health status, or community characteristics that can result in increased vulnerability to pollution. Population characteristics that are included in this metric include, but are not limited to, individuals with asthma, low birth weight, cardiovascular disease, poverty, and unemployment (OEHHA 2021).

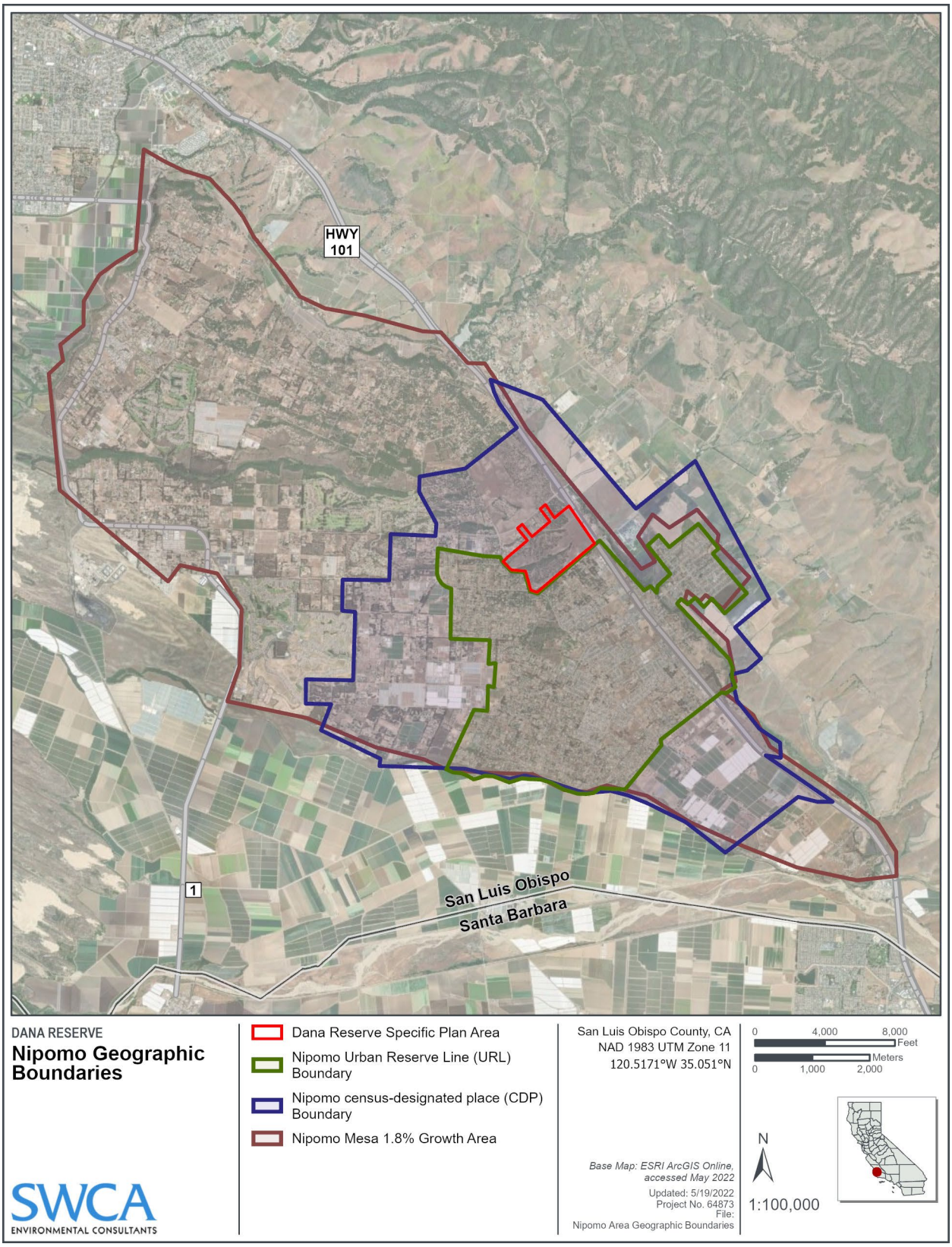


**Figure 4.14-1. Nipomo geographic boundaries.**

**Table 4.14-4. Racial Demographics of Population 18 Years and Older in Nipomo (CDP) and San Luis Obispo County as of 2020**

| Race | | Nipomo CDP | San Luis Obispo County |
|---|---|---|---|
| White Alone | Population | 8,255 | 168,770 |
| | Share of Population | 59.7% | 72.8% |
| Black or African American Alone | Population | 110 | 4,069 |
| | Share of Population | 0.8% | 1.8% |
| American Indian and Alaska Native Alone | Population | 265 | 2,493 |
| | Share of Population | 1.9% | 1.1% |
| Asian Alone | Population | 395 | 9,169 |
| | Share of Population | 2.9% | 4.0% |
| Native Hawaiian and Other Pacific Islander Alone | Population | 24 | 332 |
| | Share of Population | 0.2% | 0.1% |
| Other Race Alone | Population | 2,329 | 20,445 |
| | Share of Population | 16.8% | 8.8% |
| Two or More Races | Population | 2,335 | 26,466 |
| | Share of Population | 16.9% | 11.4% |
| Total Population 18 Years and Older | | 13,829 | 231,744 |

## *4.14.1.2 Employment*

### 4.14.1.2.1 COUNTY OF SAN LUIS OBISPO

As of 2017, by far, the largest employment industry in San Luis Obispo County is educational services, health care, and social assistance, which accounted for nearly 22% of jobs. This can be largely attributed to jobs generated by California Polytechnic State University, San Luis Obispo (Cal Poly), as well as other education facilities, including Cuesta Community College, within the county. The second largest industry is arts, entertainment, recreation, accommodation, and food services, which accounted for approximately 11% of jobs. The smallest industry, information, only accounted for 1% of jobs (County of San Luis Obispo 2020). Employment industries in San Luis Obispo County and associated employment data are provided in Table 4.14-5.

**Table 4.14-5. Employment by Industry in San Luis Obispo County (2017).**

| | Countywide | | Unincorporated County | |
|---|---|---|---|---|
| Industry | Number of Employees | Percent | Number of Employees | Percent |
| Agriculture, forestry, fishing and hunting, and mining | 4,480 | 3.5 | 2,924 | 5.7 |
| Construction | 10,235 | 7.9 | 5,293 | 10.4 |
| Manufacturing | 8,841 | 6.9 | 3,150 | 6.2 |
| Wholesale trade | 2,820 | 2.2 | 1,098 | 2.2 |
| Retail trade | 14,851 | 11.5 | 5,628 | 11.1 |
| Transportation, warehousing, and utilities | 5,845 | 4.5 | 2,292 | 4.5 |
| Information | 2,012 | 1.6 | 604 | 1.2 |

| Industry | Countywide | | Unincorporated County | |
|---|---|---|---|---|
| | Number of Employees | Percent | Number of Employees | Percent |
| Finance, insurance, real estate, and rental and leasing | 5,842 | 4.5 | 2,636 | 5.2 |
| Professional, scientific, management, administrative, and waste management services | 13,821 | 10.7 | 5,579 | 11.0 |
| Educational services, health care, and social assistance | 30,501 | 23.6 | 10,782 | 21.2 |
| Arts, entertainment, recreation, accommodation, and food services | 16,229 | 12.6 | 5,468 | 10.7 |
| Other services (except public administration) | 6,676 | 5.2 | 2,689 | 5.3 |
| Public administration | 7,124 | 5.5 | 2,772 | 5.4 |
| Total (Civilian employed population 16 years and over) | 121,788 | 100 | 50,915 | 100 |

Source: County of San Luis Obispo (2020)

Based on data obtained from the California Employment Development Department (EDD), civilian employment in San Luis Obispo County grew over 20% between 2000 and 2015, which was primarily a result of employers in many large sectors expanding their payrolls. The individual industries with the greatest job growth within that timeframe included educational and health services (65.4%), professional and business services (44.5%), and accommodation (42.7%). Other specific industries that experienced substantial growth between 2000 and 2015 included other services, food services, and transportation, warehousing, and utilities. These gains have counterbalanced losses in a number of other sectors, including information and manufacturing (SLOCOG 2017).

Historically, the unemployment rate for San Luis Obispo County has been low when compared to the unemployment rate for the State of California and the nation. The most recent peak in unemployment in the county occurred in 2010 when unemployment rates reached 10.1%, while the state's unemployment rate also reached a peak of 12.2%. The county's unemployment rate has steadily decreased since then by approximately 1% per year up until 2016. According to the California EDD, the county's unemployment rate in November 2021 was 3.6%, which is 1.8% lower than the statewide unemployment rate of 5.4% at that time (California EDD 2021).

#### 4.14.1.2.2 UNINCORPORATED COMMUNITY OF NIPOMO

The Inland South County Planning Area encompasses 441,790 acres and contains three incorporated cities (City of Grover Beach and City of Pismo Beach), two unincorporated areas (Nipomo and Oceano), and six village areas (Black Lake, Callender-Garrett, Los Berros, Palo Mesa, and Woodlands). According to the Inland South County Area Plan, approximately 80% of employed residents who reside in the South County Planning Area in San Luis Obispo County work full-time and the remaining 20% hold part-time or seasonal jobs. A major factor contributing to high part-time employment is the nature of business in agriculture and the tourist business. Approximately 13% of the planning area residents work in the area, while the rest commute to other localities (County of San Luis Obispo 2018).

As of 2019, the Nipomo CDP's unemployment rate for the population 16 years and over was approximately 5.4%, which is higher than the 4% countywide unemployment rate for that population that year (U.S. Census Bureau 2019).

## *4.14.1.3 Housing*

### 4.14.1.3.1 COUNTY OF SAN LUIS OBISPO

#### Housing Supply and Number of Households

Dwelling units are a common measure of housing supply, including single-family dwellings, multi-family units (apartments or condominiums), and manufactured homes. While the majority of housing units in the county are detached single-family units, manufactured homes and multi-family homes represent a significant portion of the county's housing supply. Table 4.14-6 provides an overview of existing housing units in the Nipomo CDP, county, and state, as of 2018.

**Table 4.14-6. Housing Units by Type in Nipomo, San Luis Obispo County, and California as of 2018**

| | Nipomo CDP[1] | | Unincorporated San Luis Obispo County | | Countywide | | California[1] | |
|---|---|---|---|---|---|---|---|---|
| **Type of Unit** | **Units** | **Percent** | **Units** | **Percent** | **Units** | **Percent** | **Units** | **Percent** |
| Single-Family Detached | 4,261 | 75.2% | 39,572 | 77.3% | 83,330 | 67.9% | 8,177,141 | 57.3% |
| Single-Family Attached | 168 | 3.0% | 1,493 | 2.9% | 6,633 | 5.4% | 1,014,941 | 7.1% |
| Two to Four Units | 319 | 5.6% | 2,261 | 4.4% | 9,292 | 7.6% | 1,142,582 | 8.0% |
| Five or More Units | 238 | 4.2% | 1,390 | 2.7% | 12,718 | 10.3% | 3,404,600 | 23.8% |
| Mobile Homes or Other Housing Type | 678 | 12.0% | 6,475 | 12.6% | 10,837 | 8.8% | 538,603 | 3.8% |
| **Total units** | **5,664** | **100.0%** | **51,191** | **100%** | **122,810** | **100.0%** | **14,277,867** | **100.0%** |

Source: County of San Luis Obispo (2020)
[1] U.S. Census Bureau (2018)

In 2017 there were 41,643 households in unincorporated San Luis Obispo County, consisting of 29% renter-occupied units and 71% owner-occupied units, representing a 3.2% increase over the number of households in 2010 (County of San Luis Obispo 2020).

#### Housing Needs and Availability

Vacancy rates are key indicators of housing availability within a given region. When vacancy rates are high, they indicate an adequate supply of housing; consequently, prospective buyers and renters have more options to choose from. When vacancy rates are low, the choice of housing options is limited, and demand for housing exceeds supply and contributes to increases in cost. Extreme vacancy rates can create additional challenges ranging from a critical housing shortage if vacancy rates are too low, to income loss and maintenance problems associated with vacancy rates that are too high (County of San Luis Obispo 2020). According to Federal Housing Administration Standards, in order to ensure adequate choice and availability of housing for buyers while keeping a balanced housing market for landlords and sellers, desirable vacancy rates would range between 4% and 6% for rental units and between 1% and 3% for owner-occupied units. San Luis Obispo County generally has very low vacancy rates for both rental units and owner-occupied units, which creates a very competitive housing market for prospective buyers and renters (SLOCOG 2019a).

Most of the county's vacant housing stock consists of seasonal, recreational, or occasional use units. These units are not available for regular long-term rental use and do not address the county's demand for residential housing. Between 2010 and 2017, the county experienced an overall increase in the number of vacant units in the unincorporated county and the vacancy rate increased from 5.4% to 6.0%. The county's housing vacancy data for 2017 is summarized in Table 4.14-7.

**Table 4.14-7. Housing Vacancy Rates in Nipomo, San Luis Obispo County, and California as of 2017**

| | Nipomo CDP | | Unincorporated County | | Countywide | | California | |
|---|---|---|---|---|---|---|---|---|
| **Status** | **Units** | **Percent** | **Units** | **Percent** | **Units** | **Percent** | **Units** | **Percent** |
| For Rent | 91 | 5.2% | 426 | 1.2% | 1,190 | 1.0% | 214,814 | 3.5% |
| For Sale Only | 0 | 0% | 449 | 0.9% | 826 | 1.1% | 72,701 | 1.0% |
| Rented or Sold, Not Occupied | 49 | -- | 490 | 0.4% | 801 | 0.2% | 116,292 | -- |
| Seasonal, Recreational, or Occasional Use | 12 | -- | 6,073 | 9.4% | 9,895 | 14.6% | 416,596 | -- |
| Other | 99 | -- | 1,026 | 1.8% | 1,905 | 2.5% | 351,770 | -- |
| Total Vacant Units | 251 | -- | 8,603 | | 15,138 | | 1,172,173 | -- |
| Vacancy Rate | -- | 4.2% | -- | 20.7% | -- | 14.4% | -- | 8.3% |
| Vacancy Rate Minus Seasonal, Recreational, or Occasional | -- | N/A | -- | 6.0% | -- | 5.0% | -- | N/A |
| **Total All Units** | **5,912** | **--** | **41,643** | **--** | **105,044** | **--** | **14,177,270** | **--** |

Source: County of San Luis Obispo (2020); U.S. Census Bureau (2017)

The Regional Housing Needs Assessment (RHNA) is an assessment tool that quantifies the need for housing by income group within a given region during a specific planning period. The current planning period for San Luis Obispo County is December 2020 through December 2028. The RHNA is used in land use planning to prioritize local resource allocation and to help decide how to address existing and future housing needs so the region can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs. State legislation and the RHNA process are intended to address housing needs for projected state population and household growth to create a better balance of jobs and housing in communities, and to ensure the availability of decent affordable housing for all income groups (SLOCOG 2019a). Table 4.14-8 summarizes the overall allocation of housing units for each jurisdiction by income category.

**Table 4.14-8. County of San Luis Obispo Regional Housing Need Allocation 2020 to 2028**

| Jurisdiction | Total Allocation for New Housing | Very Low Income | Low Income | Moderate Income | Above Moderate Income |
|---|---|---|---|---|---|
| Arroyo Grande | 692 (6.4%) | 170 | 107 | 124 | 291 |
| Atascadero | 843 (7.8%) | 207 | 131 | 151 | 354 |
| Grover Beach | 369 (3.4) | 91 | 57 | 66 | 155 |
| Morro Bay | 391 (3.6) | 97 | 60 | 70 | 164 |
| Paso Robles | 1,446 (13.4%) | 356 | 224 | 259 | 607 |
| Pismo Beach | 459 (4.2%) | 113 | 71 | 82 | 193 |
| San Luis Obispo | 3,354 (31.0%) | 825 | 520 | 603 | 1,406 |
| Unincorporated Areas | 3,256 (30.1%) | 801 | 505 | 585 | 1,365 |
| **Countywide Total** | **10,810** | **2,660 (24.6%)** | **1,675 (15.5%)** | **1,940 (18.0%)** | **4,535 (41.9%)** |

Source: SLOCOG (2019a).

As shown in Table 4.14-8, unincorporated areas are responsible for approximately 30% of the total allocation for new housing units within the county.

## Housing Affordability

San Luis Obispo County is one of the least affordable housing markets in the United States (County of San Luis Obispo 2020). The County defines affordable housing as housing that is affordable to very low-, moderate-, or workforce-income households. Housing is considered affordable if total housing costs do not exceed 30% of household income. In the context of meeting the unincorporated county's allocation of regional housing needs share, dwelling units typically must be deed restricted to limit rental or purchase of the dwelling units to households that qualify as extremely low-, very low-, and low-income levels. The following are the County's defined income categories for households:

- Extremely low income: 30% or less of the county median income.
- Very low income: no more than 50% of the county median income.
- Low income: no more than 80% of the county median income.
- Moderate income: no more than 120% of the county median income.
- Above moderate income: 81% to 120% of the county median income.
- Workforce income: no more than 160% of county median income.

According to the *County of San Luis Obispo General Plan 2020-2028 Housing Element*, only 16.5% of families can afford to purchase a median-priced home in San Luis Obispo County. This can result in young adult workers and families deciding to leave San Luis Obispo County to find higher-paying employment opportunities and more affordable housing elsewhere. However, many people, particularly retiring, affluent "baby-boomers" from larger metropolitan areas, are attracted to San Luis Obispo County's natural beauty, its central location between large population centers, and more affordable housing prices compared to other coastal counties (County of San Luis Obispo 2020).

In fall 2021, the County Board of Supervisors identified housing as one of its top priorities for the fiscal year 2021 to 2023 budget and County policies and programs continue to focus on creating more housing availability and improving affordability. However, the affordability of housing in the county is heavily influenced by numerous constraints and challenges, including, but not limited to, high costs of development and land, and limited resources and infrastructure (County of San Luis Obispo 2020).

## Accessory Dwelling Units

ADUs are attached or detached residential dwellings that provide independent living facilities located on the same parcel as an existing residential structure. These units include permanent provisions for living, sleeping, eating, cooking, and sanitation. Since the approval of recent state ADU laws, construction and use of ADUs on qualifying parcels is allowed in San Luis Obispo County through ministerial approval, meaning they are not subject to a discretionary review process and are statutorily exempt from CEQA. ADUs are generally viewed as innovative, affordable, and effective options for creating new housing opportunities in California.

A JADU is defined by the CBC as a unit no more than 500 square feet in size and contained entirely within a single-family residence. A JADU may include separate sanitation facilities (i.e., shower, bath, sink, etc.) or may share sanitation facilities with the primary structure.

In 2019 the County approved an ADU Ordinance. Historical ADU development within the unincorporated county area and projected ADU development through 2028 are provided in Table 4.14-9.

**Table 4.14-9. Unincorporated County Historic and Projected ADU Development**

| | | Income Category | | | |
|---|---|---|---|---|---|
| | **Total** | **Very Low** | **Low** | **Moderate** | **Above Moderate** |
| ADUs Approved, Under Construction, or Completed (January 1, 2013–December 31, 2021) | 159 | 0 | 79 | 80 | 0 |
| ADUs Projected Through December 2028 | 1,665 | 832 | | 566 | 267 |

Source: County of San Luis Obispo (2022)

## Jobs-to-Housing Ratio

A jurisdiction's jobs-to-housing ratio is a key indicator of both availability of jobs within an area and availability of local housing. The jobs-to-housing balance is a planning tool used to review whether a community has a healthy balance between jobs and the housing supply available to potentially house workers for those jobs. This balance may be impacted by the match between wage levels and housing costs, whether all workers in a house have employment in the community in which they live, whether preferences are met within the community for either housing or employment, and whether options are available nearby for either housing or employment.

San Luis Obispo County has a long-standing jobs-to-housing imbalance from one jurisdiction to another, particularly in the central portion of the county (i.e., City of San Luis Obispo and proximate jurisdictions, such as the City of Morro Bay and City of Pismo Beach) (Table 4.14-10; SLOCOG 2019a). This can be partially attributed to the prevalence of full-time college students attending Cal Poly or Cuesta College making up a large portion of the city of San Luis Obispo's population, which exerts a strong influence on the local housing market. This population of college students and associated high demand for student rental housing near these college campuses has resulted in and is often attributed to the consistently low vacancy rates within the city of San Luis Obispo, resulting in an increased number of workers who are employed in the city of San Luis Obispo to seek housing outside the city.

**Table 4.14-10. Jobs-to-Housing Ratios in San Luis Obispo County (2015 Estimates)**

| **Jurisdiction** | **Jobs** | **Share of Region's Jobs** | **Housing Units** | **Share of Region's Housing Units** | **Jobs/Housing Ratio** |
|---|---|---|---|---|---|
| Arroyo Grande | 6,421 | 5.9% | 7,615 | 6.6% | 0.84 |
| Atascadero | 8,964 | 8.2% | 11,651 | 10.0% | 0.77 |
| Grover Beach | 3,232 | 3.0% | 5,459 | 4.7% | 0.59 |
| Morro Bay | 3,782 | 3.4% | 6,605 | 5.7% | 0.57 |
| Paso Robles | 15,071 | 13.7% | 11,846 | 10.2% | 1.27 |
| Pismo Beach | 4,846 | 4.4% | 5,549 | 4.8% | 0.87 |
| San Luis Obispo | 34,163 | 31.1% | 21,245 | 18.3% | 1.61 |
| Unincorporated County Area | 33,261 | 30.3% | 46,038 | 39.7% | 0.72 |
| **Regional Total** | **109,740** | **100%** | **116,008** | **100%** | **0.95** |

Source: SLOCOG (2019a)

### 4.14.1.3.2 UNINCORPORATED COMMUNITY OF NIPOMO

## Housing Supply and Number of Households

The housing stock of the Nipomo CDP as of 2018 is provided by housing type in Table 4.14-6, with single-family detached houses representing the majority of the housing stock with 75.2% of all housing units. Between 2015 and 2019, the Nipomo CDP had an average of 5,561 total households, representing approximately 5.2% of households in the county during that time. The average household size in the Nipomo CDP between 2015 and 2019 was 3.16, which was 25.9% higher than the average countywide household size of 2.51 between 2015 and 2019 (U.S. Census Bureau 2021).

## Housing Needs and Availability

Based on the U.S. Census Bureau, the Nipomo CDP had an overall vacancy rate of 4.2% in 2017. The *County of San Luis Obispo Growth Management Ordinance* (Title 26) describes the general procedures for determining the number of dwelling unit construction permits shall be allowed to be processed by the County Planning and Building Department each fiscal year. The Nipomo Mesa area is defined by the Growth Management Ordinance and identifies areas for which the County has limited the maximum number of new dwelling units allowed to no more than 1.8% above the number of existing dwelling units from the previous fiscal year (as shown in Figure 4.14-1). As shown in Table 4.14-11, between 24% and 45% of new dwelling construction in unincorporated county areas between 2009 and 2019 has been located in the Nipomo Mesa area. This trend has been heavily influenced by the buildout of the Woodlands Specific Plan on the Nipomo Mesa.

**Table 4.14-11. Historical Housing Development Trends and Distribution**

| Fiscal Year | Number of New Dwelling Units Annually | | Percent of Unincorporated Countywide New Dwelling Units in Nipomo Mesa[1] (including Woodlands) | Total Dwelling Units at End of Fiscal Year | | Percent of Unincorporated Countywide Total Dwelling Units in Nipomo Mesa[1] (including Woodlands) |
|---|---|---|---|---|---|---|
| | Unincorporated Countywide | Nipomo Mesa[1] (including Woodlands) | | Unincorporated Countywide | Nipomo Mesa[1] (including Woodlands) | |
| 2009–2010 | 137 | 33 | 24% | 41,227 | 6,342 | 15% |
| 2010–2011 | 123 | 37 | 30% | 41,350 | 6,379 | 15% |
| 2011–2012 | 115 | 33 | 29% | 41,465 | 6,412 | 15% |
| 2012–2013 | 251 | 114 | 45% | 41,716 | 6,526 | 16% |
| 2013–2014 | 379 | 151 | 40% | 42,095 | 6,677 | 16% |
| 2014–2015 | 277 | 123 | 44% | 42,372 | 6,800 | 16% |
| 2015–2016 | 302 | 135 | 45% | 42,674 | 6,935 | 16% |
| 2016–2017 | 517 | 172 | 33% | 43,191 | 7,107 | 16% |
| 2017–2018 | 317 | 126 | 40% | 43,508 | 7,233 | 17% |
| 2018–2019 | 295 | 103 | 35% | 43,803 | 7,336 | 17% |
| 2019–2020 | 230 | 54 | 23% | 44,033 | 7,390 | 17% |

Source: County of San Luis Obispo staff (2021)

[1] For the purposes of this analysis, the Nipomo Mesa area refers to the 1.8% growth area depicted in Figure 1 of the Growth Management Ordinance.

### Housing Affordability

The median household income for residents in the Nipomo CDP was $82,543 from 2015 to 2019, which is 12.3% higher than the County median household income of $73,518, and 9.7% higher than the state median income of $75,235. According to the U.S. Census Bureau, the median value of owner-occupied housing units with mortgages in the Nipomo CDP from 2015 to 2019 was $534,100. In comparison, the Nipomo CDP median housing value was 8.9% lower than the countywide median value of owner-occupied housing units of $581,900, and 2.1% higher than the median value of owner-occupied housing units in California of $523,000 (U.S. Census Bureau 2019).

## 4.14.2 Regulatory Setting

Population and housing for the project area are governed primarily by state and local regulations that would apply to future development under the DRSP. Relevant state and local regulations that are directly relevant to the project are summarized below.

### *4.14.2.1 Federal*

There are no federal regulations related to population and housing applicable to the project.

### *4.14.2.2 State*

#### 4.14.2.2.1 CALIFORNIA HOUSING LAW

State law (California Government Code Sections 65580–65589.8) recognizes the vital role local governments play in the supply and affordability of housing. Local governments in California are required to adopt a comprehensive, long-term general plan for the physical development of the jurisdiction, including a housing element. The California State Housing Element law, enacted in 1969, requires local governments to adequately plan to meet the existing and projected housing needs of all economic segments of the community within a given planning period. The law acknowledges that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development. The California Housing Element law also requires the California Department of Housing and Community Development (HCD) to review local housing elements for compliance with state law and to report its written findings to the local government.

#### 4.14.2.2.2 CALIFORNIA SENATE BILL 9

On September 16, 2021, the Governor approved SB 9. The goal of this bill is to help combat the housing crisis by encouraging small-scale residential development on eligible lots (see "Eligible Lot Determination" below) through streamlining the process for construction of up to two primary dwellings and/or subdivision of an existing lot. As such, this bill has two main components:

1. Development Component (Construction of Two Primary Dwellings): Construct up to two primary dwellings on an eligible lot; and
2. Subdivision Component (Lot Split): Subdivide an eligible lot of at least 2,400 square feet into two lots.

An applicant may use one or both components of SB 9. If only the development component is used, an eligible lot could qualify to be established with up to one ADU and one JADU. Table 4.14-12 provides examples of the maximum residential development potential based on various development scenarios. The examples listed below are not exhaustive, as other combinations of dwelling unit types are possible.

**Table 4.14-12. Example Maximum Residential Development Potential.**

| Development Scenario | Number of Primary Dwellings | Number of ADUs | Number of JADUs | Total Number of Dwellings |
|---|---|---|---|---|
| Eligible Lot Uses: Development Component Only | 2 | 1 | 1 | 4 |
| Eligible Lot Uses: Subdivision Component Only | 2 (1 per lot) | 2 (1 per lot) | 0 | 4 |
| Eligible Lot Uses: Both Components | 4 (2 per lot) | 0 | 0 | 4 |

Eligibility criteria include, but are not limited to, if the urban lot split would not require the demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income; that the parcel is located within a single-family residential zone; and that the parcel is not located within a historic district, is not included on the State Historic Resources Inventory, and is not within a site that is legally designated or listed as a city or county landmark or historic property or district (California Legislative Information 2020).

The unincorporated community of Nipomo is considered an urbanized area for the purposes of SB 9 development and subdivisions. SB 9 development is allowed in areas of Nipomo that are designated Residential Single Family and outside of specified exclusion areas, such as historic districts, flood hazard areas, critical habitat, and wildlife areas. Based on the relatively recent adoption of this bill and uncertainty of how many homeowners would pursue taking advantage of one or both of its components, and the lack of any historical data that would indicate how SB 9 development could occur in the County in the future, population generation estimates associated with buildout of the Specific Plan Area did not include implementation of SB 9 based on the highly speculative nature of its use.

#### 4.14.2.2.3 CALIFORNIA SENATE BILL 13

On October 9, 2019, SB 13 was signed into law. This bill authorizes local agencies, by ordinance, or if a local agency has not adopted an ordinance, by ministerial approval, to provide for the creation of ADUs in single-family and multi-family residential zones in accordance with specified standards and conditions. Previous law required ADUs to be either attached to, or located within, the proposed or existing primary dwelling or detached if located within the same lot, and that it does not exceed a specified amount of total area of floor space. SB 13 authorizes the creation of ADUs to allow single-family or multifamily dwelling residential use. The bill also revises the requirements for ADUs by providing that an ADU may be attached to, or located within an attached garage, storage area, or other structure.

SB 13 prohibits local agencies from requiring the replacement of parking spaces if a garage, carport, or covered parking is demolished to construct an ADU, establishing a minimum square footage requirement for either an attached or detached ADU that prohibits an efficiency unit, and establishing a maximum square footage requirement for either an attached ADU that is less than 850 square feet and 1,000 square feet if the ADU contains more than one bedroom. The bill includes several other provisions intended to relax previous restrictions associated with ADU development such as prohibition of imposing impact fees on ADU construction less than 750 square feet in size, ministerial approval timelines, and allowing jurisdictions to include ADU construction in the required housing element requirement for identifying adequate sites for housing (California Legislative Information 2019).

#### 4.14.2.2.4 CALIFORNIA REGIONAL HOUSING NEEDS PLAN

California State Housing Element Law requires SLOCOG and other regional councils of government in California to “determine the existing and projected housing need for its region” and to determine each

jurisdiction's share of the regional housing need in the region. SLOCOG's region encompasses all of San Luis Obispo County, including its seven incorporated cities: Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo. SLOCOG has the responsibility of overseeing the assessment by identifying measures to gauge housing demand and comparing those numbers against socioeconomic factors throughout the region.

SLOCOG's "6th Cycle" Regional Housing Needs Plan set a target for the creation of 10,810 new dwelling units for the region over the 2020 to 2028 planning period. The County and each of the seven cities adopted 2020 to 2028 Housing Elements showing how they will meet their share of regional housing needs. The County's share is 3,256 new dwelling units, of which 1,170 (58.1%) must be affordable to very low-, low-, and moderate-income households.

## *4.14.2.3 Local*

### 4.14.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

#### Land Use and Circulation Elements

#### *Framework for Planning (Inland)*

The Framework for Planning (Inland), Part I of the LUCE) includes principles and policies that define how land will be used and how resources will be protected. The Framework for Planning (Inland) includes policies associated with population, housing, and employment, including directing development toward strategically planned communities, creating a range of housing opportunities, and encouraging mixed land uses.

#### 2020–2028 Housing Element

The County's Housing Element establishes the framework to facilitate housing development and address current and projected housing needs, provides an assessment of housing needs for the unincorporated county, and provides a summary of the County's progress in implementing the programs from the previous Housing Element. The County's Housing Element identifies goals, objectives, policies, and programs to guide County decision-making and focused efforts during the planning period.

### 4.14.2.3.2 COUNTY OF SAN LUIS OBISPO INCLUSIONARY HOUSING ORDINANCE

The County's Inclusionary Housing Ordinance (last updated in March 2019 by the County Board of Supervisors) requires an affordable housing component (currently 8%) to be included in conjunction with all new residential developments, unless the developer chooses to pay an in-lieu fee, as well as establishes the housing impact fee requirement for commercial development. The Inclusionary Housing Ordinance currently does not apply to development of housing units smaller than 2,200 square feet, which encourages the development of smaller housing units that are more affordable. Inclusionary in-lieu fees collected for projects may be used to pay impact fees for affordable housing projects. Affordable housing projects, ADUs, and farmworker housing projects are exempt from paying the inclusionary fees (County of San Luis Obispo 2020).

On March 15, 2022, the County Board of Supervisors directed County staff to return at a future Board date with an ordinance to repeal the Inclusionary Housing Ordinance. County staff has tentatively scheduled the repeal hearing in June 2022.

#### 4.14.2.3.3 COUNTY OF SAN LUIS OBISPO INLAND ACCESSORY DWELLING UNIT ORDINANCE

Pursuant to California Government Code Section 65852.2 (State Accessory Dwelling Unit Law), the County allows ADUs to be established as an accessory use to the primary residential use on a site. The County's Inland Accessory Dwelling Unit Ordinance (County Code Section 22.30.470) provides the standards for ADU development within the inland areas of the unincorporated county. Standards for ADU development include, but are not limited to, limitations on use, maximum allowable sizes, minimum setbacks, and maximum allowable building height.

#### 4.14.2.3.4 COUNTY OF SAN LUIS OBISPO GROWTH MANAGEMENT ORDINANCE (TITLE 26)

The County has adopted a Growth Management Ordinance, Title 26 of the County Code, that limits the number of residential dwelling units that can be built in the unincorporated areas of the county during any single fiscal year (July 1–June 30). The Growth Management Ordinance establishes a 2.3% countywide growth rate and specific growth rates for identified areas based on resource availability.

In order to secure the opportunity to build one of these units, a request called an "allocation" is required. The maximum annual allocation rate in the Nipomo Mesa area is currently set at 1.8%, meaning that the maximum number of new dwelling units shall not exceed a 1.8% increase in the number of existing dwelling units from the previous fiscal year. Typically, a single applicant can obtain no more than 10% of the annual allocations on the Nipomo mesa; however, a single applicant can obtain 20% of the annual allocations in the Nipomo Mesa for multi-family/residential unit ownership projects that have received intent-to-serve letters from the applicable water district and meet any one of the following criteria:

1. The project is located in the Nipomo Olde Towne Design Plan area and is smart growth, green build, mixed use, or senior housing;
2. The project includes guaranteed long-term affordability for at least 35% of the units; or
3. The project would result in the construction of sections of road improvements that substantially improve traffic issues including those improvements identified on the South County Circulation Study Road Improvement list.

The provisions of the Growth Management Ordinance do not apply to secondary dwellings (e.g., ADUs or JADUs), affordable housing, vesting tentative maps, farm support headquarters, replacement dwellings, or projects included on the list entitled "Pipeline Projects for the Nipomo Mesa Area."

#### 4.14.2.3.5 COUNTY OF SAN LUIS OBISPO STANDARDS FOR THE SOUTH COUNTY SUB-AREA

County LUO Section 22.98.072 states that a Specific Plan shall be prepared for the La Canada Ranch property prior to the approval of land division applications, although a clustered land divisions proposed in compliance with the Residential Rural (RR) category, and other applicable provisions of the LUO (Title 22), may be approved without specific plan preparation. The La Canada Ranch property comprises approximately 274.4 acres of the DRSP project site. Section 22.98.072 of the South County Sub-Area Plan details the following types of uses to be included in the development of the specific plan in order of priority by acreage, scale, and intensity:

1. Open space uses within the oak woodlands;
2. Industrial park(s) that will generate "basic" employment for the Nipomo and South County area;

3. Commercial service parks that do not conflict with downtown and community shopping uses within Nipomo;
4. Retail uses to serve the daily shopping needs of employees and residents of the site;
5. Commercial retail uses; and
6. Residential areas to contain a mix of housing unit types, a portion of which should be affordable to average employee incomes on the site, timing to be concurrent with or following establishment and operation of nonresidential uses, the timing to be determined by a market feasibility study.

Other specific plan standards identified in this section include designation of the existing oak forest habitat on-site for open space preservation, location of mixed land uses in close proximity to each other to facilitate alternative transportation modes, guidelines for architecture and landscaping, and guidelines regarding the extent of necessary utilities and public services infrastructure required to serve the Specific Plan Area.

### *4.14.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Population and Housing*

Table 4.14-12 lists applicable state, regional, and local land use policies and regulations pertaining to population and housing that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.14.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.14-12 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.14.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.14-13. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Housing Element** | | |
| **Objective HE 1.00.** Facilitate the development and preservation of housing units that are diverse in type, size, and ownership level to meet the needs of residents of varying lifestyles and income levels. | The intent of this policy is to develop and maintain a diverse supply of housing types. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site. |
| **Policy HE 1.01.** Support and prioritize new residential development in areas identified for strategic regional residential development and other areas that are (a) located along priority transportation corridors (i.e., highways identified by San Luis Obispo Council of Governments as priorities for regional infrastructure investments), | The intent of this policy is to prioritize new residential development in areas planned for strategic growth. | **Potentially Consistent.** The project site is located within the NCSD SOI, which identifies the probable future physical boundary and service area of a local agency or municipality. The Specific Plan Area is also located directly adjacent to areas within the existing Nipomo URL and NCSD service area. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| (b) located in or between areas with higher concentration of jobs and services, and (c) located within or in close proximity to existing urbanized areas or communities. This includes, but is not limited to, supporting and prioritizing the following in such areas:<br>• improvements to infrastructure and facilities;<br>• reductions in infrastructure constraints for the development of housing to the extent possible; and<br>• increases in the supply of land for residential uses. | | |
| **Policy HE 1.02.** Prioritize proximity to jobs, services, schools, parks, and transportation systems when designating land for housing. | The intent of this policy is to prioritize housing projects located within proximity to existing jobs and service centers. | **Potentially Consistent.** The project would locate new residential uses adjacent to areas within the existing Nipomo URL. While the community of Nipomo is generally a housing-rich community, the proposed residential land uses would be in proximity to existing jobs, services, schools, parks, and transportation infrastructure within the community of Nipomo and would contribute to these community resources through provision of 10 acres of public park facilities, location of education facilities on-site, provision of commercial retail uses on-site, and construction of various off-site roadway improvements. |
| **Policy HE 1.04** Encourage proposed residential developments to provide safe and attractive living environments through incorporation of high-quality architectural design, materials, site planning, and site amenities. | The intent of this policy is to provide safe and attractive living environments. | **Potentially Consistent.** The DRSP includes design guidelines to guide the architectural and aesthetic design of residential neighborhoods to reflect the site's rural character. The project's internal roadways would be designed to meet the state standards for complete streets, with bicycle and pedestrian infrastructure and landscaping. Lastly, the DRSP includes pocket parks, pedestrian and equestrian trails, and a 10-acre public park that would contribute to the aesthetic appeal of the site and create an attractive living environment for residents on-site. |
| **Policy HE 1.08** Encourage development of live-work units to provide housing for the workforce while generating economic activity. | The intent of this policy is to provide convenient workforce housing. | **Potentially Consistent.** The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. One of the project's objectives is to provide workforce housing within the Specific Plan Area. In addition, future development of ADUs and JADUs would be allowed on-site, which would be affordable by design. The neighborhood designated for future development of affordable homes would be located adjacent to areas designated for commercial development, providing a convenient and accessible living option for on-site employees. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Objective HE 2.00.** Facilitate the development and preservation of housing that is affordable to households of moderate-income or lower, households of workforce-income, and seniors. | The intent of this policy is to provide adequate housing opportunities for low-income and workforce-income households and seniors. | **Potentially Consistent.** The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site, which can be a popular housing type for multi-generational households. |
| **Framework for Planning (Inland)** | | |
| **Principle 2. Policy 2** Avoid establishing or expanding Residential Rural and Residential Suburban areas outside urban or village reserve areas. | The intent of this policy is to discourage expansion of residential rural and residential suburban areas outside of urban or village areas. | **Potentially Inconsistent.** The project would include designation of Residential Single-Family and Residential Multi-Family land use zones within the Specific Plan Area. The Specific Plan Area is currently not located within the Nipomo URL. |
| **Principle 2. Policy 3** Plan for most future development to be within existing and strategically planned cities and communities. | The intent of this policy is to prevent urban sprawl and focus new development within existing communities. | **Potentially Consistent.** The Specific Plan Area is generally surrounded by existing residential suburban and residential suburban development and is bounded by US 101 to the east. The project is located adjacent to the Nipomo URL and within the NCSD SOI, which designates areas of planned growth. The project would allow for the future development of residential, commercial, and open space land uses to serve the existing community of Nipomo and other nearby communities. |
| **Principle 2. Policy 4** Create complete communities with appropriate areas for housing, commerce, civic uses, schools, recreation, and open spaces. | The intent of this policy is to encourage diverse land use mixes. | **Potentially Consistent.** The DRSP would allow for future development of residential, commercial, and open space uses. The DRSP would allow for the future development of a variety of housing types, including single-family residential uses, multi-family residential uses, affordable housing units, and ADUs. Anticipated individual commercial land uses may include a village center, flex commercial, a neighborhood barn, a hotel, a daycare center, and an educational/training campus. The DRSP also includes a 10-acre public neighborhood park and an approximately 1.01-acre equestrian trailhead and staging area within the Recreation land use category, as well as between 8.5 to 12 acres of publicly accessible but privately maintained pocket parks within residential neighborhoods. |
| **Principle 2. Policy 6** Plan adequate and convenient areas within communities for employment and economic development near transit and residential areas. | The intent of this policy is to plan commercial development near transit and residential areas. | **Potentially Consistent.** The DRSP would allow for future development of residential, commercial, and open space uses. Anticipated individual commercial land uses may include a village center, flex commercial, a neighborhood barn, a hotel, a daycare center, and an educational/training campus. Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Principle 6, Policy 1.** Plan for most new housing to be within urban or village areas and close to jobs while protecting residential areas from incompatible uses. | The intent of this policy is to locate new housing near existing urban and village areas. | **Potentially Consistent.** The Specific Plan Area is also located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. |
| **Principle 6, Policy 2.** Provide quality housing choices that are affordable to people with a variety of income levels. | The intent of this policy is to provide a housing supply with variety of price points. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site. |
| **Principle 6, Policy 3.** Provide a range of housing types within each neighborhood and avoid creating adverse concentrations of affordable units. | The intent of this policy is to create neighborhoods with varied housing types and affordability levels. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, with potential for future development of ADUs and JADUs as well. The DRSP would locate all deed-restricted affordable housing units within one neighborhood (Neighborhood 10). However, other affordable-by-design residential units, such as multi-family residences, ADUs, and JADUs, would be located throughout the Specific Plan Area. Clustering all the affordable units on one lot improves the opportunities for those units to be built by an affordable housing developer. |
| **Principle 7 Encourage mixed land uses.**<br>**Policy 1** Integrate residential units designed for affordability with non-residential uses in order to bring workplaces, commercial development, and homes closer together for workers, senior citizens, and others. | The intent of this policy is to integrate affordable housing with commercial uses. | **Potentially Consistent.** The DRSP would allow for the construction of a minimum of 75 affordable residential units on-site. These units would be located adjacent to village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses. |
| **Principle 8 Take advantage of compact building design.**<br>**Policy 1** Develop compact neighborhoods that contain residential uses that are affordable-by-design and efficient in land and energy consumption. | The intent of this policy is to encourage compact residential neighborhoods. | **Potentially Consistent.** The DRSP would allow for the future development of multi-family residential neighborhoods, ADUs, and JADUs, which, based on their size, would be affordable by design and result in compact residential neighborhoods. |
| **Principle 8 Take advantage of compact building design.**<br>**Policy 2** Include public and private amenities with new development to enhance the livability of compact neighborhoods. | The intent of this policy is to provide convenient amenities with new development. | **Potentially Consistent.** The DRSP also includes a 10-acre public neighborhood park and an approximately 1.01-acre equestrian trailhead and staging area within the Recreation land use category, as well as between 8.5 to 12 acres of publicly accessible but privately maintained pocket parks within residential neighborhoods. In addition, Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Sustainable Communities Strategy** | | |
| *Housing Options and Affordability* | | |
| 3. Support residential development near existing employment centers. (Ongoing) | The intent of this policy is to focus residential development near existing employment centers. | **Potentially Consistent.** While Nipomo is a housing-rich community, Nipomo serves as a small commercial center between the cities of Arroyo Grande and Santa Maria. The project would develop residential uses near the existing community of Nipomo. |
| 4. Support a mix of housing options in new residential developments. (Ongoing) | The intent of this policy is to maintain a housing supply with varied housing types. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site. |
| 5. Support residential development that increases the region's supply of deed-restricted affordable housing, and supply of rental housing. (Near) | The intent of this policy is to ensure adequate provision of affordable housing and rental housing options. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site. |
| 6. Support expanded housing options for people of all ages and incomes to increase mobility and lower the combined cost of housing and transportation. (Near) | The intent of this policy is to ensure adequate provision of housing options for households of varied ages and mobility. | **Potentially Consistent.** The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site. The project includes development of pedestrian and bicycle facilities on-site, as well as development of on-site commercial retail and education uses, which would promote the use of alternative transportation modes. |
| 7. Support residential development that allows jurisdictions to meet housing allocations established in the 2019 Regional Housing Needs Allocation Plan. (Near) | The intent of this policy is to meet housing allocations established in the 2019 Regional Housing Needs Allocation Plan. | **Potentially Consistent.** The project would result in the construction of additional housing units that would help the County reach its housing development allocation goals per the County's RHNA required by state law. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| *Economic Vitality & Jobs-Housing Balance* | | |
| 31. Support the expansion of the region's supply of housing for renters, first-time home-buyers, and the broader workforce to maintain the vitality of regional economy, by supporting employee recruitment and retention, and new business formation. (Near) | The intent of this policy is to maintain the vitality of regional economy through provision of a variety of home ownership options. | **Potentially Consistent.** One of the goals of the DRSP is to support a variety of housing types to allow a range of opportunities for home ownership and rental options. The DRSP would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site. |
| ***San Luis Obispo Local Agency Formation Commission Policies and Procedures*** | | |
| **General Policies** | | |
| 14. In any proposal, the impacts on affordable housing must be considered. The Commission will consider the impact of the creation of new jobs on affordable housing stock, not only in the jurisdiction to which the annexation is proposed, but also in neighboring jurisdictions. The agency to which the annexation is proposed should demonstrate to the Commission that the effects of the proposed project on affordable housing have been mitigated (CKH 56001). | The intent of this policy is to protect the region's affordable housing stock. | **Potentially Consistent.** The DRSP would result in the generation of 273 new full-time equivalent jobs and short-term construction employment opportunities. The project would allow for the future development of Residential Single-Family and Residential Multi-Family uses, a portion of which would be affordable homes consistent with the goals and policies of the Housing Element, the County's Inclusionary Housing Ordinance, and regional housing needs. In addition, future development of ADUs and JADUs would be allowed on-site. Based on their general small size, ADUs and JADUs are often affordable by design. |

## 4.14.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on population and housing if the effects exceed the significance criteria described below:

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.

Each of these thresholds is discussed under Section 4.14.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.14.4 Impact Assessment and Methodology

Sources utilized in the assessment of population and housing impacts include the County's Housing Element, the County's Framework for Planning (Inland), SLOCOG's 2050 Annual Growth Projections, U.S. Census Bureau data, and CDOF data. Socioeconomic and demographic information from these

sources is relatively consistent; however, because each of these sources use slightly different methods of data collection and analysis, data collected does not always have the same conclusions and may not represent the same data year. Accordingly, the population, housing, and employment numbers used in this analysis may vary somewhat, depending upon the source cited. Despite the variations, the data used represents the best available information and provides a meaningful description of the population and housing characteristics of Nipomo, unincorporated areas of the county, and the county as a whole.

Current household sizes in the community of Nipomo were utilized to determine the approximate residential population generated by the project. To determine a reasonable-case scenario for development of ADUs on-site, historical County ADU construction and ADU construction projections were evaluated. The estimated number of employees generated by each proposed nonresidential land use type was derived from Table 1A in the Southern California Association of Governments (SCAG) *Employment Density Study Summary Report* (SCAG 2001).

The analysis provided in this section evaluates potential land use changes and future development that would occur through buildout of the DRSP and considers whether these changes would result in substantial adverse impacts on local and/or regional population growth and housing, particularly in relation to existing conditions and to cumulative growth estimated in the County's Housing Element and 2050 Regional Growth Projections. Potential secondary direct and indirect impacts of population growth on resources such as transportation, public services, water supply, and other issues are addressed in respective sections of this EIR. Growth-inducing impacts related to construction of new roadways and utility infrastructure are addressed in *Chapter 6, Other CEQA Considerations*.

## 4.14.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT 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)?

### Specific Plan Area

#### *PH Impact 1: The project would induce substantial unplanned population growth in the Nipomo area. Impacts would be significant and unavoidable (Class I).*

The DRSP would allow for the future phased development of residential uses, village commercial uses, flex commercial uses (including light industrial uses), open space, trails, and a public neighborhood park within the 288-acre Specific Plan Area.

RESIDENTIAL POPULATION GENERATION

The project would allow for the future phased development of up to 831 single-family dwelling units, development of 458 multi-family dwelling units, and construction of ADUs. To determine a reasonable-case scenario for development of ADUs on-site, historical County ADU construction and ADU construction projections were evaluated. Since the approval of recent state ADU laws, construction and use of ADUs and JADUs on qualifying parcels are allowed in San Luis Obispo County through ministerial approval, meaning they are not subject to a discretionary review process and are statutorily exempt from CEQA. Although ADUs are statutorily exempt from CEQA, the DRSP project is not; therefore, the potential for ADUs and JADUs to be developed as part of the entitlements requested by the DRSP project has been included in this analysis.

The County's Housing Element assumes that 185 ADUs will be constructed each year in the unincorporated county. This is based on five times the number of ADUs approved, under construction, or completed in 2019 and reflects an anticipated increase in ADU development within the county as the state continues to encourage this type of housing development. However, actual ADU development over the last 3 years has totaled 41 units, or just under 14 ADUs per year countywide. While actual ADU development may increase in future years (the number of applications, permits issued, and ADUs constructed has increased each year between 2019 and 2021), actual ADU development in the county (approximately 14 ADUs per year) is substantially less (7.5%) than the 185 ADU per year projection in the County's Housing Element.

Based on 2020 U.S. Census data, the total number of housing units in the Nipomo CDP was 5,816 in 2020, representing roughly 13.2% of the estimated 44,033 housing units in the unincorporated county in 2020. If the proportionate amount of ADU development (13.2%) were to occur in the Nipomo area, the County's Housing Element would assume development of approximately 25 ADUs in the Nipomo CDP area each year. If the proportionate amount of ADU development (13.2%) were to occur in the Nipomo area based on historic ADU development trends within unincorporated San Luis Obispo County, it would be assumed that the Nipomo CDP area would accommodate development of approximately 1.8 ADUs per year (13.2% of 14 ADUs per year).

Based on the County Housing Element's conservative assumptions for ADU construction and the DRSP's proportion of Nipomo's housing stock, buildout of the DRSP could result in the construction of approximately 2.79 ADUs per year. Based on historical ADU construction rates, the project could result in the construction of 0.20 ADUs per year. For the purposes of this analysis, it was assumed that an average of approximately 1.52 ADUs would be constructed within the Specific Plan Area per year over the estimated 100-year lifespan of the project, resulting in the construction of 152 ADUs in total.

Based on the analysis above, the DRSP is anticipated to result in the future construction of 831 single-family dwelling units, 458 multi-family dwelling units, and 152 ADUs. According to the U.S. Census Bureau, the average household size in Nipomo between 2015 and 2019 was 3.16. In order to calculate a more conservative population estimate, the Nipomo average household size was used to calculate the project's estimated residential population rather than rely on the countywide average household size of 2.51. Based on the average local household size in Nipomo, future buildout of DRSP residential land uses is anticipated to result in a residential population increase of approximately 4,555 (Table 4.14-13).

**Table 4.14-14. Project Residential Population Generation**

| Land Use Type | Number of Dwelling Units | Nipomo Average Household Size[1] | Estimated Population Generated |
|---|---|---|---|
| Single-Family | 831 | 3.16 | 2,626 |
| Multi-Family | 458 | | 1,448 |
| Accessory Dwelling Units | 152 | | 481 |
| **Total** | **1,441** | **--** | **4,555** |

[1] Source: U.S. Census Bureau (2019)

## NONRESIDENTIAL POPULATION GENERATION

Buildout of the project over the course of the approximately 6-year construction period would result in the generation of jobs for construction workers. The duration and number of workers needed for each phase of development would vary; however, development of the DRSP is anticipated to create a notable amount of temporary job opportunities in the area. As shown in Table 4.14-5, construction workers consisted of

approximately 10.4% of the total unincorporated county workforce in 2017. Therefore, project construction jobs would be anticipated to be served by the local construction workforce.

In addition to proposed residential land uses, the DRSP would allow for the future phased development of village commercial and flex commercial uses, which would generate new jobs. The estimated number of employees associated with the project is provided in Table 4.14-14. The estimated number of employees generated by each proposed land use type was derived from Table 1A in the SCAG *Employment Density Study Summary Report*, where other retail/services was used as the corresponding land use for the proposed village commercial and flex commercial land uses, hotel/motel was used as the corresponding land use for the future proposed hotel land use, and government offices was used as the corresponding land use for the proposed educational facilities (SCAG 2001).

**Table 4.14-15. Project Nonresidential Population Generation**

| Land Use Type | Potential Square Feet | Square Feet per Employee | Employees |
|---|---|---|---|
| Village Commercial Use<br>Flex Commercial Uses | 113,000 | 585 | 194 |
| Hotel | 60,000 | 1,804 | 34 |
| Education | 30,000 | 672 | 45 |
| **Total** | | | **273** |

Source: SCAG (2001), Table 1-A.

As shown in Table 4.14-14, the project would result in the generation of approximately 273 employees from buildout of proposed nonresidential DRSP land uses.

## IMPACT ANALYSIS

Based on the analysis provided above, the project would result in the addition of approximately 4,555 new residents and would generate approximately 273 new jobs within the unincorporated community of Nipomo. The precise timing of development of proposed residential and commercial uses within the Specific Plan Area is not known at this time and would depend on market factors and the goals of individual developers. However, based on a market analysis prepared by the project applicant and project goals, and for purposes of this EIR analysis, it is anticipated that the primary residential uses and nonresidential land uses associated with the project would be built out over approximately 6 years. Based on the ministerial nature of ADU permit approval and development, it is anticipated that ADU development within the Specific Plan Area would occur over the project's 100-year lifespan.

The addition of 273 new jobs within the project site is not anticipated to have a substantial effect on local population growth. The project would add 273 new jobs within the unincorporated community of Nipomo. Based on information provided in the South County Area Plan and the 2019 Regional Housing Needs Allocation Plan (see Table 4.14-10; SLOCOG 2019a), the community of Nipomo is a housing-rich community, with a majority of workers commuting to other localities for work. Therefore, new employment opportunities within Nipomo would be anticipated to be primarily filled by current residents within the community of Nipomo and/or future residents associated with the project.

Population growth is considered significant only if it is substantial and/or unplanned. The most recent population information for the unincorporated community of Nipomo reflects a population of 18,176 in 2020. Based on the 2050 Regional Growth Forecast for San Luis Obispo County, which reflects existing Nipomo planning documents, the community of Nipomo is anticipated to reach an estimated buildout population of 23,462 by the year 2060 (SLOCOG 2019b). In order to reach a buildout population of

23,462 by the year 2060, the community of Nipomo would need to gain an average of 1,321.5 people every 10 years, which would result in a population of approximately 19,498 by the year 2030. The project is anticipated to result in construction of 831 single-family residences, 458 multi-family dwelling units, and approximately 11 ADUs (assuming average of 1.52 ADUs constructed per year) between 2024 and 2029, resulting in a total population growth of approximately 4,108 residents. This would result in a total population of 22,284 in the unincorporated community of Nipomo by 2030, approximately 14.3% higher than the population projected for 2030 derived from buildout population projections.

The County's South County Area Plan includes an outline for future development of La Canada Ranch on the project site, which identified the following land uses in order of priority: open space uses, industrial park(s) retail uses, commercial retail uses, and residential areas. The prioritization of these land uses show that preservation of on-site oak woodlands and development of job-generating commercial and industrial uses were intended to be the primary focus of future development on-site for La Canada Ranch.

Proposed residential land uses encompass approximately 75% of the proposed Specific Plan Area, and commercial uses would encompass approximately 7.7% of the Specific Plan Area. In general, commercial and industrial uses generate less on-site population than residential land uses. While the project site was identified as an area that would experience planned population growth, the project would likely result in a higher on-site population than what was initially planned in the South County Area Plan. In addition, the content of the South County Area Plan was last updated in March 1994. Accordingly, the assumptions regarding future development of La Canada Ranch on the project site are considered outdated.

The population growth projections provided in the Nipomo Community Plan projected the population of Nipomo (within the URL) to reach 23,250 sometime after the year 2010; however, these projections were published in 1994 and are also considered outdated. The County's Housing Element provides a list of vacant parcels identified that may potentially be developed with housing to meet projected housing needs over the next 8 years. The Specific Plan Area consists of three parcels (APNs 091-301-030, 091-301-031, and 091-301-073), none of which are identified within the County's Housing Element as vacant parcels with potential to be developed with housing to meet the County's housing needs over the next 8 years.

The County's Housing Element identifies sufficient sites with the allowable land use designations and residential density allowances to accommodate the unincorporated county's share of regional housing development (3,256 new units) over the 2020 to 2028 planning period. Development trends between 2009 and 2019 indicate that the Nipomo Mesa area has accommodated between 24% and 45% of unincorporated countywide new dwelling construction per year (see Table 4.14-11; County of San Luis Obispo 2022). If the DRSP were to develop all 831 single-family residences, 458 multi-family dwelling units, and 11 ADUs (assuming average of 1.52 ADUs constructed per year) within the 7-year County Housing Element planning period, it would account for a total of 1,300 new dwelling units, representing 39.9% of total unincorporated county housing development. While this percentage falls within the historic range of the Nipomo Mesa's annual share of new housing development in the unincorporated areas of the county, there is little evidence in the County's Housing Element, South County Area Plan, or Nipomo Area Plan that reflects this degree of population growth for the Nipomo Mesa area. Therefore, implementation of the DRSP would result in substantial unplanned population growth through development of new residential dwelling units and would result in a potentially significant impact.

The potential effects of increased, unplanned population growth within the project site would be determined by a range of factors. One key factor would be the local jobs-to-housing balance. As discussed in Section 4.14.1.3, *Housing*, the South County Planning Area is characterized as a housing-rich area with a jobs-to-housing ratio of 0.66. This suggests that additional housing constructed in the South County Planning Area would result in an increase in residents commuting to a proximate community (such as the city of Santa Maria or the city of San Luis Obispo) for work.

The project would provide additional housing in the community of Nipomo, contributing to the unbalanced jobs-to-housing ratio. An imbalance between jobs and housing has the potential to result in a range of adverse environmental impacts, including:

- increased vehicle commute distances and time (VMT);
- increased energy consumption, GHG emissions, and air pollutant emissions from additional commuters; and
- indirect impacts on other communities that build housing, such as loss of habitat.

Buildout of the DRSP would result in substantial unplanned population growth in the unincorporated community of Nipomo and adversely affect the local jobs-to-housing ratio within the Inland South County Planning Area. However, the project would also result in the construction of additional housing units that would help the County reach its housing development allocation goals per the County RHNA required by state law. Based on an evaluation of the project objectives, no feasible mitigation has been identified that would reduce this significant impact. Therefore, potential impacts associated with substantial unplanned population growth would be *significant and unavoidable*.

| **PH Impact 1 (Class I)** |
|---|
| The project would induce substantial unplanned population growth in the Nipomo area. |
| ***Mitigation Measures*** |
| *No feasible mitigation has been identified.* |
| ***Residual Impacts*** |
| *Potential impacts associated with substantial unplanned population growth would be significant and unavoidable (Class I).* |

## Off-Site Improvements

### *PH Impact 2: Off-site improvements would not result in substantial unplanned population growth. Impacts would be less than significant (Class III).*

Buildout of the Specific Plan Area would require a number of off-site transportation, water, and wastewater system improvements to the existing road network and NCSD service systems. These improvements have not been designed and their precise location is not currently known. However, all off-site improvements are expected to occur within existing paved roadways, existing disturbed road shoulder areas within public ROW areas, and/or within existing NCSD facilities, such as the Southland WWTF.

An SOI identifies a plan for the probable future physical boundary and service area of a local agency or municipality. While the project would result in the establishment of extended and expanded water and wastewater system infrastructure, the project site is located within the NCSD SOI (NCSD 2018). In addition, the project site is currently bordered by the existing NCSD service area to the southeast and southwest. Therefore, extension of NCSD infrastructure to the project site would not be anticipated to remove a barrier to future unplanned development within the immediate project area. Expansion of existing NCSD infrastructure capacity and required transportation improvements would be designed to serve existing NCSD customers, the population induced by the project, and future planned population growth within the NCSD service area. Off-site infrastructure improvements would not remove a barrier to

future unplanned growth within the unincorporated community of Nipomo or Nipomo Mesa area. Therefore, impacts would be *less than significant*.

| **PH Impact 2 (Class III)** |
|---|
| Off-site improvements would not result in substantial unplanned population growth. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Potential impacts associated with substantial unplanned population growth would be less than significant (Class III).* |

## WOULD THE PROJECT DISPLACE SUBSTANTIAL NUMBERS OF EXISTING PEOPLE OR HOUSING, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?

### Specific Plan Area

### *PH Impact 3: The project would not displace existing people or housing. Impacts would be less than significant (Class III).*

The Specific Plan area does not currently contain any existing residential structures or uses. The Specific Plan Area is largely undeveloped, with the exception of unpaved ranch roads traversing portions of the site. The Dana Ridge oak woodland mitigation property currently supports 200 acres of oak woodland and 120 acres of chaparral containing scattered oaks. Neither the Specific Plan area nor Dana Ridge support housing or an existing population; therefore, the project would not displace existing people or housing and impacts would be *less than significant*.

| **PH Impact 3 (Class III)** |
|---|
| The project would not displace existing people or housing. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Potential impacts associated with displacement of people or housing would be considered less than significant (Class III).* |

### Off-Site Improvements

### *PH Impact 4: Off-site improvements would not displace existing people or housing. Impacts would be less than significant (Class III).*

Anticipated off-site transportation, water, and wastewater system improvements are expected to occur within existing paved roadways, existing disturbed road shoulder areas within the public ROW, and/or

existing NCSD facilities, such as the WWTF. Off-site infrastructure improvements would not result in a displacement of people or existing housing; therefore, potential impacts would be *less than significant*.

| **PH Impact 4 (Class III)** |
|---|
| Off-site improvements would not displace existing people or housing. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Potential impacts associated with displacement of people or housing would be considered less than significant (Class III).* |

## 4.14.6 Cumulative Impacts

### *PH Impact 5: The project would result in a cumulatively considerable impact related to substantial and unplanned population growth. Impacts would be significant and unavoidable (Class I).*

The cumulative context for population and housing growth includes the South County Planning Area and unincorporated San Luis Obispo County. As discussed above, the project would result in substantial population growth within the South County Planning Area that is not specifically projected or planned for in local or regional County planning documents and would result in the exceedance of projected population growth for the unincorporated community of Nipomo. The effects of the project would contribute to the overall development trends reflected in the Cumulative Development Scenario Project List (see Table 3-2 in Chapter 3, *Environmental Setting*). In particular, the project's contribution of residential population growth in conjunction with residential development projects that have been approved, are currently in the review process, or will be applied for within the area would further exacerbate the rapid unplanned population growth within the vicinity of the project area. Potential impacts associated with substantial unplanned population growth are cumulative by nature, in that they are evaluated within the greater context of the region rather than impacts on the Specific Plan Area or local community of Nipomo. Therefore, the project's cumulative impacts associated with substantial unplanned population growth would be *significant and unavoidable (Class I)*.

| **PH Impact 5 (Class I)** |
|---|
| The project would result in a cumulatively considerable impact related to substantial and unplanned population growth. |
| ***Mitigation Measures*** |
| *No feasible mitigation has been identified.* |
| ***Residual Impacts*** |
| *Implementation of the project would result in substantial and unplanned population growth and no feasible mitigation has been identified to reduce impacts. Therefore, residual cumulative impacts would be significant and unavoidable (Class I).* |

# 4.15 PUBLIC SERVICES

The following setting and impact evaluation assesses the condition of existing public service facilities, pertinent regulations, thresholds of significance, and potential impacts of the project related to public service facilities. The existing setting is based on County documents, including the *Nipomo Community Plan*, County's *2016–2018 Resource Summary Report*, and County LUO; the *Dana Reserve Fire Protection Plan* (Resolute Associates 2021); and correspondence with representatives from applicable public agencies, including CAL FIRE, the San Luis Obispo County Sheriff's Office, and the Lucia Mar Unified School District (LMUSD).

## 4.15.1 Existing Conditions

### *4.15.1.1 Fire Protection*

Under the laws of the State of California, only the state and incorporated cities are obligated to provide fire protection services. The state provides wildland and watershed fire protection within State Responsibility Areas (SRAs); it does not provide structure protection, rescue and emergency service, or hazardous materials response. Counties provide fire services at their discretion and service levels vary from county to county. The County chose to protect residents and property within its jurisdiction by creating County Fire in partnership with CAL FIRE. The partnering and consolidation between County Fire and CAL FIRE are documented through contractual agreements that direct CAL FIRE/County Fire to provide fire protection and emergency response services and shared funding for the provision of such services.

In the unincorporated community of Nipomo, fire protection and emergency medical services are provided by CAL FIRE Station 20, located on North Oakglen Avenue, east of US 101 in Nipomo, approximately 1.6 miles southeast of the project site (County of San Luis Obispo 2014). Travel time from Station 20 to the project site using the North Frontage Road access point is 7 minutes (Resolute Associates 2021). Nipomo is also served by CAL FIRE Mesa Station 22 (Station 22) located on SR 1 on the west side of the mesa, located approximately 4.7 miles west (County of San Luis Obispo 2014). Travel time from Station 22 to the project site using the Willow Road entry point is 6 minutes (Resolute Associates 2021). Although Station 20 is closer to the Specific Plan Area, due to traffic and other typical road conditions along West Tefft Street and North Frontage Road, there is an increased travel time to the project site.

#### 4.15.1.1.1 EXISTING FIRE PROTECTION FACILITIES

Station 20 is one of the busiest fire stations in the county and serves a large and varied response area. Generally, firefighters from Station 20 respond to incidents in the Nipomo core village, along an approximate 12-mile segment of US 101 from the Santa Maria River bridge north to the city of Arroyo Grande, and east through the SR 166 corridor. In addition to a large and varied response area, the Station 20 service population has experienced an increase in growth over the past 5 years (CAL FIRE 2021a). The Nipomo area is also served by CAL FIRE Station 22, which has experienced a substantial increase in calls for service over the past 3 years due to an increase in new development and population in the Nipomo Mesa area. Table 4.15-1 identifies current conditions of CAL FIRE Stations 20 and 22, including staffing, equipment, and response times.

**Table 4.15-1. Existing CAL FIRE Facilities**

| CAL FIRE Station | Staff | Equipment | Travel Time to the Specific Plan Area |
|---|---|---|---|
| Station 20 | • 1 Fire Captain<br>• 1 fire apparatus engineer<br>• 1–2 licensed paramedics<br>• 25-member Paid Call Firefighter company<br>• 1 Company Officer/Operator and 2–3 firefighters[1] | • 1 State Type III wildland fire engine<br>• 1 County Type I fire engine<br>• 1 Type III rescue engine<br>• 1 medic engine<br>• 1 Engine 3467, a Type III 4×4 wildland fire apparatus[1] | 6 minutes |
| Station 22 | • 1 Fire Captain<br>• 1 Fire Apparatus Engineer<br>• 1–2 firefighters who are also licensed paramedics[2]<br>• 25-member Paid Call Firefighter company | • 1 Medic Engine 22 | 7 minutes |

Source: CAL FIRE (2021a); Resolute Associates (2021)

Notes:

[1] During the declared fire season, Station 20 houses Engine 3467, a Type III 4×4 wildland fire apparatus. Engine 3467 responds to many of the same calls as Medic Engine 20, as well as most vegetation fires in southern San Luis Obispo County and northern Santa Barbara County.

[2] This allows Advanced Life Support (ALS) to begin as soon as fire crews arrive, resulting in a high level of service and higher rates of survival.

Due to increasing response times and call volumes, the County Fire Strategic Plan identifies the need for an additional fire station on the west side of US 101 in Nipomo (Resolute Associates 2021).

#### 4.15.1.1.2 FIRE PROTECTION RESPONSE TIMES

According to the National Fire Protection Association (NFPA) Standard 1710, the goal response time for an emergency call for fire services is 7 minutes or less (Resolute Associates 2021). According to the County LUO, the goal response time for San Luis Obispo County Fire is 7 minutes for urban areas and 8 minutes for suburban areas at least 90% of the time (Resolute Associates 2021). These goal response times include the time it takes for dispatch to process the call and for firefighters to board the engine, which is 3 minutes. Therefore, travel time to a project area should be between 3 and 4 minutes to meet the goals established in the LUO. Currently, travel time to the project site is approximately 7 minutes from Station 20 and approximately 6 minutes from Station 22, which would exceed the goal response time established in the LUO (Resolute Associates 2021).

### *4.15.1.2 Police Protection*

The County Sheriff's Office provides police protection services throughout the unincorporated county. There are three stations that serve the county: the North Station, located in Templeton, approximately 37 miles north of the community of Nipomo; the South Station, located in Oceano, approximately 8 miles northwest of the community of Nipomo; and the Coast Station, located in Los Osos, approximately 26 miles northwest of the community of Nipomo. The Dispatch Center is the primary public safety contact and is responsible for all 911 calls in the county and the cities of Arroyo Grande and Morro Bay. The County Sheriff's Office is staffed 24 hours a day, 365 days a year. In 2020 the Sheriff's Dispatch Center received 108,712 calls for service or law enforcement, averaging 9,000 calls per month. Calls received include approximately 27,000 medical calls, 52,198 911 calls, and approximately 249,831 other calls (County Sheriff's Office 2020).

#### 4.15.1.2.1 EXISTING POLICE PROTECTION FACILITIES

The community of Nipomo is served by the South Station, which also serves the city of Arroyo Grande and the unincorporated communities of Oceano, Halcyon, Los Berros, Huasna, and New Cuyama; as of 2020, this service population is approximately 45,225 people (U.S. Census Bureau 2021). Based on correspondence with the County Sheriff's Office, staffing requirements at the South Station include 24 deputies, two sergeants, and two legal clerks. However, due to difficulty hiring and staffing shortages, these staffing requirements are not met on a consistent basis (County Sheriff's Office 2022). According to the County Sheriff's Office 2020 Annual Report, in 2020 the South Station patrol staff responded to over 22,490 calls for service. Reported criminal activity ranged from theft and property crimes to homicide. Typical calls to the South Station include theft, vandalism, public disturbances, drug and alcohol offenses, and other situations that may threaten the public's quality of life (County Sheriff's Office 2020).

The County's 2022–2023 Draft Capital Improvement Plan includes construction of a new Sheriff's Patrol Station in Nipomo along Tefft Street. The new patrol station is planned to begin construction in 2022 or 2023 and is anticipated to be completed in 2025 or 2026; however, actual timing of construction may vary (County of San Luis Obispo 2022).

#### 4.15.1.2.2 POLICE PROTECTION RESPONSE TIMES AND SERVICE RATIOS

The South Station is located approximately 10 miles northwest of the community of Nipomo. Response times from the South Station are generally poor because of the large service area, limited staffing, and traffic conditions. Response times to calls for service in Nipomo are generally slower due to the geographic barrier that US 101 presents, and traffic congestion along the Tefft Street corridor, which is the primary travel route through the community. The County Sheriff's Office aims to provide one deputy per 1,000 people in order to adequately respond to calls for service throughout the community (County Sheriff's Office 2022). There are 24 deputies serving the South Station service area, which has a population of approximately 45,225 people (U.S. Census Bureau 2021). Therefore, there is currently 0.53 deputies per 1,000 people in the South Station service area. In order to provide one deputy per every 1,000 residents, the South Station would need to employ 45 to 46 deputies.

### *4.15.1.3 Schools*

The project site is within the LMUSD, which is the largest school district in the county, covering approximately 550 square miles and serving the communities of Arroyo Grande, Grover Beach, Nipomo, Oceano, Pismo Beach, and Shell Beach. The LMUSD is governed by a seven-member Board of Education and consists of 11 elementary schools, three middle schools, three comprehensive high schools, one continuation high school, one independent student study school, and one adult education program. There are more than 10,000 students within the LMUSD (LMUSD 2021a).

Countywide, several school districts have been experiencing enrollment declines over the past several years, particularly in elementary schools. The decline may be attributed to high housing costs in some parts of the county, which deter families with young children from locating there (County of San Luis Obispo 2019b). In the past 10 years, general enrollment trends of the LMUSD show a steady increase in elementary school enrollment and a decrease in middle school and high school enrollment (County of San Luis Obispo 2019b).

#### 4.15.1.3.1 LMUSD FACILITIES SERVING THE PROJECT AREA

The Specific Plan Area falls within the boundaries of Dorothea Lange Elementary (Lange Elementary), Mesa Middle School, Nipomo High School, and Central Coast New Tech High School. Lange Elementary is located approximately 1.6 miles southwest of the Specific Plan Area, Mesa Middle School

is located approximately 4.5 miles northwest of the Specific Plan Area, and Nipomo High School and Central Coast New Tech High School are located approximately 0.2 mile east of the Specific Plan Area. Other proximate schools include Dana Elementary School, located approximately 1 mile south of the Specific Plan Area, and Nipomo Elementary School, located approximately 1.3 miles southeast of the Specific Plan Area. Table 4.15-2 below identifies the current capacities at the elementary and middle schools, based on the current 2021 to 2022 school year enrollment.

**Table 4.15-2. LMUSD School Capacities**

| School | Enrollment (as of December 2021) | Maximum Capacity[1] | Percent Capacity |
|---|---|---|---|
| Lange Elementary | 561 | 646 | 86% |
| Dana Elementary | 578 | 615 | 94% |
| Nipomo Elementary | 374 | 450 | 83% |
| Mesa Middle School | 454 | 570 | 80% |
| Nipomo High School | 1,915 | 1,320 | 145% |
| Central Coast New Tech High School | 249 | 540 | 46% |

Source: LMUSD (2022a)

[1] Maximum capacities change based on state laws and would likely fluctuate.

#### 4.15.1.3.2 MEASURE I

Measure I was approved by voters and authorizes up to $170,000,000 in general obligation bond funds to provide funding for school improvement projects within the LMUSD (LMUSD 2021b).

Improvements associated with this measure were selected with the purpose of conducting necessary maintenance and repairs, providing upgraded classrooms and labs, upgrading security and safety systems at schools, and updating instructional technology (LMUSD 2021b).

As of February 2021, the LMUSD has developed 57 new classrooms in replacement of portables, 19 new student restrooms, and seven new staff rooms, and modernized 40 classrooms and four restrooms in schools throughout the district (LMUSD 2021b).

### *4.15.1.4 Parks*

The County provides several different recreational opportunities to residents within the incorporated and unincorporated areas of the county. A more detailed discussion of recreational facilities provided by the County is included in Section 4.16, *Recreation*. County Parks recognizes and provides different types of parks within the county, including mini, linear, neighborhood, community, and regional parks. Nipomo Community Park currently provides 136 acres of community parkland to residents of Nipomo. In addition to Nipomo Community Park, there is a planned 30-acre park (Jack Ready Park) that would provide additional recreational facilities within the community of Nipomo. However, the timeframe for buildout is currently not known. Recreational facilities within Nipomo and within other areas of the county are identified in Table 4.15-3.

**Table 4.15-3. Existing County Recreation Facilities**

| | Agency | Location | Distance from Project Site | Park Acres | Natural Area Acres |
|---|---|---|---|---|---|
| ***Regional Parks (Urban)*** | | | | | |
| Biddle Park | County Parks | Arroyo Grande | 8.7 miles northeast | 27 | 20 |
| Duveneck Park (undeveloped) | -- | Templeton | -- | 80 | 0 |
| El Chorro Park | County Parks | San Luis Obispo | 23 miles north | 40 | 450 |
| Heilmann Park | County Parks | Atascadero | 30 miles northeast | 102 | 0 |
| Coastal Dunes RV Park & Campground | County Parks | Oceano | 8 miles northwest | 5 | 0 |
| | | | *Total Regional Parks (Urban)* | *254* | *470* |
| ***Regional Parks (Rural)*** | | | | | |
| Lopez Lake Recreation Area | County Parks | Arroyo Grande | 10 miles northeast | 200 | 4,076 |
| Santa Margarita Lake Park | County Parks | Santa Margarita | 19 miles northeast | 21 | 7,101 |
| | | | *Total Regional Parks (Rural)* | *221* | *11,177* |
| ***Mini, Neighborhood, and Community Parks*** | | | | | |
| Avila Park/Plaza | County Parks | Avila | 16 miles northwest | 2.5 | 0 |
| Cuesta Park | County Parks | San Luis Obispo | 18 miles north | 5 | 0 |
| C.W. Clarke Park | County Parks | Shandon | 42 miles northeast | 11.5 | 0 |
| Hardie Park | County Parks | Cayucos | 36 miles northeast | 4 | 0 |
| Lampton Cliffs Park | County Parks | Cambria | 48 miles northeast | 2.2 | 0 |
| Los Osos Community Park | County Parks | Los Osos | 26 miles northwest | 6.2 | 0 |
| Norma Rose Park (undeveloped) | -- | Cayucos | -- | 1.5 | 0 |
| Nipomo Community Park | County Parks | Nipomo | 0.8 mile south | 74 | 80 |
| Oceano Memorial Park | County Parks | Oceano | 8 miles northwest | 11.8 | 0 |
| Paul Andrew Park | County Parks | Cayucos | 35 miles northwest | 1 | 0 |
| Jack Ready Park (undeveloped) | -- | Nipomo | -- | 30 | 0 |
| San Miguel Park | County Parks | San Miguel | 50 miles north | 4.3 | 0 |
| Santa Margarita Community Park | County Parks | Santa Margarita | 24 miles north | 2 | 0 |
| See Canyon Park (undeveloped) | -- | Avila Valley | -- | 8.7 | 0 |
| Shamel Park | County Parks | Cambria | 49 miles northwest | 6 | 0 |
| Templeton Park | County Parks | Templeton | 36 miles north | 3.5 | 0 |
| | | | *Total Mini, Neighborhood, and Community Parks* | *174.2* | *80* |
| ***Special Places (Natural Areas, Coastal Accessways, Historic Sites)*** | | | | | |
| Bishop Peak | County Parks | San Luis Obispo | 21 miles northwest | 0 | 104.3 |
| Cayucos Beach | County Parks | Cayucos | 36 miles northwest | 14 | 0 |
| Coastal Accessways | County Parks | Coastal Area | -- | 7.2 | 0 |
| El Moro Elfin Forest | County Parks / California State Parks | Los Osos | 27 miles northwest | 0 | 38.7 |
| Monarch Grove | Morro Coast Audubon Society | Los Osos | 27 miles northwest | 0 | 18 |

| | Agency | Location | Distance from Project Site | Park Acres | Natural Area Acres |
|---|---|---|---|---|---|
| Mesa Meadows | County Parks | Nipomo | 0.8 mile southwest | 0 | 20 |
| Rios Caledonia Adobe | Friends of the Adobes | San Miguel | 49 miles north | 2.8 | 0 |
| | | | *Total Special Places* | *24.1* | *181* |
| ***Golf Courses*** | | | | | |
| Chalk Mountain Golf Course | County Parks | Atascadero | 30 miles north | 212 | 0 |
| Dairy Creek Golf Course | County Parks | San Luis Obispo | 24 miles north | 224 | 0 |
| Morro Bay Golf Course (California State Parks owned, County operated) | County Parks / California State Parks | Morro Bay | 29 miles northwest | 125 | 0 |
| | | | *Total Golf Courses* | *561* | *0* |
| ***Trails and Staging Areas (Outside Parks)*** | | | | | |
| Bob Jones Pathways | County Parks | Avila Valley | 15 miles northwest | 1.8 | 0 |
| Cypress Ridge Trail | County Parks | Nipomo | 3.8 miles northwest | 1 | 0 |
| Hi Mountain Trail and Staging Areas | U.S. Forest Service | Huasna | 15 miles northeast | 7 | 0 |
| San Miguel Staging Area (Salinas River) | County Parks | San Miguel | 50 miles north | 2 | 0 |
| | | | *Total Trails and Staging Areas* | *11.8* | *0* |
| | | | **Total Operated Acreage** | **1,246.1** | **11,908** |
| ***Community Parks (Nipomo)*** | | | | | |
| Nipomo Community Park | County Parks | Nipomo | 0.8 mile south | 136 | 0 |
| Cypress Ridge Trail | County Parks | Nipomo | 3.8 miles northwest | 1 | 0 |
| Mesa Meadows | County Parks | Nipomo | 0.8 mile south | 0 | 20 |
| Jack Ready Park[1] | -- | Nipomo | -- | 30 | 0 |
| | | | **Total Community Parks** | **137** | **20** |

Source: County of San Luis Obispo (2006, 2019b).

[1] Funding to complete construction of Jack Ready Park has currently not been secured.

#### 4.15.1.4.1 DETERMINING PARK NEEDS

The 1983 National Recreation and Park Association (NRPA) park standards were established to guide communities in planning for future park demands. The NRPA park standards provide a starting point for assessing current need for parks within a community and recommends developing individual local standards for assessing the need for parkland (County of San Luis Obispo 2006).

The County's most recent resource summary report is the *2016–2018 Resource Summary Report* evaluates existing resources using a Resource Management System, which helps decision makers balance land development and existing resources by assessing resource levels and determining the level of development those resources could sustain. The Resource Management System identifies the following three alert levels called "levels of severity" to identify potential resource deficiencies:

- **Level 1.** For regional parks, the County provides between 10 and 15 acres of regional parkland per 1,000 persons in the entire county (i.e., incorporated and unincorporated areas). For

community parks, the County provides 2 to 3 acres of community parkland per 1,000 persons in an unincorporated community.

- **Level 2.** For regional parks, the County provides between 5 and 10 acres of regional parkland per 1,000 persons in the entire county. For community parks, the County provides 1 to 2 acres of community parkland per 1,000 persons in an unincorporated community.
- **Level 3.** For regional parks, the County provides less than 5 acres of regional parkland per 1,000 persons in the entire county. For community parks, the County provides 1 acre or less of community parkland per 1,000 persons in an unincorporated community.

#### 4.15.1.4.2 EXISTING REGIONAL PARKLAND LEVEL OF SEVERITY

As described in the County's *2016–2018 Resource Summary Report*, the County aims to provide 10 to 15 acres of regional parkland per 1,000 residents within the County. To assess the level of severity for regional parks, the total acreage of regional parks was divided by the estimated total 2018 county population, which includes cities and unincorporated areas. The total 2018 county population was estimated to be 282,544 and the total acreage of regional parks was estimated to be 11,991 acres. Based on these statistics, the County provides 42.4 acres of parkland per every 1,000 residents. Therefore, the County provides more than 10 to 15 acres of regional parkland per 1,000 persons and this resource has not been assigned a recommended level of severity (County of San Luis Obispo 2019b).

#### 4.15.1.4.3 EXISTING COMMUNITY PARKLAND LEVEL OF SEVERITY

As described in the County's *2016–2018 Resource Summary Report*, the County aims to provide 2 to 3 acres of community parkland per 1,000 residents within a community. To assess the level of severity for community parks, the population within a 5-mile radius of the Nipomo URL for the 10 unincorporated communities was determined using 2010 census block data. The resulting population was adjusted by applying the population growth rate for 2010 to 2018 to reflect the 2018 population (County of San Luis Obispo 2019b). For the community of Nipomo, the total population in 2018 was estimated to be 29,040. Nipomo Community Park provides 136 acres of parkland for the community; therefore, the community of Nipomo provides approximately 4.23 acres of parkland per every 1,000 residents and has not been assigned a level of severity since there are more than 2 to 3 acres of community parkland per 1,000 residents in the community. Jack Ready Park is a planned, undeveloped park within the community, which would provide an additional 30 acres of parkland. This resource has not been assigned a recommended level of severity (County of San Luis Obispo 2019b).

### *4.15.1.5 Libraries*

The San Luis Obispo County Library is a department of the County, operating under the authority of the County Board of Supervisors. The County library was established in 1919 under authority of the County Free Library Act. According to the Library 2019–2022 Strategic Plan, the mission of the County library is to connect the community to knowledge, culture, and creativity through exceptional service (County of San Luis Obispo 2019a). The County library consists of 14 branches and provides service to residents in six of the seven incorporated cities and the unincorporated areas of San Luis Obispo. The County library offers circulation of books, magazines, newspapers, government publications, and other special publications, and also offers downloadable media of all types (County of San Luis Obispo 2019c). The nearest County public library to the Specific Plan Area is the Nipomo Library. The Nipomo Library is one of 14 County-operated public library facilities and is located at 918 Tefft Street, approximately 1 mile southwest of the project site. The Nipomo Library provides three computers, five Chromebooks, wireless printing, one public meeting room, and wireless internet connection.

# 4.15.2 Regulatory Setting

## *4.15.2.1 Federal*

### 4.15.2.1.1 CODE OF FEDERAL REGULATIONS

Under 29 CFR 1910.38, an employer is required to have an Emergency Action Plan that is accessible to employees within a workplace. Such plans shall include information regarding emergency reporting, evacuation and exit routes, roles and responsibilities in the event of an emergency, accounting for employees following an emergency evacuation, and the need for performing rescue or medical duties.

### 4.15.2.1.2 NATIONAL FIRE PROTECTION ASSOCIATION 1710

Key minimum requirements for emergency services, including staffing, response levels, and response times are identified in NFPA 1710. NFPA 1710 requirements intend to provide effective, efficient, and safe protective services to help prevent fires, reduce risk to lives and property, deal with incidents that occur, and help prepare for anticipated incidents.

## *4.15.2.2 State*

### 4.15.2.2.1 LEROY F. GREENE SCHOOL FACILITIES ACT

The Leroy F. Greene School Facilities Act of 1998 (AB 331) authorizes a state bond to provide funds for school facilities within the state in order to modernize facilities, develop new facilities, employ additional staff members, and provide hardship funding. The state provides local school districts with financial support for new school construction and modernization projects through the School Facility Program (SFP). Under the SFP, new school construction projects are funded on a 50/50 state and local matching basis. In order for the state to provide these funds, the state requires payment of school fees on all new development types (California Education Code Section 17620), typically payable at the time of building permits.

### 4.15.2.2.2 CALIFORNIA EDUCATION CODE

California Education Code Section 17620 coincides with the Leroy F. Green School Facilities Act and authorizes the governing board of any school district to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the school district, for the purpose of funding the construction or reconstruction of school facilities.

California Education Code Sections 41376 and 41378 identify the maximum class sizes and penalties for school districts with any classes that exceed the following established limits:

- Kindergarten: the average class size shall not exceed 31 students; no class larger than 33 students.
- First through Third Grades: the average class size shall not exceed 30 students; no class larger than 32 students.
- Fourth through Eighth Grades: in the current fiscal year (2018), the average number of students per teacher shall not exceed 29.9 (the statewide average number of students per teacher in 1964) or district's average number of students per teacher in 1964.

#### 4.15.2.2.3 THE QUIMBY ACT

The Quimby Act (AB 1191) authorizes the legislative body of a county or city to require the dedication of land or to impose fees for park and recreational purposes as a condition of the approval of a tentative or parcel subdivision map if specified requirements are met. Existing laws require fees collected to be committed within 5 years after the payment of fees or issuance of building permits on half of the lots created by the subdivision, whichever occurs later. Existing law also requires fees not committed to be distributed and paid to the then-record owners of the subdivision, as specified. The Quimby Act allows fees to be collected for up to 3 acres of parkland per 1,000 residents to serve the needs of residents of the county.

#### 4.15.2.2.4 CALIFORNIA GOVERNMENT CODE SECTION 66000

California Government Code Section 66000 allows fees to be enacted and imposed on development projects and provides local agencies with guidelines regarding imposition and enforcement of fees.

### *4.15.2.3 Local*

#### 4.15.2.3.1 CALIFORNIA GOVERNMENT CODE SECTION 65995

At the local level, California Government Code 65995 et seq. authorizes school districts to collect development impact fees to help offset the cost of new school facilities needed to serve new development. The fees are levied on a per-square-foot basis of new construction and must be supported by a Fee Justification Study that establishes the connection between the development coming into the district and the assessment of fees to pay for the cost of the facilities needed to house future students. The following three levels of impact fees may be levied:

- Level I is assessed if a Fee Justification Study documents the need for new school facilities and associated costs.
- Level II is assessed if a district makes a timely application to the State Allocation Board for new construction funding, conducts a School Facility Needs Analysis pursuant to California Government Code Section 65995.6, and satisfies at least two of the four requirements listed in California Government Code Section 65995.5(b)(3) that relate to the characteristics of current enrollment and district efforts to fund school facility construction.
- Level III is assessed if the state bond funds are exhausted, and the district may impose a developer's fee up to 100% of the School Facility Program new construction project cost.

In addition, California Government Code 65995(h) specifically states that the payment of required fees for schools ". . . is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization."

#### 4.15.2.3.2 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

##### Safety Element

The County's Safety Element has two basic principles: to be ready for disaster, and to manage development to reduce risk. The Safety Element provides goals, policies, and programs to reduce the risk of loss due to potential natural hazards, including seismic hazards, within the county, with the purpose of providing standards for reducing the risk of exposure to hazards.

### Parks and Recreation Element

The County's Parks and Recreation Element, adopted in 2006, establishes goals, policies, and implementation measures for the management of existing and development of new parks and recreational facilities within the county. The intent of these goals, policies, and implementation measures is to meet existing and projected needs of residents and assure an equitable distribution of parks throughout the county. The purpose of the Parks and Recreation Element is to provide policy guidance regarding the provision of park and recreation services, document the County's existing park and recreation resources, and facilitate the evaluation of park and recreation needs including those resources that are outside of the County's management during the land use decision process.

### Framework for Planning (Inland)

The County's Framework for Planning (Inland), Part I of the County's LUCE, provides a comprehensive overview of the County's land use policies and defines land use categories for all unincorporated areas within the county (County of San Luis Obispo 2015). The Framework for Planning (Inland) also explains the criteria used in applying land use categories and combining designations to the land and the operation of the Resource Management System. The framework includes planning principles, policies, and implementing strategies for the management of growth within the sustainable provision and capacity of resources, public services, and facilities.

### South County Area Plan

The County's Area Plans are included as Part II of the County's LUCE. The South County Inland Area Plan refines the general land use policies of the Framework for Planning and serves as a guide for future development within the South County Inland Planning Area (County of San Luis Obispo 2014a). The South County Area Plan identifies where land use categories are applied within the planning area and establishes policies and programs for land use, circulation, public facilities, services and resources that apply areawide, in rural areas, and/or unincorporated urban areas adjacent to cities.

### Nipomo Community Plan

The Nipomo Community Plan, included in Part III of the LUCE, is intended to provide a long-term guide for land use and transportation within the community of Nipomo (County of San Luis Obispo 2014b). The Nipomo Community Plan provides programs that are more specifically applicable to the community of Nipomo. The Nipomo Community Plan is consistent with other General Plan elements and provides the guidance related to the provision of public services within Nipomo.

## 4.15.2.3.3 COUNTY OF SAN LUIS OBISPO MUNICIPAL CODE

California Government Code Section 66000 provides that public facilities fees may be enacted and imposed on development projects. Title 18 of the San Luis Obispo County Code authorizes the County to impose Public Facilities Fees to implement the goals and objectives of the County's General Plan and to mitigate impacts caused by new development projects within the county. The fees are needed to finance public facilities and to assure that new development projects pay their fair share for these facilities.

## 4.15.2.3.4 SAN LUIS OBISPO COUNTY LIBRARY 2019–2022 STRATEGIC PLAN

The San Luis Obispo County Library 2019–2022 Strategic Plan identifies goals, objectives, and strategies to connect the community to knowledge, culture, and creativity; to maintain core values and core services; and to become a community hub.

### *4.15.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Public Services*

Table 4.15-4 lists applicable state, regional, and local land use policies and regulations pertaining to public services that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.15.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.15-4 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.15.5, *Project-Specific Impacts and Mitigation Measures*, or Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.15-4. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Safety Element** | | |
| **Policy S-1 Response.** Support the response programs that provide emergency and other services to the public when a disaster occurs. The focus of response activities is saving lives and preventing injury and reducing immediate property damage. | The intent of this policy is to support emergency response services. | **Potentially Consistent.** The project would result in an increased need for fire protection services, which would be offset through payment of Public Facilities Fees, and implementation of identified mitigation would provide land for future development of a new fire station. The project would contribute to the existing need for expanded police services within the project area; however, the contribution would be offset through the payment of Public Facilities Fees to provide funding for construction of the planned patrol station in Nipomo. |
| **Policy S-2 Emergency Preparedness.** Continue to improve preparedness programs that educate and organize people to respond appropriately to disasters. They include education and awareness programs for individuals, families, institutions, businesses, government agencies and other organizations. | The intent of this policy is to improve emergency preparedness programs. | **Potentially Consistent.** The project would be consistent with applicable emergency response and evacuation plans with implementation of identified mitigation. Mitigation Measure WF/mm-1.1 has been identified in Section 4.20, *Wildfire*, to require HOA coordination with the County Fire Department to identify temporary refuge areas and develop a method of public outreach to provide information regarding emergency planning and alerting within the Specific Plan Area. |
| **Policy S-14 Facilities, Equipment, and Personnel.** Ensure that adequate facilities, equipment and personnel are available to meet the demands of fire fighting in San Luis Obispo County based on the level of service set forth in the fire agency's master plan. | The intent of this policy is to maintain adequate service levels for firefighting in the county. | **Potentially Consistent.** The project would result in an increased demand for fire protection services, which would be offset through payment of Public Facilities Fees and implementation of identified mitigation, including a provision that the project provide land for future development of a new fire station. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Policy S-15 Readiness and Response.** The CDF/County Fire Department will maintain and improve its ability to respond and suppress fires throughout the County. | The intent of this policy is to maintain and improve County responsiveness to fires. | **Potentially Consistent.** The project would result in an increased demand for fire protection services, which would be offset through the payment of Public Facilities Fees and implementation of identified mitigation, including a provision that the project provide land for future development of a new fire station. The County has consulted with CAL FIRE/County Fire Department regarding the project during preparation of this EIR. |
| **Parks and Recreation Element** | | |
| **Policy 2.1.** Provide parks which are aesthetic and consistent with community needs. | The intent of this policy is to provide sufficient parks for county residents. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public neighborhood park; and 49.8 acres of open space areas. The DRSP includes a concept plan for the neighborhood park, pocket park facilities, and equestrian trail that demonstrates the proposed recreational facilities' visual appeal and compatibility with the surrounding proposed development. |
| **Policy 2.2** When acquiring parkland or considering the acceptance of a parkland donation give first priority to sites that would:<br>1. Augment needed park or recreation opportunities as defined in this Element.<br>2. Serve a good mix of users at a reasonable cost.<br>3. Provide an appreciable amount of parkland or recreation as a result of being adjacent to a compatible site, such as a school.<br>4. Allow development in a reasonable time period. The County should not obtain lands that have extensive permit and mitigation requirements that may conflict with the project's proposed use(s) or County policy.<br>5. Serve an important existing or future need. The site should be able to be developed consistent with that need.<br>6. Accommodate planned uses in terms of size, location, and existing constraints. The property should be largely devoid of constraints or hazards.<br>7. Adequately accommodate long-term maintenance.<br>8. Concentrate park acquisition efforts on sites larger than ten acres, except when (a) the proposal is for a linear park connecting important community components or providing key alternative transportation (such as a link between two schools), (b) a | The intent of this policy is to provide priorities for the acquisition of parklands. | **Potentially Inconsistent.** County Parks has commented that the proposed park would not meet an identified need due to its size, lack of park facilities, and proximate location to the existing Nipomo Community Park. However, the park would serve a good mix of users from within the Dana Reserve and would provide an appreciable amount of parkland adjacent to a compatible use, such as the childcare facility proposed in the park concept plan or surrounding affordable or workforce housing.<br>County Parks has commented that the park would not serve an important existing or future need and that the proposed park site is too small and encumbered with drainage features that should not count toward acres used for park land. The applicant has requested a Quimby Fee credit for conveyance of the park land to the County. However, County Parks has stated that a waiver of Quimby Fees would mean the long-term maintenance of the park would not be adequately accommodated. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| proposed park provides the only available park site in a community, (c) another agency will provide maintenance for the park, or (d) a smaller parcel has outstanding characteristics or unique features. | | |
| **Policy 2.4.** Preserve county parkland for active and passive recreation. Community facilities, which have little to no recreational component, shall be placed outside of an existing or proposed park. | The intent of this policy is to prioritize active and passive recreation on parkland over community facilities with little to no recreational component. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; and a 10-acre public neighborhood park. Park facilities would be developed with both active and passive recreational amenities, such as the following: bicycle racks, playground or play features, group and individual picnic areas, sports courts, shade canopies, natural play areas, trail connections, etc.<br>The neighborhood park concept plan shows the childcare facility and associated parking located within the park and childcare facilities are identified as an allowed use in the Recreation district. However, the intent of this policy is met through the provision of trails and open space amenities in the public park (pickleball, small courts, etc.), which would meet passive and active recreational needs. The childcare facility is proposed to be located on a separate legal parcel and would not be part of the parkland. |
| **Policy 2.5.** Encourage private development of parklands and facilities, to assist with meeting park needs. | The intent of this policy is to encourage development of private parklands and facilities. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; and a 10-acre public neighborhood park. Park facilities would be developed with both active and passive recreational amenities, such as bicycle racks, playground or play features, group and individual picnic areas, sports courts, shade canopies, natural play areas, trail connections, etc. |
| **Policy 3.1.** To provide an equitable distribution of recreation throughout the county, County Parks should attempt to provide new or expanded recreation (as a first priority) in those Planning Areas that have:<br>1. Experienced faster growth rates.<br>2. Very limited existing park acreage and/or recreation opportunities in relation to population density. When assessing existing park acreage and/or recreation opportunities consider parks and recreation offered by all entities provided that entity offers comparable service to the County's unincorporated population. | The intent of this policy is to provide equitable distribution of recreation facilities throughout the county. | **Potentially Consistent.** The community of Nipomo has experienced faster growth rates than other areas of San Luis Obispo County. Therefore, the provision of additional recreational facilities in Nipomo is consistent with this policy. However, Nipomo is also currently meeting or exceeding County goals for the number of acres of parkland per population. Nevertheless, accelerated park growth, consistent with the accelerated population growth in Nipomo, is potentially consistent with this policy. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Policy 3.2.** Provide recreation at the County's parks consistent with community needs. | The intent of this policy is to provide recreation opportunities consistent with community needs. | **Potentially Consistent.** The community of Nipomo has experienced faster growth rates than other areas of San Luis Obispo County. Therefore, the provision of additional recreational facilities in Nipomo is consistent with this policy. However, Nipomo is also currently meeting or exceeding County goals for the number of acres of parkland per population. Nevertheless, accelerated park growth, consistent with the accelerated population growth in Nipomo, is potentially consistent with this policy. |
| **Framework for Planning (Inland)** | | |
| **Principal 1, Policy 2.** Keep the amount, location and rate of growth allowed by the Land Use Element within the sustainable capacity of resources, public services, and facilities.<br>**Implementation Strategy 4.** Direct the extension of urban services (water, sewers, police services, fire protection, parks, ambulance, libraries, etc.) to areas within urban and village reserve lines and restrict urban services from being provided outside urban or village areas. | The intent of this policy is to sustainably manage County resources. | **Potentially Inconsistent** Although the project, as mitigated, was determined to be within the sustainable capacity of resources, the project proposes provision of multiple urban services (public park, roads, fire station location, extension of water, wastewater and solid waste services, etc.) to areas outside of the Nipomo URL and NCSD service area, potentially inconsistent with this implementation strategy. |
| **Policy 4.** Provide parks, natural areas and recreation facilities with new urban development to enhance a community's quality of life and improve public health. | The intent of this policy is to provide parks and other recreation facilities with new urban development. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 1-acre equestrian staging area; and a 10-acre public park. Park facilities would be developed with both active and passive recreational amenities, such as bicycle racks, playground or play features, group and individual picnic areas, sports courts, shade canopies, natural play areas, trail connections, etc. |
| **South County Inland Area Plan** | | |
| *Public Facilities, Services, and Resources* | | |
| Secure adequate means of generating revenues that can provide necessary public resources, services, and facilities to better serve the existing population as well as future growth. | The intent of this policy is to generate revenue to provide public resources to serve the existing and future population. | **Potentially Inconsistent.** The project would result in an increased demand on fire protection services, police protection services, existing school district facilities, and library services. The demand on police protection services, existing school district facilities, and library services would be offset through payment of Public Facilities Fees. However, the applicant is requesting to waive the payment of Quimby Fees based on the dedication of a public park, which may be inconsistent with this policy. Additionally, the need for fire protection services, which would be offset through mitigation requiring the provision of land for future development of a new fire station. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| Projects resulting from general plan amendments and urban expansion shall fund their share of public resources, services and facilities to the limits allowed by law. | The intent of this policy is to provide funding for public services through a general plan amendment. | **Potentially Inconsistent.** The project would be subject to the payment of Public Facilities Fees to offset the increased demand on fire protection services, police protection services, existing school district facilities, and library services. However, the applicant is requesting to waive the payment of Quimby Fees based on the dedication of a public park, which may be inconsistent with this policy. Additionally, the project proposes to transfer land within the Specific Plan Area for development of a public park and a new fire station. |
| Evaluate the financial capability of service providers to accommodate additional growth by reviewing capital improvement plans before urban expansion or major projects are approved. | The intent of this policy is to ensure financial capability of service providers to support urban expansion. | **Potentially Inconsistent.** The project would offset the increased demand on fire protection services, police protection services, and library services through the payment of Public Facilities Fees. The project will also pay school impact fees to the LMUSD to offset its impact on school facilities. However, the applicant is requesting to waive the payment of Quimby Fees based on the dedication of a public park, which may be inconsistent with this policy. The capacity of service providers to accommodate additional growth associated with buildout of the Specific Plan Area has been evaluated in this EIR. |
| *Police Protection* | | |
| Sheriff Patrols/Substation, South County (South). The community should consider funding additional Sheriff patrols in the South County as well as funding a new substation in the Nipomo area. | The intent of this policy is to provide funding for additional Sheriff patrols in South County. | **Potentially Consistent.** The project would contribute to the existing demand for expanded police services within the project area; however, the contribution would be offset through the payment of Public Facilities Fees to provide funding for construction of the planned patrol station in Nipomo. |
| **Nipomo Community Plan** | | |
| Police Protection | | |
| **Sheriff Patrols/Substation.** The community should consider funding additional Sheriff patrols in the South County as well as funding a new substation in the Nipomo area. | The intent of this policy is to provide funding for additional Sheriff patrols in South County. | **Potentially Consistent.** The project would contribute to the existing demand for expanded police services within the project area; however, the contribution would be offset through the payment of Public Facilities Fees to provide funding for construction of the planned patrol station in Nipomo. |
| Fire Protection | | |
| **Urban Fire Jurisdiction.** The NCSD should assume responsibility for providing year round urban fire protection services within the Nipomo Urban Reserve Line. A mutual aid agreement with the County Fire Department (CDF) should be reached for serving areas outside of the district also. | The intent of this policy is to encourage the NCSD to assume responsibility for providing year-round urban fire protection services within the Nipomo URL. | **Potentially Consistent.** Implementation of the project would not affect the ability for the NCSD to assume responsibility for providing urban fire protection services within the Nipomo URL. The project includes mitigation to provide land for development of a future fire station to provide services to the existing and future population. The project would also be subject to Public Facilities Fees. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***SLOCOG 2019 Regional Transportation Plan (RTP)*** | | |
| **Goal 4.** Improve public safety and security. | The intent of this goal is to improve public safety and security related to transportation. | **Potentially Consistent.** The project would contribute to the existing need for expanded police services within the project area; however, the contribution would be offset through the payment of Public Facilities Fees to provide funding for construction of the planned patrol station in Nipomo. |
| ***NCSD 2018 Strategic Plan*** | | |
| **Goal 8. Additional Community Services.** Staff should focus on meeting the goals and objectives of existing services. Adding new services will be considered on a case-by-case basis and entered into only if funding can be found and existing services are not harmed. | The intent of this policy is to maximize efficiency of existing services and add new services, as necessary. | **Potentially Consistent.** The project would be subject to the payment of Public Facilities Fees to offset demand on public facilities. The County and applicant have coordinated closely with the NCSD regarding the provision of additional services within the Specific Plan Area. The NCSD conducted an extensive evaluation of the impact the DRSP would have on NCSD water and wastewater facilities. A detailed list of off-site improvements to NCSD facilities has been identified, and which the DRSP project would be required and/or conditioned to implement prior to future development. |

## 4.15.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on public services if the effects exceed the significance criteria described below:

a. 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.

Each of these thresholds is discussed under Section 4.15.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.15.4 Impact Assessment and Methodology

The following impact assessment evaluates the potential for the proposed project to result in the need for new or physically altered public service facilities. Existing conditions and significance thresholds were identified using County documents, including the *Nipomo Community Plan*, County's *2016–2018*

*Resource Summary Report*, and *2022–2023 Draft Capital Improvements Plan,* and through correspondence with applicable public agencies, including CAL FIRE, the County Sheriff, and the LMUSD. The project would have a significant environmental impact if it were to directly result in the need for new or expanded public service facilities. The project's potential to result in the need for new or physically altered public service facilities was evaluated by determining if growth associated with the project would exceed service goals established by the County and applicable agencies.

## 4.15.5 Project-Specific Impacts and Mitigation Measures

### 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?

#### Specific Plan Area

#### *PS Impact 1: The project would result in an increased need for fire protection services. Impacts would be less than significant with mitigation (Class II).*

The Specific Plan Area would be provided fire protection services by CAL FIRE Station 20. According to the County Fire Department Strategic Plan, due to recent and ongoing growth in the Nipomo area, there is an increasing need for a new fire station to meet increasing demand for fire protection services and achieve response time goals (Resolute Associates 2021). There are no planned capital improvement projects that would satisfy the increasing demand for fire protection facilities in Nipomo (County of San Luis Obispo 2022). The Specific Plan Area is located within a high fire hazard severity zone (FHSZ) and would be at risk of wildfire (CAL FIRE 2021b). Buildout of the Specific Plan Area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, an estimated 152 ADUs, and approximately 203,000 square feet of land dedicated to commercial development. Full buildout of the Specific Plan Area is anticipated to generate a total population of 4,554 residents and 272 new employees (4,826 people). Although the exact timeline for buildout of the DRSP is not known at this time, buildout and associated population growth is estimated to occur over a span of 6 years beginning in 2024 (see Table 2-11 in Chapter 2, *Project Description*). Based on the nature and scale of proposed development and associated population growth within a high FHSZ, the project would contribute to the increasing demand for fire protection services and the need for a new fire station in Nipomo.

The goal response time for County Fire is 7 minutes for urban areas and 8 minutes for suburban areas. These goal response times include the 3 minutes it takes for dispatch to process the call and for firefighters to board the engine. Therefore, travel time to a project area should be between 3 and 4 minutes to meet the goals established in the LUO. Currently, travel time to the project site is approximately 7 minutes from Station 20, which exceeds the established goal response time (Resolute Associates 2021).

Construction activities associated with buildout of the Specific Plan Area would likely require traffic controls on nearby roadways, slow the flow of traffic near the site due to heavy vehicle and equipment movement, and result in temporary closure of access roads into Dana Reserve. There is potential for construction activities to temporarily increase emergency response time to calls for fire protection within the community of Nipomo. However, impacts related to a potential temporary increase in response times

during construction would be less than significant because future construction activities would be conducted by individual developers and would occur incrementally. Therefore, any traffic controls or heavy vehicle and equipment movement associated with future development projects would be short term and would include detour routes as necessary to allow for movement and access to the site and surrounding areas.

The community of Nipomo is oriented in an east-to-west direction and is bisected by US 101. Due to the location of US 101 through the central portion of the community, vehicle traffic must utilize either Tefft Street or Willow Road to travel over the US 101 and through the community. Station 20 is located to the east of US 101 and must use the Tefft Street or Willow Road interchange to access the western portion of the community or US 101. Full buildout of the project is anticipated to result in 18,662 additional daily trips (CCTC 2021b). Therefore, there is potential for the increase in vehicles on the local road network to increase the time it takes to respond to an emergency call for fire protection services throughout the community. Although there would be an increase in vehicles on the road, the project includes extension of North Frontage Road through the project site to Willow Road (Collector A) and extension of Pomeroy Road through the Specific Plan Area to Willow Road (Collector B), which would ultimately reduce traffic congestion in the community by shifting traffic away from the Tefft Street corridor (CCTC 2021a; refer to Figure 2-15 in Chapter 2, *Project Description*). Construction of Collector A would be completed as an initial site improvement at the project site and would be accessible for use during buildout of the Specific Plan Area. Due to this reduction in traffic along Tefft Street, additional vehicle trips generated by buildout of the Specific Plan Area are not anticipated to increase congestion on the local road network and would not impede overall response times from Station 20.

Although the project would reduce traffic congestion along the Tefft Street corridor, population growth in the community would ultimately increase demand on existing fire protection services through increased calls for service. A new fire station in Nipomo would provide additional fire protection services, which would decrease overall response times to the DRSP site and to the community of Nipomo. In order to offset the project's incremental demand on the existing need for fire protection services in the community, Mitigation Measure PS/mm-1.1 has been included to require the project to set aside land to provide a location for future development of a new CAL FIRE station. In addition, the project would be subject to payment of the County's Public Facilities Fees, which would provide funding for maintenance of existing facilities and development of an additional fire station. Implementation of Mitigation Measure PS/mm-1.1 and required payment of Public Facilities Fees would offset project-specific impacts related to the increased demand for expanded fire protection services. Therefore, potential impacts would be *less than significant with mitigation.*

| **PS Impact 1 (Class II)** | |
|---|---|
| The project would result in an increased need for fire protection services. | |
| ***Mitigation Measures*** | |
| *PS/mm-1.1* | ***Provision of Land for a New Fire Station.*** *The project applicant shall be required to coordinate with the County of San Luis Obispo and California Department of Forestry and Fire Protection to identify and dedicate land for the future construction and operation of a new fire station in the community of Nipomo. The dedication of land for the new fire station shall be included in the Development Agreement between the project applicant and the County of San Luis Obispo.* |
| ***Residual Impacts*** | |
| *Following implementation of Mitigation Measure PS/mm-1.1, project-specific impacts related to the need for new or physically altered fire protections services would be considered less than significant (Class II).* | |

**PS Impact 1 (Class II)**

*Although the project-specific details related to construction of a new station are not currently known, it is anticipated that construction of a new station has the potential to result in the following secondary environmental impacts:*

1. *Aesthetics. The project would be constructed in close proximity to an eligible scenic highway; however, short-term vehicle and equipment staging and permanent structures would likely be blocked from the viewshed of the US 101 by existing, intervening oak trees.*
2. *Agriculture. The new fire station would not be located on land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, which is protected farmland under PRC Section 21060.1. The new fire station would also not be located on land zoned as forest land, agricultural land, or land under a Williamson Act Contract.*
3. *Air Quality. Construction activities would result in a short-term increase in construction-related emissions that would be subject to standard applicable SLOAPCD mitigation to reduce emissions as feasible. Long-term operation of the fire station is not anticipated to result in long-term impacts related to air quality.*
4. *Biological Resources. Construction activities may result in potential impacts to special-status plant and wildlife species located within or adjacent to the development area. In addition, construction activities may increase pollution to any nearby surface waters or wetlands if present within or adjacent to the development area. Future development activities would be required to undergo subsequent environmental review to determine if there are sensitive biological resources within the project area, to provide mitigation as necessary, and to ensure compliance with the FESA and CESA.*
5. *Cultural Resources/Tribal Cultural Resources. Ground disturbance associated with development of a new fire station has the potential to disturb historical resources, subsurface archaeological and/or historical resources, tribal cultural resources, and/or human remains if present within the project area. Future development activities would be subject to subsequent environmental review to determine if there are sensitive cultural or tribal cultural resources within the project area, conduct necessary AB 52 consultation, and provide mitigation as necessary.*
6. *Energy. Short-term energy use would occur in the form of fuel for construction vehicles and equipment and is not anticipated to result in significant impacts due to required compliance with state and local diesel idling restrictions. Operational components of the new fire station would utilize energy from PG&E, which has committed to providing energy derived from clean energy sources.*
7. *Geology and Soils. The new fire station would be subject to the most recent CBC standards to safeguard development from risk associated with geologic hazards. The new fire station may result in a short-term increase in erosion but would be subject to Central Coast RWQCB Post-Construction Requirements and required to implement a SWPPP with BMPs during construction activities.*
8. *Greenhouse Gas Emissions. The use of fuel during construction is not anticipated to result in significant impacts due to required compliance with state and local diesel idling restrictions. Operation of a future fire station may result in increased vehicle trips and a marginal increase in population due to the creation of new jobs; however, significant long-term GHG emissions are not anticipated.*
9. *Hazards and Hazardous Materials. The use of hazardous materials during construction and operation of the project would be subject to federal and state regulations for transport, use, and storage. Other site-specific potential hazards, including distance from an airport or location of the nearest hazardous materials spill would be evaluated during subsequent environmental review.*
10. *Hydrology and Water Quality. The new fire station may result in a short-term increase in erosion but would be subject to Central Coast RWQCB Post-Construction Requirements and required to implement a SWPPP with BMPs during construction activities.*
11. *Noise. Construction would be subject to the County's LUO for allowable construction hours. Operation of a fire station may slightly increase long-term ambient noise levels due to the use of sirens and alarms.*
12. *Population and Housing. Operation of a new fire station would create new employment opportunities that may marginally increase population growth within the area.*
13. *Public Services. Operation of a new fire station would create new employment opportunities that may marginally increase population growth within the area that may increase demand on existing public services and facilities.*

| **PS Impact 1 (Class II)** |
|---|
| *14. Recreation. Operation of a new fire station would create new employment opportunities that may result in marginal population growth within the area. However, there is an adequate amount existing recreational facilities to support planned population growth.*<br>*15. Transportation. Short-term construction activities may require temporary traffic controls along roadways; however, these impacts would be short term and would not result in significant impacts. Implementation of a new fire station would increase employee vehicle trips and calls to service. Consistency with VMT thresholds would be analyzed during subsequent environmental review.*<br>*16. Utilities and Service Systems. Operation of the new fire station would require expanded utility infrastructure and/or connections to existing utility systems. The project would be subject to state and County waste reduction requirements.*<br>*17. Wildfire. The new fire station would be subject to CBC, California Fire Code, CAL FIRE, and County Public Works Department requirements for emergency access, driveways, and other fire safety requirements.*<br>*As previously stated, project-specific details related to development of a new fire station are not currently known. Construction and operation of a new fire station would require subsequent environmental review to determine potential project-specific environmental impacts and mitigation measures.* |

## *PS Impact 2: The project would not contribute to the existing need for expanded police protection services within the project area. Impacts would be less than significant (Class III).*

The Specific Plan Area would be provided police protection services by the County Sheriff's South Station, which is located approximately 8 miles northwest in Oceano. Buildout of the Specific Plan Area would result in 831 new residential single-family units, 458 new residential multi-family units, and an estimated 152 ADUs. In addition, buildout of the Specific Plan Area includes approximately 203,000 square feet of land dedicated to flex commercial development. Exact timing of buildout is currently not known and dependent on market factors; however, for the purposes of analysis, buildout of the Specific Plan Area is anticipated to occur over a span of 6 years beginning in 2024. Full buildout of the Specific Plan Area is anticipated to generate a total population of 4,554 residents and 272 new employees, which would increase demand on the South Station through increased calls for police protection service. Calls to the South Station typically include theft, vandalism, public disturbances, and drug and alcohol offenses (County Sheriff's Office 2020). The project would introduce a substantial number of new homes, businesses, and people into a previously unoccupied area, which would increase the number of calls for police protection and contribute to the demand for expanded police protection facilities in the South County area.

The South Station provides police protection services to the city of Arroyo Grande and the unincorporated communities of Oceano, Halcyon, Los Berros, Huasna, and New Cuyama and has an approximate service population of approximately 45,225 people (U.S. Census Bureau 2021). Response times from the South Station are generally poor because of the large service area, limited staffing, and traffic conditions. Specifically, response times to calls for service in Nipomo are generally slower due to the distance from the South Station, the US 101 barrier, and traffic congestion along the Tefft Street corridor, which is the primary roadway to travel through the community. The County Sheriff's Office aims to provide one deputy per 1,000 residents in order to adequately respond to calls for service throughout the service area (County Sheriff's Office 2022). In order to meet the goal service ratio, the South Station would need to employ 45 to 46 deputies to serve the current service population; however, the South Station currently employs 24 deputies and has a service ratio of 0.53 deputies per 1,000 people within its service area. Table 4.15-5 shows the average annual growth rate of the South Station service population and the projected population estimates at the time of full buildout of the Specific Plan Area.

**Table 4.15-5. Average Annual Growth Rate of South Station Service Population**

| Unincorporated Community | 2010 Population | 2020 Population | 2010–2020 Average Annual Growth Rate | Projected 2030 Population (using the 2010–2020 Average Annual Growth Rate) |
|---|---|---|---|---|
| Nipomo | 16,714 | 18,176 | 0.9% | 19,812 |
| Arroyo Grande | 17,252 | 18,441 | 0.7% | 19,731 |
| Oceano[2] | 7,286 | 7,183 | -0.1% | 7,111 |
| New Cuyama | 517 | 660[1] | 2.7% | 838 |
| Los Berros | 641 | 528[1] | -1.8% | 433 |
| Huasna[3] | 237 | 237 | -- | 237 |
| **Total** | **42,647** | **45,225** | **--** | **48,162** |

Source: U.S. Census Bureau (2021); World Population Review (2021)

[1] Due to the population and size of these communities, the latest census information is from 2018.

[2] The population of Halcyon is included in the Oceano population estimates.

[3] The population of the Huasna River Watershed in 2010 was 237 (Coastal San Luis Resource Conservation District 2014). Based on a lack of updated population information, this population estimate has been included for the community of Huasna.

Based on Table 4.15-5, the estimated South Station service population in 2030 would be 48,162 people. The project would generate a buildout population of approximately 4,826 people, which would result in a total South Station service population of approximately 52,954 people. In order to meet the goal service ratio of one deputy per 1,000 residents, the South Station would need to employ 53 deputies. Based on correspondence with the County Sheriff's Office, the South Station needs additional staffing to serve its existing service population (County Sheriff's Office 2022). The County's 2022–2023 Capital Improvement Plan includes the construction of a new Sheriff's Patrol Station in Nipomo along Tefft Street. The new patrol station is planned to begin construction in 2022 or 2023 and is anticipated to be completed in 2025 or 2026; however, actual timing of construction may vary (County of San Luis Obispo 2022). The new patrol station would require additional staff, vehicles, and other equipment. Operation of a new patrol station would reduce demand on the existing South Station and would allow for improved response times to emergency calls by providing additional deputies in closer proximity to the community of Nipomo.

As discussed in PS Impact 1, proposed construction activities associated with buildout of the Specific Plan Area would likely require traffic controls on nearby roadways, slow the flow of traffic near the site, and result in temporary closure of access roads into the Specific Plan Area, which may result in temporarily increased emergency response time to calls for police protection services at the site and within the community of Nipomo. Potential construction-related traffic impacts associated with future development projects would be temporary in nature and would include detour routes as necessary to allow for movement and access to the site and surrounding areas. Therefore, construction-related impacts would be temporary and would not affect long-term response times. Full buildout of the project is anticipated to result in 18,662 additional daily vehicle trips (CCTC 2021a). Although there would be an increase in vehicles on the local road network, the project includes extension of North Frontage Road through the project site to Willow Road and extension of Pomeroy Road through the project site to Willow Road, which would ultimately reduce traffic congestion in the community by providing new roads that would reduce vehicle trips along the Tefft Street corridor (CCTC 2021a; refer to Figure 2-14 in Chapter 2, *Project Description*). Construction of Collector A would be completed as an initial site improvement at the project site and would be accessible for use during buildout of the Specific Plan Area. Due to this reduction in traffic along Tefft Street, additional vehicle trips generated by buildout of the Specific Plan

Area are not anticipated to increase congestion on the local road network and would not impede overall response times for police protection services.

Since construction of a new patrol station is included in the County's Capital Improvement Plan, the required payment of Public Facilities Fees through a Development Agreement by the project applicant and/or prior to issuance of construction permits for subsequent development would provide the project's share of funding for expanded police services and facilities. Specific development plans for the new patrol station are not currently known; however, future development of the planned patrol station would be subject to its own environmental review process. The project would be subject to the payment of Public Facilities Fees through a Development Agreement and/or prior to issuance of construction permits for subsequent development as a standard condition of approval, which would offset the project's demand for increased police protection services and facilities in the South County area, and potential impacts would be *less than significant*.

| **PS Impact 2 (Class III)** |
|---|
| The project would not contribute to the existing need for expanded police protection services within the project area. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on the payment of Public Facilities Fees, residual impacts related to the need for new or physically altered police protection services would be considered less than significant (Class III). Development of the planned patrol station would be conducted as a separate project and would not occur as a result of the proposed project. As such, development of the planned patrol station would be subject to separate environmental review.* |

## *PS Impact 3: The project could increase demand on existing LMUSD facilities. Impacts would be less than significant (Class III).*

The Specific Plan Area is located within the LMUSD service area. The LMUSD serves more than 10,000 students in the city of Arroyo Grande and unincorporated communities of Grover Beach, Nipomo, Oceano, Pismo Beach, and Shell Beach, making the LMUSD the largest school district in the county (LMUSD 2021a). Within the LMUSD, elementary school enrollment over the past 10 years has generally trended upward while middle and high school enrollment has trended downward (County of San Luis Obispo 2019b). Based on current enrollment for the 2021 to 2022 school year, Lange Elementary is at 87% capacity, Dana Elementary is at 94% capacity, Nipomo Elementary is at 83% capacity, Mesa Middle School is at 80% capacity, Nipomo High School exceeds 100% capacity, and Central Coast New Tech High School is at 46% capacity (LMUSD 2022a).

Proposed residential development associated with buildout of the Specific Plan Area includes 831 new residential single-family units, 458 new residential multi-family units, and an estimated 152 new ADUs, for a total of 1,441 new residential dwelling units. In addition, buildout of the Specific Plan Area also includes development of 203,000 square feet of flex commercial and light industrial uses that would create new employment opportunities. Based on the Statewide Student Generation Rate, each new residential unit is estimated to generate 0.5 new elementary school students, 0.2 middle school students, and 0.2 high school students; therefore, development of 1,441 new dwelling units would result in approximately 721 new elementary school students, 283 new middle school students, and 283 new high school students within the LMUSD. Based on the tentative buildout schedule identified in Table 2-11, included in Chapter 2, *Project Description*, buildout of proposed DRSP residential homes is anticipated to

occur over a span of 6 years beginning in 2024. Table 4.15-6 identifies the estimated number of school-aged children that would be generated by residential development according to the tentative buildout schedule. Since buildout of ADUs would be at the discretion of future land and/or homeowners, the buildout schedule for ADUs is unknown; therefore, the following estimate does not include the number of students that may be generated by the development of ADUs.

**Table 4.15-6. Projected Number of Students Generated by Buildout of the Specific Plan Area**

| Anticipated Buildout Year | Total Number of New Residential Units[1] | Number of New Elementary Students (0.5/New Residential Unit) | Number of New Middle School Students (0.2/New Residential Unit) | Number of New High School Students (0.2/New Residential Unit) | Total Number of New Students per Year of Buildout[1] |
|---|---|---|---|---|---|
| 2024 | 132 | 66 | 27 | 27 | 120 |
| 2025 | 213 | 107 | 43 | 43 | 193 |
| 2026 | 289 | 145 | 58 | 58 | 261 |
| 2027 | 270 | 135 | 54 | 54 | 243 |
| 2028 | 254 | 127 | 51 | 51 | 229 |
| 2029 | 123 | 62 | 25 | 25 | 112 |

[1] Total does not include the development of ADUs.

According to the existing LMUSD school boundaries, school-aged children within the Specific Plan Area that enroll in the LMUSD would be expected to attend Lange Elementary, Mesa Middle School, Nipomo High School, and/or Central Coast New Tech High School. Lange Elementary School is located approximately 2 miles southwest of the Specific Plan Area, Mesa Middle School is located approximately 4.5 miles northwest of the Specific Plan Area, and Nipomo High School and Central Coast New Tech High School are located approximately 0.2 mile east (driving distance of 2.5 miles due to the US 101). Based on current enrollment conditions for the 2021 to 2022 school year, Lange Elementary has capacity for 85 new students, Mesa Middle School has capacity for 116 new students, Nipomo High School is at full capacity, and Central Coast New Tech High School has capacity for 291 new students. Based on Table 4.15-6, Lange Elementary would reach full capacity by the second year of buildout of the Specific Plan Area, Mesa Middle School would reach full capacity by the fourth year of buildout of the Specific Plan Area, and Central Coast New Tech High School would have capacity to support the increase in high school students at full buildout of the Specific Plan Area. However, Nipomo High School currently exceeds maximum capacity and buildout of the Specific Plan Area would further contribute to this exceedance. In addition, it is anticipated that other school-aged children that are not associated with the Specific Plan Area would transfer into the LMUSD, which would increase the rate at which schools reach full capacity.

LMUSD elementary, middle, and high schools are in the process of undergoing Measure I improvements intended to serve existing student populations (LMUSD 2021b). However, Measure I improvements would not facilitate the expansion of existing school facilities necessary to accommodate new students generated by the project. Based on the anticipated increase of school-aged children generated by buildout of the project, it is anticipated that an expansion of LMUSD elementary school facilities and Mesa Middle School would be required to provide adequate facilities to serve the student population. Additionally, some expansion may be necessary at Nipomo High School. Based on correspondence with the LMUSD, expansion activities at Lange Elementary would not be feasible due to existing size and location constraints, which prohibits the placement of portable classrooms within the school site and the ability to provide adequate drop-off/pick-up facilities. It would be feasible to provide some expansion at Dana Elementary; however, due to existing location constraints, there is not adequate space to provide expanded drop-off/pick-up facilities. Expansion at Nipomo Elementary would be the most feasible due to

available land and the location within a residential area that would allow for expanded drop-off/pick-up facilities. Mesa Middle School is the only middle school within the project vicinity; therefore, expansion of Mesa Middle School would be necessary (LMUSD 2022b). It is unlikely that all elementary-aged children would attend Lange Elementary School based on the substantial increase in students generated by the project and the infeasibility of expansion of school-site facilities. It is likely that school-aged children generated by the project would attend Nipomo Elementary since expansion activities would be most feasible at this site. Additionally, school-aged children may also attend Dana Elementary since some expansion is possible at that school site. Dana Elementary is located approximately 1 mile south of the Specific Plan Area via Pomeroy Road to West Tefft Street and Lange Elementary is located approximately 2 miles southwest of the Specific Plan Area via Osage Street to Via Alta Mesa. Nipomo Elementary is located approximately 1.5 miles southeast of the Specific Plan Area via North Frontage Road or Pomeroy Road to West Tefft Street.

The future expansion of school facilities and/or development of new school facilities within the LMUSD would result in physical effects on the environment, such as construction-related dust, noise, and traffic, and long-term operational increases in water demand, traffic trips, and public services and utilities. The location and design of any future expansion of school facilities is not currently known; therefore, potential impacts cannot be specifically evaluated at this time. However, future school facilities would be subject to separate environmental review.

The Specific Plan Area is not within close walking distance of existing elementary school facilities; therefore, school-aged children would primarily be dropped off and picked up from school or would utilize bus services. Since it is anticipated that most elementary school students within the Specific Plan Area would attend Nipomo Elementary, there would be an increase in vehicle traffic along the West Tefft Street corridor. The project includes extension of North Frontage Road through the project site to Willow Road (Collector A) and extension of Pomeroy Road through the Specific Plan Area to Willow Road (Collector B), which would ultimately reduce traffic congestion in the community by shifting traffic away from the Tefft Street corridor (CCTC 2021a; refer to Figure 2-14 in Chapter 2, *Project Description*). Collector A would be developed as an initial site improvement at the DRSP site. Construction of these additional collector roads would ultimately reduce vehicle congestion, which would offset additional vehicle trips generated by the project. Impacts related to vehicle and pedestrian travel is included in Section 4.17, *Transportation*.

It is also anticipated that school-aged children would utilize bus services as a method of transportation to and from schools, which would increase demand on existing bus services. In addition, school-aged children within the Specific Plan Area would likely attend different elementary schools, which would result in the need for busses to make additional stops. Therefore, buildout of the project would require additional bus services (vehicles, routes, and bus stops) to provide safe and efficient public transportation to elementary schools.

The project would be subject to the payment of state taxes for public schools established by the Leroy F. Greene School Facilities Act and implemented by California Education Code Section 17620. As identified in California Government Code Section 65995(h), the payment of mandatory school development impact fees (through County Public Facilities Fees) ". . . is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, through the payment of state taxes for public schools included as a standard condition of approval for the project; potential impacts related to the need for new or altered public school facilities would be *less than significant*.

| PS Impact 3 (Class III) |
|---|
| The project could increase demand on existing LMUSD facilities. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *With payment of state-mandated taxes for public schools, potential impacts related to the need for new or physically altered public school facilities would be less than significant (Class III). Any future projects required for the expansion of existing school facilities or construction of new school facilities would be subject to separate environmental review.* |

## *PS Impact 4: The project could result in an increased demand on public park facilities. Impacts would be less than significant (Class III).*

As discussed previously, the DRSP would generate a phased population increase of approximately 4,826 people. The exact timing of buildout of the Specific Plan Area is not currently known and would be based on market factors; however, buildout is anticipated to occur over a span of 6 years beginning in 2024 (see Table 2-11 in Chapter 2, *Project Description*).

The County aims to provide 10 to 15 acres of regional parkland per 1,000 county residents (County of San Luis Obispo 2019b). Based on the county's estimated 2018 population of 282,544, there are approximately 42.4 acres of regional parkland per 1,000 residents within the county (County of San Luis Obispo 2019b). The population of the county in 2020 was 282,424, which is consistent with the evaluation of public park facilities in the County's *2016–2018 Resource Summary Report* (U.S. Census Bureau 2021). Therefore, the County currently exceeds the goal of 10 to 15 acres of regional parkland per 1,000 county residents.

Buildout of the Specific Plan Area is anticipated to occur between 2024 and 2029; therefore, population growth associated with the project would not occur until that time. The projected population within San Luis Obispo County is estimated to be 284,334 in 2030 at the anticipated time of full buildout (see Table 4.14-2 in Section 4.14, *Population and Housing*). Using the 2030 population estimates, following an estimated population increase of 4,826 people generated by full buildout of the project, there would be approximately 289,160 people in the county. Following full buildout and the associated population increase, the County would provide approximately 41.5 acres of regional parkland per 1,000 residents in the county, which exceeds the goal of 10 to 15 acres of regional parkland per 1,000 county residents. Table 4.15-7 summarizes the County's standard for regional parkland and the project's impacts on existing regional parkland facilities.

**Table 4.15-7. Regional Parkland**

| | 2018 Population[1] | 2020 Population | Estimated 2030 Population | Estimated 2030 Population + DRSP Population | Required Acreage of Public Parkland | Exceeds? |
|---|---|---|---|---|---|---|
| County Population | 282,544 | 282,424 | 284,334 | 289,162 | 10–15 acres | Yes |
| Parkland Provided (acres) | 11,991 acres | 11,991 acres | 11,991 acres | 11,991 acres | | |
| Ratio of Parkland per 1,000 Residents | 42.4 acres | 42.5 acres | 42.1 acres | 41.5 acres | | |

[1] Estimates from the County's *2016–2018 Resource Summary Report*.

In addition, the County aims to provide 2 to 3 acres of community parkland per 1,000 residents within each community. Based on the estimated 2018 population, there are approximately 4.23 acres of community parkland per 1,000 residents in Nipomo and immediately adjacent areas. Additionally, Jack Ready Park is a planned park that would provide 30 additional community parkland acres; however, the timeframe for buildout is currently not known (County of San Luis Obispo 2019b). The population of Nipomo in 2020 was 18,176, which is less than what was analyzed in the County's *2016–2018 Resource Summary Report* (U.S. Census Bureau 2021). Based on the 2020 population and existing parkland within the community, there are 7.48 acres of community parkland per every 1,000 residents within Nipomo. Therefore, the County currently exceeds the goal of 2 to 3 acres of community parkland per 1,000 residents.

As evaluated in Section 4.14, *Population and Housing*, the community of Nipomo is estimated to have a population of approximately 19,498 by the year 2030. Using the projected population for the community of Nipomo in 2030, there would be approximately 24,326 people in the community of Nipomo following full buildout of the Specific Plan Area. Based on the estimated buildout population, the County would provide approximately 5.6 acres of community parkland per 1,000 residents in the community of Nipomo, which would exceed the goal of 2 to 3 acres of community parkland per resident in the community of Nipomo. Table 4.15-9 summarizes the County's standard for community parkland and the project's impacts on existing community parkland facilities.

**Table 4.15-9. Community Parkland**

| | 2018 Population[1] | 2020 Population | Estimated 2030 Population | Estimated 2030 Population + DRSP Population | Required Acreage of Public Parkland | Exceeds? |
|---|---|---|---|---|---|---|
| Nipomo Population | 29,040 | 18,176 | 19,498 | 24,326 | 2-3 acres | Yes |
| Parkland Provided (acres) | 137 acres | 137 acres | 137 acres | 137 acres | | |
| Ratio of Parkland per 1,000 Residents (acres/1,000 residents) | 4.2 acres | 7.5 acres | 7.0 acres | 5.6 acres | | |

[1] Estimates from the County's *2016–2018 Resource Summary Report*

Although implementation of the proposed project would result in a permanent population increase within the community and the region, there is sufficient existing regional and community public park facilities to serve the additional population. Therefore, implementation of the project would not generate a need for new or physically altered public park facilities.

The project includes development of a new 11-acre public park and 8.5 to 12 acres of smaller pocket parks (equivalent to neighborhood parks) within the Specific Plan Area. Construction timing of proposed park facilities are unknown; however, it is anticipated that pocket parks would be constructed concurrently with the associated neighborhood it is intended to serve and the public park would be developed toward the end of buildout activities. Evaluation of potential environmental effects related to construction and operation of proposed recreational facilities is included in Section 4.16, *Recreation*. Construction of 11 additional acres of public park facilities would result in 147 acres of community parkland within Nipomo, not including the planned Jack Ready Park. Therefore, based on the total buildout population estimate of 24,326 residents in 2030 in the community of Nipomo, there would be approximately 6 acres of parkland per every 1,000 residents, which would continue to exceed the goal of 2 to 3 acres of community parkland per 1,000 residents. Implementation of the additional parkland areas within the Specific Plan Area is anticipated to reduce demand on existing public park facilities by providing accessible parkland to new residents generated by the project and to other residents within the community of Nipomo. The applicant has requested to waive the payment of Quimby Fees (for subdivisions) based on the dedication of a 10-acre public park. As a result, the project would not contribute funding for maintenance and development of existing and new recreational facilities included in the County's Capital Improvement Plan.

There is adequate existing regional and community park facilities to serve the additional population generated by the project, and implementation of the project would not facilitate the need for new or physically altered public park facilities. Therefore, impacts would be *less than significant*. Potential impacts related to potential inconsistency with applicable policies or plans is further discussed in Section 4.11, *Land Use and Planning*.

| **PS Impact 4 (Class III)** |
|---|
| The project could result in an increased demand on public park facilities. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the need for new or physically altered public park facilities would be less than significant (Class III).* |

## *PS Impact 5: The project could increase demand on library services. Impacts would be less than significant (Class III).*

The nearest County library to the project site is the Nipomo Library. Buildout of the Specific Plan Area is anticipated to generate a population of 4,826, including 4,554 residents and 272 employees. The addition of 4,826 new people in the area would result in a total population of approximately 23,002 people within Nipomo, which would result in an associated increase in demand on existing library resources. The County's 5-year (2015–2016 to 2019–2020) Capital Improvement Plan identifies plans to expand the Nipomo Library as a potential future project (beyond the 5-year time frame) as funding becomes available (County of San Luis Obispo 2015). The County's 2022–2023 Capital Improvement Plan does not include any expansion or other projects related to the Nipomo Library (County of San Luis Obispo 2022). The project would be subject to the payment County Public Facilities Fees to provide funding for library facilities. The payment of Public Facilities Fees would offset the project's increased demand on library facilities; therefore, potential impacts would be *less than significant*.

| PS Impact 5 (Class III) |
|---|
| The project could increase demand on library services. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Through payment of Public Facilities Fees, residual impacts related to the need for new or physically altered public library facilities would be less than significant (Class III).* |

## Off-Site Improvements

### *PS Impact 6: Off-site improvements would not result in an increased need for fire protection services. Impacts would be less than significant (Class III).*

Installation of proposed off-site NCSD water and sewer infrastructure and transportation improvements does not include features that would result in a substantial increase in population that could significantly increase demand on fire protection services. Expanded water and sewer infrastructure may allow for development of other residential or commercial projects within the NCSD service area; however, due to the capacity of existing NCSD facilities, it is unlikely that proposed infrastructure improvements would be adequate to serve additional large-scale development projects. Proposed off-site improvements are not anticipated to generate a substantial population increase in addition to the population increase associated with buildout of the Specific Plan Area or increased calls for fire protection services. Therefore, impacts related to the need for new or physically altered fire protection services associated with NCSD improvements would be *less than significant*.

Construction and installation of proposed off-site improvements would likely require traffic controls, including partial lane closures. Due to the location of proposed infrastructure improvements, it is likely that short-term construction activities would increase response times for fire protection services in the community of Nipomo. Proposed off-site improvement projects are anticipated to occur incrementally, which would reduce the amount of potential traffic congestion caused by lane closures or other traffic controls. In addition, traffic controls would be temporary and would provide detour routes as necessary. Off-site improvements would be installed at or below ground level, and the improvement areas would be returned to pre-disturbance conditions as necessary. Proposed off-site improvements would not result in aboveground features that would impede existing roadways or traffic flow. Operational components of off-site improvements would not result in long-term traffic-related impacts; therefore, potential impacts related to increased response times would be *less than significant*.

| PS Impact 6 (Class III) |
|---|
| Off-site improvements would not result in an increased need for fire protection services. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the need for new or physically altered fire protection services would be less than significant (Class III).* |

### *PS Impact 7: Off-site improvements would not contribute to the existing need for expanded police protection services within the project area. Impacts would be less than significant (Class III).*

Installation of proposed off-site NCSD water and sewer infrastructure and transportation improvements does not include features that would result in a substantial increase in population that could significantly increase demand on police protection services. Expanded water and sewer infrastructure may indirectly facilitate development of other residential or commercial development projects within the NCSD service area; however, due to the capacity of existing NCSD facilities, it is unlikely that proposed improvements would facilitate additional large-scale development projects. Therefore, proposed off-site improvements are not anticipated to generate a substantial population increase in addition to the population increase associated with buildout of the Specific Plan Area, and impacts related to the need for new or physically altered police protection services would be *less than significant*.

Construction and installation of proposed off-site improvements would require traffic controls, including partial lane closures, which may temporarily increase emergency response times as it relates to police protection services within the community of Nipomo. Proposed improvement projects are anticipated to occur incrementally, which would reduce the amount of potential traffic congestion caused by lane closures or other traffic controls. In addition, traffic controls would be temporary and would provide detour routes as necessary. Proposed off-site improvements would not result in aboveground features that would impede existing roadways or traffic flow. Operational components of proposed off-site improvements would not result in long-term traffic-related impacts that may affect emergency response times; therefore, potential impacts would be *less than significant*.

| **PS Impact 7 (Class III)** |
|---|
| Off-site improvements would not contribute to the existing need for expanded police protection services within the project area. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the need for new or physically altered police protection services would be considered less than significant (Class III). Development of the planned patrol station would be conducted as a separate project and would not occur as a result of the proposed project. As such, development of the planned patrol station would be subject to separate environmental review.* |

### *PS Impact 8: Off-site improvements would not increase demand on existing LMUSD facilities. Impacts would be less than significant (Class III).*

Installation of proposed off-site improvements does not include features that would result in an indirect increase of students within the LMUSD. Expanded water and sewer infrastructure may allow for development of other residential projects within the NCSD service area; however, due to the capacity of existing NCSD facilities, it is unlikely that proposed infrastructure improvements would be adequate to serve additional large-scale development projects. Therefore, proposed off-site improvements are not anticipated to generate a substantial number of new students within the area that would further increase demand on the LMUSD facilities. Therefore, impacts associated with proposed off-site improvements would be *less than significant*.

| PS Impact 8 (Class III) |
|---|
| Off-site improvements would not increase demand on existing LMUSD facilities. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to an increased demand on LMUSD facilities would be less than significant (Class III).* |

### *PS Impact 9: Off-site improvements would not result in an increased demand on public park facilities. Impacts would be less than significant (Class III).*

Proposed off-site improvements would not result in an indirect increase in the use of existing public parks. Proposed improvements are necessary to expand the capacity of existing NCSD facilities and provide transportation improvements to serve the proposed buildout of the Specific Plan Area. Expanded water and sewer infrastructure may allow for development of other residential or commercial projects within the NCSD service area; however, due to the capacity of existing NCSD facilities it is unlikely that proposed infrastructure improvements would be adequate to serve additional large-scale development projects. Therefore, proposed off-site improvements are not anticipated to generate a substantial population increase in addition to the population increase associated with buildout of the Specific Plan Area. Nevertheless, existing recreational facilities have adequate capacity to support planned population increases from other residential or commercial projects that may result from expanded water or sewer infrastructure. Therefore, proposed off-site improvements would not result in a significant population increase that could result in the need for new or expanded recreational facilities, and impacts would be *less than significant*.

| PS Impact 9 (Class III) |
|---|
| Off-site improvements would not result in an increased demand on public park facilities. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the need for new or physically altered public park facilities would be less than significant (Class III).* |

### *PS Impact 10: Off-site improvements would not increase demand on library services. Impacts would be less than significant (Class III).*

Installation of proposed off-site improvements does not include features that would result in an indirect increase in population within the community of Nipomo. Since proposed improvements are necessary to provide water, wastewater, and transportation services to the existing population and the Specific Plan Area, implementation of these improvements is not anticipated to facilitate other large-scale development projects. Therefore, proposed off-site improvements would not result in an indirect increase in population that could increase demand on the County library and impacts would be *less than significant*.

| **PS Impact 10 (Class III)** |
|---|
| Off-site improvements would not increase demand on library services. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to the need for new or physically altered public library facilities would be less than significant (Class III).* |

## 4.15.6 Cumulative Impacts

### *PS Impact 11: The project could result in cumulative impacts related to public services. Cumulative impacts would be less than significant with mitigation (Class II).*

A cumulative development scenario for the project is provided in Chapter 3, *Environmental Setting*. As described in Chapter 2, *Project Description*, although the precise buildout schedule for the Specific Plan Area is not known at this time and is dependent on market factors, buildout is anticipated to occur over a span of 6 years from 2020 to 2029. The community of Nipomo experienced a 0.9% average annual growth rate between the years 2010 and 2020. As of 2020, the population in Nipomo was 18,176. Applying the 2010 to 2020 average annual growth rate over the next 10 years, the estimated population of the community of Nipomo in 2030 would be approximately 19,812 (U.S. Census Bureau 2021). Using the projected population for the community of Nipomo in 2030, there would be approximately 24,636 people in the community of Nipomo following full buildout of the Specific Plan Area. The proposed project and other reasonably foreseeable future development projects would result in increased demand on existing public services, including fire protection services, police protection services, public schools, parks, and libraries.

FIRE PROTECTION SERVICES

As discussed in this section, there is an existing need to expand fire protection services and facilities in the South County area. In order to offset the project's increased demand on fire protection services and facilities, Mitigation Measure PS/mm-1.1 has been included to require the project to dedicate land for future development of a new CAL FIRE station in the community of Nipomo. Proposed development and other reasonably foreseeable development projects would contribute to an increase in traffic that may increase emergency response times for fire protection services. Development of the Specific Plan Area would result in the construction of two new collector roads through the site that would reduce congestion along the Tefft Street corridor, which would offset the project's contribution to an increase in vehicles on the local road network. Therefore, project-specific impacts related to an increase in vehicles would not impede emergency response times. Development of a new CAL FIRE station in the community of Nipomo would further reduce response times by providing additional firefighters, fire engines, and other equipment to serve the area. In addition, this project and other reasonably foreseeable projects would be subject to payment of the County's Public Facilities Fees to provide funding for maintenance of existing facilities and development of a new station. Implementation of Mitigation Measure PS/mm-1.1 and required payment of Public Facilities Fees would offset project-specific impacts related to the increased demand for fire protection services and facilities and cumulative impacts related to the need for new or physically altered facilities would be *less than significant with mitigation*.

## POLICE PROTECTION SERVICES

In order to reduce response times and meet the goal service ratio of one deputy to 1,000 people, the South Station would require additional deputies, vehicles, and other equipment. The County's Capital Improvement Plan includes the construction of a new Sheriff's Patrol Station in Nipomo along Tefft Street, which is anticipated to be completed in 2025 or 2026; however, exact timing of construction may vary (County of San Luis Obispo 2022). Since construction of a new patrol station is included in the County's Capital Improvement Plan, the payment of Public Facilities Fees would offset the project's share of impacts related to increased demand for police protection services. Other reasonably foreseeable development project would also be subject to the payment of Public Facilities Fees to offset increased demand on police protection services and facilities.

Proposed road improvements would shift traffic away from the Tefft Street corridor, which would relieve existing congestion in the area that may contribute to slow emergency response times. Operation of a new patrol station in the community of Nipomo would reduce demand on the existing South Station and would facilitate improved response times to emergency calls in the Nipomo area. Payment of Public Facilities Fees would offset the project's increased demand on police protection services and facilities; therefore, impacts would be *less than cumulatively considerable*.

## PUBLIC SCHOOLS

The increase in students generated by the proposed project and other reasonably foreseeable residential development projects would require future expansion of LMUSD elementary schools and Mesa Middle School to provide adequate facilities to serve the growing student population.

The proposed project and all other reasonably foreseeable projects would be subject to the payment of state taxes for public schools and the payment of school impact fees directly to LMUSD to offset impacts to public school facilities and facilitate future expansion projects. As identified in California Government Code Section 65995(h), the payment of mandatory school development impact fees ". . . is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, the proposed increase of school-aged children generated by the proposed project and other reasonably foreseeable future projects would be offset through the payment of school impact fees to LMUSD and impacts would be *less than cumulatively considerable*.

## PARKS

Project-specific impacts related to increased demand on public park facilities would be less than significant because there are adequate existing regional and community park facilities to serve the proposed increase in population generated by the project. The project would also develop additional park facilities within the Specific Plan Area that would further increase the amount of parkland provided to the public. Additionally, the proposed VTTM and subsequent subdivisions would be subject to the payment of Parkland ("Quimby") fees, in accordance with the Real Property Division Ordinance, Chapter 9: Parkland dedication and/or Fee (Title 21) to offset the project's increased demand on park facilities. Future building permits would also be subject to the payment of County Public Facilities Fees to offset impacts on park facilities. The project applicant is requesting a waiver of Quimby fees based on the proposed dedication of parkland for public park uses; however, there is adequate public park land and recreational facilities to serve the existing and future populations. Therefore, impacts would be *less than cumulatively considerable*.

## LIBRARIES

The project would be subject to the payment of Public Facilities Fees to offset incremental demands on library services. The County's 5-year (2015–2016 to 2019–2020) Capital Improvement Plan identifies plans to expand the Nipomo Library as a potential future project (beyond the 5-year time frame) as funding becomes available (County of San Luis Obispo 2015). The County's current 2022–2023 Capital Improvement Plan does not include any expansion or other projects related to the Nipomo Library (County of San Luis Obispo 2022). Other reasonably foreseeable future projects would also be subject to the payment of Public Facilities Fees to offset increased demand on library services. Therefore, impacts would be *less than cumulatively considerable*.

| **PS Impact 11 (Class II)** |
|---|
| The project could result in cumulative impacts related to public services. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure PS/mm-1.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measure PS/mm-1.1 and payment of Public Facilities Fees and state-mandated taxes for public schools, and Quimby Fees (if ultimately required), residual cumulative impacts would be less than significant (Class II).* |

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# 4.16 RECREATION

The following setting and impact discussion identifies the condition of existing recreational facilities, pertinent regulations, thresholds of significance, and potential impacts of the project related to recreational facilities. The existing setting was identified using County documents, including the *County of San Luis Obispo General Plan Parks and Recreation Element*, *Nipomo Community Plan*, *County of San Luis Obispo General Plan 2016–2018 Resource Summary Report*, and *Nipomo Community Park Master Plan*.

## 4.16.1 Existing Conditions

Residents of the county have access to many diverse outdoor recreational opportunities provided by public agencies and non-profit organizations, including County parks, state parks and beaches, city parks, parks provided by community services districts, school district properties, federal lands (i.e., Los Padres National Forest and Carrizo Plain National Monument), and natural preserve areas (County of San Luis Obispo 2019).

### 4.16.1.1 *Regional Recreation*

Parks and recreation are strongly linked; however, the County defines recreation as the amenity that is provided within the park and may include, but is not limited to, benches, trails, interpretive displays, fields, playgrounds, etc. In addition, recreation can be defined as active or passive. Active recreation typically involves facilities and large groups of people. Examples of active recreation include community centers, skate parks, tennis courts, sports facilities, and swimming pools. Passive recreation is more tranquil and does not necessarily involve a large group of people. Examples of passive recreation include walking trails, picnic sites, bird watching areas, and scenic outlooks (County of San Luis Obispo 2006).

County Parks provides the following forms of recreation:

- **Parks.** The County provides many types of parks and related facilities. Mini and neighborhood parks typically include playground equipment, individual picnic areas, open play areas, and/or benches. Community parks typically include sports complexes, community centers, tennis and basketball courts, skate parks, group picnic areas, and/or a swimming pool. Regional parks offer camping, fishing, boating, and/or hiking. Table 4.16-1 identifies the existing park facilities within the county.
- **Recreation Programming.** Recreation programming includes organized leagues or classes, such as sports camps, league sports, etc. This amenity has not historically been offered by the County; however, the County provides swim lessons and aquatic programs, including junior lifeguards and water aerobics.
- **Golf Courses.** The County operates three golf courses, including Morro Bay Golf Course, Chalk Mountain Golf Course, and Dairy Creek Golf Course. Each golf course consists of 18-hole, championship-style facilities, except Dairy Creek Golf Course, which provides a nine-hole course. Morro Bay Golf Course is part of Morro Bay State Park in Morro Bay, Chalk Mountain Golf Course is part of Heilmann Park in Atascadero, and Dairy Creek Golf Course is part of El Chorro Park near the city of San Luis Obispo. Table 4.16-1 identifies the existing golf courses within the county.
- **Trails.** The County provides trails within its regional parks, community parks, and communities and neighborhoods as connectors. Trails managed by the County include Bob Jones Pathway (connects the city of San Luis Obispo and the community of Avila Beach) and Hi Mountain Trail (connects Lopez Lake Recreation Area with Los Padres National Forest). Other trails have been

authorized to provide passive recreation while connecting parks, schools, and libraries with neighborhoods. Most trails in the county are designated for multi-use, allowing equestrians, pedestrians, and bicycles. Table 4.16-1 identifies the existing trails within the county.

- **Special Places.** Special recreational opportunities provided by the County include access along and to the coastline (e.g., Morro Bay Estuary), historic sites (e.g., Rios Caledonia Adobe), and natural areas (e.g., Bishop Peak, Elfin Forest), which balance passive use with resource preservation. Table 4.16-1 identifies the existing special places within the county.
- **Partnerships.** Partnerships include other agencies and organizations working with the County to provide resources (e.g., volunteer hours, expertise, grantsmanship, etc.) that benefit the County's parks system. For example, the San Luis Obispo Botanical Garden was initially an idea brought to the County by a nonprofit organization and was developed through coordination between the nonprofit organization and the County.

**Table 4.16-1. Existing County Recreation Facilities**

| | Agency | Location | Distance from Project Site | Park Acres | Natural Area Acres |
|---|---|---|---|---|---|
| ***Regional Parks (Urban)*** | | | | | |
| Biddle Park | County Parks | Arroyo Grande | 8.7 miles northeast | 27 | 20 |
| Duveneck Park (undeveloped) | -- | Templeton | -- | 80 | 0 |
| El Chorro Park | County Parks | San Luis Obispo | 23 miles north | 40 | 450 |
| Heilmann Park | County Parks | Atascadero | 30 miles northeast | 102 | 0 |
| Coastal Dunes RV Park & Campground | County Parks | Oceano | 8 miles northwest | 5 | 0 |
| | | | *Total Regional Parks (Urban)* | *254* | *470* |
| ***Regional Parks (Rural)*** | | | | | |
| Lopez Lake Recreation Area | County Parks | Arroyo Grande | 10 miles northeast | 200 | 4,076 |
| Santa Margarita Lake Park | County Parks | Santa Margarita | 19 miles northeast | 21 | 7,101 |
| | | | *Total Regional Parks (Rural)* | *221* | *11,177* |
| ***Mini, Neighborhood, and Community Parks*** | | | | | |
| Avila Park/Plaza | County Parks | Avila | 16 miles northwest | 2.5 | 0 |
| Cuesta Park | County Parks | San Luis Obispo | 18 miles north | 5 | 0 |
| C.W. Clarke Park | County Parks | Shandon | 42 miles northeast | 11.5 | 0 |
| Hardie Park | County Parks | Cayucos | 36 miles northeast | 4 | 0 |
| Lampton Cliffs Park | County Parks | Cambria | 48 miles northeast | 2.2 | 0 |
| Los Osos Community Park | County Parks | Los Osos | 26 miles northwest | 6.2 | 0 |
| Norma Rose Park (undeveloped) | -- | Cayucos | -- | 1.5 | 0 |
| Nipomo Community Park | County Parks | Nipomo | 0.8 mile south | 74 | 80 |
| Oceano Memorial Park | County Parks | Oceano | 8 miles northwest | 11.8 | 0 |
| Paul Andrew Park | County Parks | Cayucos | 35 miles northwest | 1 | 0 |
| Jack Ready Park (undeveloped) | -- | Nipomo | -- | 30 | 0 |
| San Miguel Park | County Parks | San Miguel | 50 miles north | 4.3 | 0 |
| Santa Margarita Community Park | County Parks | Santa Margarita | 24 miles north | 2 | 0 |

| | Agency | Location | Distance from Project Site | Park Acres | Natural Area Acres |
|---|---|---|---|---|---|
| See Canyon Park (undeveloped) | -- | Avila Valley | -- | 8.7 | 0 |
| Shamel Park | County Parks | Cambria | 49 miles northwest | 6 | 0 |
| Templeton Park | County Parks | Templeton | 36 miles north | 3.5 | 0 |
| | | *Total Mini, Neighborhood, and Community Parks* | | *174.2* | *80* |
| ***Special Places (Natural Areas, Coastal Accessways, Historic Sites)*** | | | | | |
| Bishop Peak | County Parks | San Luis Obispo | 21 miles northwest | 0 | 104.3 |
| Cayucos Beach | County Parks | Cayucos | 36 miles northwest | 14 | 0 |
| Coastal Accessways | County Parks | Coastal Area | -- | 7.2 | 0 |
| El Moro Elfin Forest | County Parks / California State Parks | Los Osos | 27 miles northwest | 0 | 38.7 |
| Monarch Grove | Morro Coast Audubon Society | Los Osos | 27 miles northwest | 0 | 18 |
| Mesa Meadows | County Parks | Nipomo | 0.8 mile southwest | 0 | 20 |
| Rios Caledonia Adobe | Friends of the Adobes | San Miguel | 49 miles north | 2.8 | 0 |
| | | | *Total Special Places* | *24.1* | *181* |
| ***Golf Courses*** | | | | | |
| Chalk Mountain Golf Course | County Parks | Atascadero | 30 miles north | 212 | 0 |
| Dairy Creek Golf Course | County Parks | San Luis Obispo | 24 miles north | 224 | 0 |
| Morro Bay Golf Course (California State Parks owned, County operated) | County Parks / California State Parks | Morro Bay | 29 miles northwest | 125 | 0 |
| | | | *Total Golf Courses* | *561* | *0* |
| ***Trails and Staging Areas (Outside Parks)*** | | | | | |
| Bob Jones Pathways | County Parks | Avila Valley | 15 miles northwest | 1.8 | 0 |
| Cypress Ridge Trail | County Parks | Nipomo | 3.8 miles northwest | 1 | 0 |
| Hi Mountain Trail and Staging Areas | U.S. Forest Service | Huasna | 15 miles northeast | 7 | 0 |
| San Miguel Staging Area (Salinas River) | County Parks | San Miguel | 50 miles north | 2 | 0 |
| | | | *Total Trails and Staging Areas* | *11.8* | *0* |
| | | | **Total Operated Acreage** | **1,246.1** | **11,908** |
| ***Community Parks (Nipomo)*** | | | | | |
| Nipomo Community Park | County Parks | Nipomo | 0.8 mile south | 136 | 0 |
| Cypress Ridge Trail | County Parks | Nipomo | 3.8 miles northwest | 1 | 0 |
| Mesa Meadows | County Parks | Nipomo | 0.8 mile south | 0 | 20 |
| Jack Ready Park | -- | Nipomo | -- | 30 | 0 |
| | | | **Total Community Parks** | **137** | **20** |

Source: County of San Luis Obispo (2006, 2019).

In addition to County-provided recreational opportunities, the County's seven incorporated cities operate their own parks and recreation programming. Typically, city parks and their recreation programs are

available to people who live within the unincorporated areas just as County parks are available to city residents. Partnerships between County Parks and cities have expanded recreation opportunities for use by local residents regardless of whether they live within a city or the unincorporated part of the county. Examples include cooperative development of Barney Schwartz Park in the city of Paso Robles and the joint use of ball fields between the City of San Luis Obispo and the County. There are also private recreation facilities within the county, which are taken into consideration during recreational planning (County of San Luis Obispo 2006).

### 4.16.1.2 *Determining Park Needs*

#### 4.16.1.2.1 NATIONAL RECREATION AND PARK ASSOCIATION

Due to an increase in urban and suburban populations in the 1960s and 1970s, the 1983 National Recreation and Park Association (NRPA) park standards were established to guide communities in planning for future park demands. Table 4.16-2 identifies the national park standards.

**Table 4.16-2. National Recreation and Park Association Park Standards**

| Classification | Acres / 1,000 people | Size Range | Population Served | Service Area |
|---|---|---|---|---|
| Neighborhood Parks | 1–2 | 15+ acres | One neighborhood (approximately 5,000 people) | 1/4–1/5 miles |
| Community Parks | 5-8 | 25+ acres | Several neighborhoods | 1–2 miles |
| Regional Metropolitan Parks | 5–10 | 200+ acres | Several communities | 1 hour driving time |
| Regional Park Reserve | Variable | 1,000+ acres | Several communities | 1 hour driving time |
| Special Areas | No Applicable Standard | Includes linear parks, trails, beaches, golf courses, historical sites, flood plains, coastal accessways, etc. | | |
| Conservancy (Natural Areas) | No Applicable Standard | Protection and management of the natural/cultural environments with recreational use as a secondary objective. | | |

Source: County of San Luis Obispo (2006).

The NRPA park standards provide a starting point for assessing the current need for parks within a community and recommends developing individual local standards for assessing the need for parkland (County of San Luis Obispo 2006).

#### 4.16.1.2.2 SAN LUIS OBISPO COUNTY LEVELS OF SEVERITY

The County's most recent resource summary report is the *2016–2018 Resource Summary Report*, which assesses several resources, including parks. The report evaluates existing resources using a Resource Management System, which helps decision-makers balance land development and existing resources by assessing resource levels and determining the level of development those resources could sustain. The Resource Management System identifies the following three alert levels, called "levels of severity," to identify potential resource deficiencies:

- **Level 1.** This level of severity is the first alert of resource deficiency and occurs when there is sufficient lead time to either expand the capacity of the resource or slow the rate at which the resource is being depleted.
- **Level 2.** This level of severity identifies the crucial point when some moderation of the rate of resource use must occur to avoid reaching or exceeding the capacity of the resource.

- **Level 3.** This level of severity is the most critical level of concern and occurs when the demand for the resource is equivalent or exceeds its supply. Typically, the County is responsible for taking action to address resource deficiencies before this level of severity is reached.

Levels of severity included in the *2016-2018 Resources Summary Report* are included as recommendations. If a level of severity is certified by the County Board of Supervisors, then appropriate action steps must be followed for that resource.

The levels of severity for parks within the county are as follows:

- **Level 1.** For regional parks, the County provides between 10 and 15 acres of regional parkland per 1,000 persons in the county (incorporated and unincorporated areas). For community parks, the County provides 2 to 3 acres of community parkland per 1,000 persons in an unincorporated community.
- **Level 2.** For regional parks, the County provides between 5 and 10 acres of regional parkland per 1,000 persons in the county (incorporated and unincorporated areas). For community parks, the County provides 1 to 2 acres of community parkland per 1,000 persons in an unincorporated community.
- **Level 3.** For regional parks, the County provides less than 5 acres of regional parkland per 1,000 persons in the county (incorporated and unincorporated areas). For community parks, the County provides 1 acre or less of community parkland per 1,000 persons in an unincorporated community.

### 4.16.1.3 *Regional Parkland Level of Severity*

As described in the County's *2016–2018 Resource Summary Report*, to assess the level of severity for regional parks, the total acreage of regional parks was divided by the estimated total 2018 county population, which includes cities and unincorporated areas. The total 2018 county population was estimated to be 282,544 and the total acreage of regional parks was estimated to be 11,991 acres. Based on these statistics, the County provides 42.4 acres of parkland per every 1,000 residents. Therefore, the County provides more than 10 to 15 acres of regional parkland per 1,000 persons and this resource has not been assigned a recommended level of severity (County of San Luis Obispo 2019).

### 4.16.1.4 *Recreation in Nipomo*

According to the *Nipomo Community Plan*, 150 acres of land within the community are dedicated to recreational uses and facilities within the community of Nipomo. Recreational lands within the community of Nipomo are primarily intended to serve the residents of the community rather than tourists (County of San Luis Obispo 2014). Nipomo Community Park is the only public park in Nipomo and includes turf, sport fields, playgrounds, a dog park, tennis courts, and parking. The 137-acre Nipomo Community Park supports 15 acres of active recreation facilities and 122 acres of passive recreation opportunities (County of San Luis Obispo 2012). According to the County's Parks and Recreation Element, there are currently 74 acres of parkland and 100 acres of natural areas that provide recreational opportunities in the community of Nipomo (County of San Luis Obispo 2006). Existing recreational facilities within the community of Nipomo are identified in Table 4.16-1, and include Nipomo Community Park, Cypress Ridge Trail, Mesa Meadows, and the planned Jack Ready Park.

### 4.16.1.5 *Parkland Level of Severity in Nipomo*

As described in the County's *2016–2018 Resource Summary Report*, to assess the level of severity for community parks, the population within a 5-mile radius of the URL for the 10 unincorporated

communities was determined using 2010 census block data. The resulting population was adjusted by applying the population growth rate for 2010 to 2018 to reflect the 2018 population (County of San Luis Obispo 2019). For the community of Nipomo, the total population in 2018 was estimated to be 29,040. Nipomo Community Park provides 136 acres of total parkland acreage for the community; therefore, the community of Nipomo provides approximately 4.23 acres of parkland per every 1,000 residents and has not been assigned a level of severity since there are more than 2 to 3 acres of community parkland per 1,000 residents in the community (County of San Luis Obispo 2019). However, the *Nipomo Community Park Master Plan* notes that there are only 15 acres of active recreation facilities within Nipomo Community Park, which results in less than 1 acre of active recreation facilities per 1,000 residents in the community (County of San Luis Obispo 2012).

## 4.16.2 Regulatory Setting

### 4.16.2.1 *Federal*

There are no federal regulations related to recreation applicable to the project.

### 4.16.2.2 *State*

#### 4.16.2.2.1 THE QUIMBY ACT

The Quimby Act (AB 1191) authorizes the legislative body of a county or city to require the dedication of land or to impose fees for park and recreational purposes as a condition of the approval of a tentative or parcel subdivision map if specified requirements are met. Existing law requires fees collected to be committed within 5 years after the payment of fees or issuance of building permits on half of the lots created by the subdivision, whichever occurs later. Existing law also requires fees not committed to be distributed and paid to the then record owners of the subdivision, as specified. The Quimby Act allows fees to be collected for up to 3 acres of parkland per 1,000 residents to serve the needs of residents of the county.

### 4.16.2.3 *Local*

#### 4.16.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

##### Parks and Recreation Element

The County's Parks and Recreation Element, adopted in 2006, establishes goals, policies, and implementation measures for the management of existing and development of new parks and recreational facilities within the county. The intent of these goals, policies, and implementation measures is to meet existing and projected needs of residents and assure an equitable distribution of parks throughout the county. The purpose of the Parks and Recreation Element is to provide policy guidance regarding the provision of park and recreation services, document the County's existing park and recreation resources, and facilitate the evaluation of park and recreation needs including those resources that are outside of the County's management during the land use decision process.

Chapter 5 of the Parks and Recreation Element includes the County's Decisions Tree, which is used to determine acquisition or acceptance of parkland and determine projects for the Capital Improvement Plan. The Decisions Tree includes the following steps:

1. Meet with the project proponents to better understand the proposed project.

2. Perform a preliminary written analysis (staff report) for the proposed project. The staff report should include:
    a. An assessment of the project's consistency with stated goals, priorities, and County plans, policies, and programs. Inconsistency may terminate the project's review.
    b. Rating of the project per the Capital Improvement Rating Criteria.
    c. A projection of anticipated capital costs (acquisition, development, etc.) based on similar facilities within the County or elsewhere and the potential source(s) to cover these costs.
    d. An assessment the potential maintenance costs based on similar facilities within the County or elsewhere and the potential source(s) to cover these costs. This analysis should include current and future staff required to maintain the proposed facility.
    e. An analysis of project attributes including the community that will benefit (the stakeholders), special needs served, and other attributes of the proposed project.
    f. An assessment of whether there will be other project issues, such as a difficulty obtaining permits due to environmental issues, hazards onsite, compatibility with adjacent land uses etc.
    g. An assessment of whether there are alternatives to the proposed project that may be more consistent with County plans, policies or goals, funding availability, etc.
    h. Other items that should be considered.
    i. A recommendation regarding the proposed project based on the items noted above and any others deemed important by the Parks Manager.
3. Schedule the project for a Commission meeting once the information noted in 1 and 2 above has been completed. Notice project stakeholders, members of the general public, and other likely interested persons when the Commission will be reviewing the proposed Capital Improvement Plan list. Based on Commission review, determine priority projects for each fiscal year.
4. If members of the public or the project initiator are dissatisfied with the Commission's determination, the project priorities may be determined by the Board of Supervisors through the budget process.

### 4.16.2.4 *Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Recreation*

Table 4.16-3 lists applicable state, regional, and local land use policies and regulations pertaining to recreation that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.16.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.16-3 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.16.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

## Table 4.16-3. Preliminary Policy Consistency Evaluation

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Parks and Recreation Element** | | |
| **Goal 1** An equitable and quality public park system within San Luis Obispo County. | The intent of this policy is to provide an equitable and quality public park system. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public park; a 1-acre equestrian trailhead; and 49.8 acres of open space areas. Proposed recreational facilities would provide recreational opportunities to residents of the DRSP and the public. |
| **Objective A** Maintain and improve as well as provide new and expanded parks and recreation within the County consistent with Chapter 8 Parks and Recreation Project List, and the County's available funding. | The intent of this policy is to maintain, improve, and provide new and expanded parks and recreation. | **Potentially Consistent.** The DRSP includes the development of new on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public park; a 1-acre equestrian trailhead; and 49.8 acres of open space areas. |
| **Policy 2.1.** Provide parks which are aesthetic and consistent with community needs. | The intent of this policy is to provide sufficient parks for county residents. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public park; and 49.8 acres of open space areas. The DRSP includes a concept plan for the public park, neighborhood pocket park facilities, and equestrian trail, which demonstrate the proposed recreational facilities' visual appeal and compatibility with the surrounding proposed development. As discussed in Section 3.3 of the DRSP, the County standards would require 8.74 acres of public parkland to be provided on-site based on the number of single-family and multi-family residences proposed. The project would exceed County standards by providing a 10-acre public park with an additional 8.5 to 12 acres of pocket parks within the Specific Plan Area.<br><br>Construction of an additional public park within the community of Nipomo would increase Nipomo's park acreage to 147 acres (not including the planned Jack Ready Park). Based on the total buildout population estimate of 24,326 residents in 2030 in the community of Nipomo, there would be approximately 6 acres of parkland per every 1,000 residents, which would exceed the County's goal of 2 to 3 acres of community parkland per 1,000 residents. Therefore, the project would be potentially consistent with this policy. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy 2.2.** When acquiring parkland or considering the acceptance of a parkland donation give first priority to sites that would:<br>1. Augment needed park or recreation opportunities as defined in this Element.<br>2. Serve a good mix of users at a reasonable cost.<br>3. Provide an appreciable amount of parkland or recreation as a result of being adjacent to a compatible site, such as a school.<br>4. Allow development in a reasonable time period. The County should not obtain lands that have extensive permit and mitigation requirements that may conflict with the project's proposed use(s) or County policy.<br>5. Serve an important existing or future need. The site should be able to be developed consistent with that need.<br>6. Accommodate planned uses in terms of size, location, and existing constraints. The property should be largely devoid of constraints or hazards.<br>7. Adequately accommodate long-term maintenance.<br>**8.** Concentrate park acquisition efforts on sites larger than ten acres, except when (a) the proposal is for a linear park connecting important community components or providing key alternative transportation (such as a link between two schools), (b) a proposed park provides the only available park site in a community, (c) another agency will provide maintenance for the park, or (d) a smaller parcel has outstanding characteristics or unique features. | The intent of this policy is to guide acquisition of or acceptance of parkland. | **Potentially Inconsistent.**<br>1. The project includes development of a new public park and smaller neighborhood parks within the Specific Plan Area.<br>2. Proposed recreation facilities would be available to residents of the Specific Plan Area and to the public.<br>3. The project would not be located near a school; however, it would develop parkland in close proximity to residential dwellings.<br>4. The anticipated buildout period for the Specific Plan Area is approximately 6 years.<br>5. The County's *2016–2018 Resources Summary Report* concludes there is adequate regional and community parkland within the community of Nipomo; however, the *Nipomo Regional Park Master Plan* identifies the need for additional parkland within Nipomo.<br>6. The proposed public park would be located in an area with stormwater basins, which County Parks has identified as a potential constraint. The project's proposed open space and park amenities have been designed to maintain a 100-foot buffer from any structures and to maintain 17 acres of coast live oak forest habitat, which is a biologically significant resource and provides important native habitat for plants and wildlife.<br>7. A DRSP HOA or similar entity(ies) would maintain pocket parks and open space areas; however, the public park would be County-maintained. Based on correspondence with County Parks, adequate funding for the long-term maintenance of the new public park has not been secured. Therefore, the project may be inconsistent with this policy.<br>8. The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public park; and 49.8 acres of open space areas. |
| **Policy 2.3.** When developing parkland:<br>1. Prepare adequate studies to determine site constraints. | The intent of this policy is to design parkland to be accommodate site constrains and be | **Potentially Consistent.** The project's proposed open space and park amenities have been designed to maintain a 100-foot buffer from any structures and to maintain 17 acres of coast live oak forest habitat, |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| 2. Prepare and implement a master plan for the site.<br>3. Provide reasonable buffers between existing uses and the new park facilities in order to reduce impacts.<br>4. Use joint use opportunities and adopt-a-park programs as they are available. | compatible with surrounding land uses. | which is a biologically significant resource and provides important native habitat for plants and wildlife. Pocket parks would be positioned along a system of connected trails to allow for pedestrian access to each pocket park. |
| **Policy 2.4.** Preserve county parkland for active and passive recreation. Community facilities, which have little to no recreational component, shall be placed outside of an existing or proposed park. | The intent of this policy is to prioritize active and passive recreation on parkland over community facilities with little to no recreational component. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; and a 10-acre public neighborhood park. Park facilities would be developed with both active and passive recreational amenities, such as the following: bicycle racks, playground or play features, group and individual picnic areas, sports courts, shade canopies, natural play areas, trail connections, etc.<br>The neighborhood park concept plan shows the childcare facility and associated parking located within the park and childcare facilities are identified as an allowed use in the Recreation district. However, the intent of this policy is met through the provision of trails and open space amenities in the public park (pickleball, small courts, etc.), which would meet passive and active recreational needs. The childcare facility is proposed to be located on a separate legal parcel and would not be part of the parkland. |
| **Policy 2.5.** Encourage private development of parklands and facilities, to assist with meeting park needs. | The intent of this policy is to encourage development of private parklands and facilities. | **Potentially Consistent.** Construction of an additional public park within the community of Nipomo would increase Nipomo's park acreage to 147 acres (not including the planned Jack Ready Park). Based on the total buildout population estimate of 24,326 residents in 2030 in the community of Nipomo, there would be approximately 6 acres of parkland per every 1,000 residents, which would exceed the County's goal of 2 to 3 acres of community parkland per 1,000 residents. Therefore, the project would be potentially consistent with this policy. |
| **Goal 2** Recreation that serves the County's residents and visitors, various age groups, varying economic situations and physical abilities. | The intent of this policy is to provide recreation for residents and visitors of the County. | **Potentially Consistent.** The project includes the construction of a new 10-acre public park and 1-acre equestrian trail head. The project also includes a proposed pedestrian, bicycle, and trail network for residents of the DRSP as well as the public. |
| **Objective B** Provide new and expanded recreation within the County consistent with Chapter 8 Parks and Recreation Project List, and the County's available funding. | The intent of this policy is to provide new and expanded public recreational facilities. | **Potentially Inconsistent.** The DRSP includes the development of new on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public park; a 1-acre equestrian trailhead; and 49.8 acres of open space areas. However, the project is requesting a Quimby Fee credit for dedication of the park land. County Parks has indicated it |

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| | | would not have available funding to provide ongoing maintenance of proposed public recreational facilities. |
| **Policy 3.1.** To provide an equitable distribution of recreation throughout the County, County Parks should attempt to provide new or expanded recreation (as a first priority) in those Planning Areas that have:<br>1. Experienced faster growth rates.<br>Very limited existing park acreage and/or recreation opportunities in relation to population density. When assessing existing park acreage and/or recreation opportunities consider parks and recreation offered by all entities provided that entity offers comparable service to the County's unincorporated population**.** | The intent of this policy is to provide equitable distribution of recreation facilities throughout the county. | **Potentially Consistent.** As described in Section 4.14, *Population and Housing*, the project would have the potential to accelerate the population growth of the community of Nipomo beyond planned growth projections, and as described in Chapter 6, *Other CEQA Considerations*, the project may have the potential to result in a growth-inducting effect within the project vicinity. The project's proposed recreational facilities would serve both project residents and current and future community members of the surrounding area. Therefore, the project would be potentially consistent with this policy. |
| **Policy 3.2.** Provide recreation at the County's parks consistent with community needs. | The intent of this policy is to provide recreation opportunities consistent with community needs. | **Potentially Consistent.** Construction of an additional public park within the community of Nipomo would increase Nipomo's park acreage to 147 acres (not including the planned Jack Ready Park). Based on the total buildout population estimate of 24,326 residents in 2030 in the community of Nipomo, there would be approximately 6 acres of parkland per every 1,000 residents, which would exceed the County's goal of 2 to 3 acres of community parkland per 1,000 residents. Therefore, the project would be potentially consistent with this policy. |
| **Objective C** Provide a viable multi-use trail system which is protective of private property interests and public resources, and consistent with Chapter 8 Parks and Recreation Project List. | The intent of this policy is to provide multi-use trail facilities. | **Potentially Consistent.** The project includes proposed pedestrian, bicycle, and equestrian trails within the Specific Plan Area to be utilized by project residents and residents and visitors of the surrounding community. This trail system would connect on-site residential communities and commercial uses and provide access to recreational amenities on-site, encourage alternative transportation modes, and would be funded by the project applicant. |
| **Policy 3.7.** County parks shall consider as the highest priority those trail projects which:<br>1. Are on land owned or operated by the County, including public rights of way.<br>2. Connect urban communities or provide access to recreation areas.<br>3. Complete a trail corridor, where only small portions are missing.<br>4. Will be popular due to their length or location.<br>5. Offer alternative transportation.<br>6. Solve a safety concern.<br>7. Include a funding source.<br>8. Minimize costs of development and maintenance. | The intent of this policy is to establish prioritization criteria for trail development projects. | **Potentially Consistent.** The project includes proposed pedestrian, bicycle, and equestrian trails within the Specific Plan Area to be utilized by project residents and residents and visitors of the surrounding community. Pocket parks would be positioned along a system of connected trails to allow for pedestrian access to each pocket park. This trail system would connect on-site residential communities and commercial uses and provide access to recreational amenities on-site, encourage alternative transportation modes, and would be funded by the project applicant. |

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| **Policy 3.8.** To protect the interests of adjacent land uses (both public and private) and the environment, trail projects shall:<br>1. Be consistent with the standards in the General Plan including the County's Agriculture and Open Space Element.<br>2. Stay as far away as reasonable from production agriculture, commercial activities, and residences.<br>3. Be built to minimize impacts to sensitive resources.<br>4. Provide signs that identify permitted trail uses; directions to relevant public areas; and, provide for safety and protection of trail users and adjacent private property.<br>5. Provide trail fencing where necessary to discourage trespass onto neighboring land and to protect sensitive resources.<br>6. Impose enforceable limitations on the trail use, as appropriate.<br>7. Be designed and constructed consistent with the trail standards contained in Appendix B of Parks and Recreation Element. | The intent of this policy is to protect the interests of land uses adjacent to trail development projects. | **Potentially Consistent.**<br>1. In general, as discussed in Section 4.2, *Agriculture*, development of the project, including the proposed pedestrian, bicycle, and equestrian trails, would not result in the conversion of Farmland to non-agricultural uses. In addition, the project would generally be consistent with County General Plan policies associated with conservation of open space and biological resources with implementation of mitigation identified in Section 4.4, *Biological Resources*.<br>2. The project's proposed open space and park amenities have been designed to maintain a 100-foot buffer from any structures. The proposed trail system would be located throughout the Specific Plan Area and in some areas be located adjacent to off-site residential rural and residential suburban land uses.<br>3. As discussed in Section 4.4, *Biological Resources*, the project would result in various impacts to on-site biological resources. Mitigation has been identified to reduce these impacts. Not all impacts would be reduced to a less-than-significant level; however, impacts would be avoided and reduced to the greatest extent feasible.<br>4. The DRSP includes guidelines for location of wayfinding signage to be located at key locations within the Specific Plan Area to provide direction to important services and destinations, such as parks, trailheads, and trail crossings.<br>5. The DRSP includes Recreation and Open Space Fencing Standards. Fencing is not required along streets or trails, unless an equestrian trail is located adjacent to a street, in which case 4-foot-high, split-rail fence is required.<br>6. Approximately 3.8 miles of pedestrian trails will be accessible to residents and the community. Pedestrian trails provided in the Specific Plan Area will be maintained by an HOA to ensure ongoing maintenance of the trail system. No need for limitations on trail use has been identified.<br>7. Pedestrian trails will be built to the County's Pedestrian Trail Standards, identified in Appendix B |

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| | | of the Parks and Recreation Element. The equestrian trails are proposed to be built to the County's Horse Trail Standards, identified in Appendix B of the Parks and Recreation Element. |
| **Policy 3.12.** Where public lands are not available or adequate to accommodate a public trail, a trail dedication in easement or fee across private property shall be considered and may be obtained only in the following instances:<br>1. From a willing seller or donor.<br>2. As part of a New Town or Specific Plan that would create urban uses.<br>3. As a condition of a project approval, subject also to Policy 3.13:<br>a. For land designated Agriculture when:<br>i. a general plan amendment would change the land use category from Agriculture to another land use category; or<br>ii. a discretionary project that would convert agricultural land to uses10 not related to agriculture; or<br>iii. a cluster subdivision would create eight or more residential parcels.<br>b. For land not designated Agriculture, but in production agriculture, when a discretionary project including a subdivision would convert land to uses11 not related to production agriculture as determined by the County Agricultural Commissioner's Office.<br>c. For all other land not excluded under (a) and (b) above, for any discretionary project (parcel map, tract map, development plan, minor use permit, conditional use permit, etc.) | The intent of this policy is to guide acquisition or acceptance of public trails. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails to be maintained by a DRSP HOA or similar entity(ies). The proposed trail system would be located throughout the Specific Plan Area and in some areas be located adjacent to off-site residential rural and residential suburban land uses and would not be located on agricultural land. |
| **Policy 3.13.** When a trail dedication is required as a condition of a discretionary permit, the required trail dedication must:<br>1. Be proportional to the level of development being proposed; | The intent of this policy is to guide development of trail dedications. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails to be maintained by a DRSP HOA or similar entity(ies). The proposed trail system would be located |

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| 2. Have an appropriate nexus to the effects of the permit;<br>3. Be shown on an adopted plan or be a New Town or Specific Plan development as noted in Policy 3.12 (2) above;<br>4. Result in no long term, unmitigable environmental impacts; and<br>**5.** Comply with all applicable local, state and federal laws and regulations. | | throughout the Specific Plan Area and in some areas be located adjacent to off-site residential rural and residential suburban land uses and would not be located on agricultural land. Mitigation has been included to reduce and/or avoid short- and long-term impacts related to construction and operation of the proposed trails. |
| **Goal 4** Natural areas preserved within the County that protect unique and sensitive resources. | The intent of this policy is to protect unique and sensitive natural areas. | **Potentially Consistent.** The DRSP includes 49.8 acres of open space areas to be maintained by the DRSP HOA. The open space area would protect native oak woodland habitat and sensitive cultural areas. |
| **Objective F** Provide natural areas consistent with Chapter 8 Parks and Recreation Project List, and/or the County's Agriculture and Open Space Element. | The intent of this policy is to provide natural areas. | **Potentially Consistent.** The DRSP includes 49.8 acres of open space areas to be maintained by the DRSP HOA. |
| **Policy 4.2.** When acquiring a natural area or considering the acceptance of a donation give first priority to sites that meet a majority of the following criteria:<br>1. Provide significant or locally important resource protection.<br>2. Would add important acreage to an existing County park or natural area.<br>3. Would allow for meaningful passive recreation, nature appreciation, and public education.<br>4. Would be better managed by the County than another entity due to its location or other factors. For small areas within a private subdivision, a homeowner's association or similar entity should own and maintain areas set aside as mitigation.<br>5. Include a reasonable endowment fund or other funding mechanism/approaches for maintenance.<br>6. The site can be adequately protected and restored by the County or another organization or partnership. | The intent of this policy is to guide acquisition and acceptance of natural areas. | **Potentially Consistent.** The DRSP includes 49.8 acres of open space areas to be maintained by the DRSP HOA. The project's proposed open space and park amenities have been designed to maintain a 100-foot buffer from any structures and to maintain 17 acres of coast live oak forest habitat, which is a biologically significant resource and provides important native habitat for plants and wildlife. |
| **Policy 4.3.** When addressing changes in natural areas:<br>1. Be consistent with an approved master plan. Within the master plan include items such as environmental education, passive recreation, and methods for resource protection and restoration.<br>2. Provide adequate buffers between the natural area and adjacent urban or rural uses.<br>3. Seek joint use opportunities and adopt-a-natural area programs as they are available. | The intent of this policy is to guide the County in addressing changes to natural areas. | **Potentially Consistent.** The project's proposed open space and park amenities have been designed to maintain a 100-foot buffer from any structures and to maintain 17.0 acres of Coast live oak forest habitat which is a biologically significant resources and provides important native habitat for plants and wildlife. |

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| **Policy 5.2.** When a County department provides or updates elements or other local plans (such as a design plan or bicycle plan), proposed projects (such as trails and parks, or road abandonment) should be referred to Parks Division and brought to the Parks and Recreation Commission for review and input before the document is taken to the County's Planning Commission or Board of Supervisors for review and approval. | The intent of this policy is to ensure participation from County Parks and the Parks and Recreation Commission in evaluating new recreation projects. | **Potentially Consistent.** County Parks was provided the opportunity to comment on the proposed project. |
| **Policy 6.4.** Prior to accepting or developing a new park, County Parks shall determine the long-term maintenance and operating costs associated with the proposed project. The County shall not develop the park until adequate funds are available for maintenance. | The intent of this policy is to ensure adequate funding for long-term maintenance of new parks. | **Potentially Inconsistent.** The project includes the construction of a 10-acre public park to be maintained by the County. Based on correspondence with County Parks, adequate funding for the long-term maintenance of the new public park has not been secured. Therefore, the project may be inconsistent with this policy. |
| **Policy 6.6.** Require new development adjacent to parks, recreation, and natural areas to be designed to function with and enhance park resources. Adjacent, new private development should not detract from or use adjacent park or natural area resources for their own private use. | The intent of this policy is to improve existing park resources when new development is proposed adjacent to them. | **Potentially Consistent.** The project site is not located adjacent to any existing recreation amenities or natural areas. |
| **Policy 6.7.** Conduct project maintenance consistent with a facility's master plan. | The intent of this policy is to ensure project maintenance consistent with a facilities master plan. | **Potentially Consistent.** As proposed, the DRSP HOA would maintain pocket parks and open space areas; however, the public park would be maintained by the County. |
| **Policy 6.8.** When maintaining park, recreation and natural area facilities attempt to minimize signs and other structures that may impact the aesthetics of the facility. | The intent of this policy is to maximize the quality of county park, recreation, and natural area aesthetics. | **Potentially Consistent.** Signage within park and recreation areas on-site would be subject to the County's Sign Ordinance and the aesthetic design of the park areas would be subject to the County's design guidelines:<br>1. The DRSP includes guidelines for location of wayfinding signage to be located at key locations within the Specific Plan Area to provide direction to important services and destinations, such as parks, trailheads, and trail crossings.<br>2. The DRSP includes Recreation and Open Space Fencing Standards. Fencing is not required along streets or trails, unless an equestrian trail is located adjacent to a street, in which case 4-foot-high, split-rail fence is required.<br>3. Pedestrian trails will be built to the County's Pedestrian Trail Standards, identified in Appendix B of the Parks and Recreation Element. The equestrian trails are proposed to be built to the County's Horse Trail Standards, identified in Appendix B of the Parks and Recreation Element. |

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| **Policy 6.9.** County Parks should not undertake maintenance responsibilities better handled by another body. For example, facilities within private development (such as mini-parks, basin parks, mitigation areas, open space, and short segments of trails) shall be maintained by a homeowner's association or a similar entity. | The intent of this policy is to ensure adequate facility maintenance by appropriate agencies. | **Potentially Inconsistent.** As proposed, the DRSP HOA would maintain pocket parks and open space areas; however, the public park would be maintained by the County. Based on correspondence with County Parks, adequate funding for the long-term maintenance of the new public park has not been secured. Therefore, the project may be inconsistent with this policy. |
| **Policy 6.10.** If County maintenance funding is inadequate to provide all park types, concentrate new park acquisition on regional park lands since these parks serve the largest number of users and are the least costly for the County to maintain. | The intent of this policy is to ensure adequate funding for facility maintenance. | **Potentially Inconsistent.** The project includes development of a new public community park. Based on correspondence with the County Parks and Recreation Department, adequate funding for the long-term maintenance of the new public park has not been secured. Therefore, the project may be inconsistent with this policy. |
| **Policy 6.11.** Use methods within County Parks` facilities that reduce maintenance costs, such as the use of drought tolerant landscaping, solar oriented structures, structures with natural lighting during daylight hours, and stainless steel fixtures which have a longer lifetime and are more resilient to vandalism. | The intent of this policy is to ensure adequate funding for facility maintenance. | **Potentially Consistent.** Proposed recreational facilities would be developed in a manner that would reduce maintenance facilities costs. |
| **Framework for Planning (Inland)** | | |
| **Policy 11.** Provide adequate community amenities, parks, natural areas and trails in support of new development, which will support a high quality of life and a compact form of community development. | The intent of this policy is to provide adequate community amenities, parks, natural areas, and trails in support of new development. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public park; and 49.8 acres of open space areas. As discussed in Section 3.3 of the DRSP, the County standards would require 8.74 acres of public parkland to be provided on-site based on the number of single-family and multi-family residences proposed. The project would exceed County standards by providing a 10-acre public park with an additional 8.5 to 12 acres of pocket parks within the Specific Plan Area. |
| **Policy 4.** Provide parks, natural areas and recreation facilities with new urban development to enhance a community's quality of life and improve public health. | The intent of this policy is to provide parks, natural areas, and recreation facilities with new urban development. | **Potentially Consistent.** The project includes proposed pedestrian, bicycle, and equestrian trails within the Specific Plan Area to be utilized by project residents and residents and visitors of the surrounding community. Pocket parks would be positioned along a system of connected trails to allow for pedestrian access to each pocket park. This trail system would connect on-site residential communities and commercial uses and provide access to recreational amenities on-site, encourage alternative transportation modes, and be funded by the project applicant. |

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| **South County Inland Area Plan** | | |
| *Economic Expansion Goals* | | |
| Encourage recreational development that promotes commercial tourism while satisfying the needs of the local community and that maintains and enhances the rural character of South County. | The intent of this policy is to encourage recreational development that also promotes economic expansion goals. | **Potentially Consistent.** The DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks within proposed neighborhoods; a 10-acre public park; and 49.8 acres of open space areas. The DRSP includes a concept plan for the public park, neighborhood pocket park facilities, and equestrian trail, which demonstrate the proposed recreational facilities' visual appeal and compatibility with the surrounding proposed development. As discussed in Section 3.3 of the DRSP, the County standards would require 8.74 acres of public parkland to be provided on-site based on the number of single-family and multi-family residences proposed. The project would exceed County standards by providing a 10-acre public park with an additional 8.5 to 12 acres of pocket parks within the Specific Plan Area. |
| *Public Facilities, Services, and Resources* | | |
| Projects resulting from general plan amendments and urban expansion shall fund their share of public resources, services and facilities to the limits allowed by law. | The intent of this policy is to provide funding for public services through a general plan amendment. | **Potentially Inconsistent.** The project includes construction of a 10-acre public park to be maintained by the County. Based on correspondence with County Parks, adequate funding for the long-term maintenance of the new public park has not been secured. Therefore, the project may be inconsistent with this policy. |
| *Land Use Programs* | | |
| Parks Planning, South County (South). The General Services Department should work with the Planning Department to implement the County Parks and Recreation Element through park land acquisition and dedication during the land use permit and subdivision process. | The intent of this policy is to encourage coordination between the County General Services Department and Planning Department during the land use permit and subdivision process. | **Potentially Consistent.** The project includes development of a new 10-acre public community park. |
| **Nipomo Community Plan** | | |
| Land Use Programs | | |
| **Pathway Plan**. Work with the community to prepare a plan for pedestrian circulation through the urban area. The plan should identify locations of walking and riding paths connecting neighborhoods to shopping areas, parks and schools. Linear parkways should be studied as one method of providing alternate pedestrian routes within public parks. | The intent of this policy is to provide public pathways. | **Potentially Consistent.** The project includes proposed pedestrian, bicycle, and equestrian trails within the Specific Plan Area to be utilized by project residents and residents and visitors of the surrounding community. This trail system would connect on-site residential communities and commercial uses and provide access to recreational amenities on-site, encourage alternative transportation modes, and be funded by the project applicant. |

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| **Neighborhood Parks.** The County, Lucia Mar Unified School District and Nipomo Community Services District should jointly develop neighborhood parks adjacent to proposed new school sites and small parks throughout neighborhoods consistent with the County Parks and Recreation Element. | The intent of this policy is to encourage coordination between the County, LMUSD, and NCSD to develop neighborhood parks adjacent to proposed new school sites and small parks throughout neighborhoods. | **Potentially Consistent.** Implementation of this project would not affect coordination between the County, Lucia Mar Unified School District and Nipomo Community Services District. The DRSP includes the proposed development of on-site recreational facilities, including 8.5 to 12 acres of pocket parks within proposed neighborhoods and a trail system to connect residents within the Specific Plan Area and the surrounding community. |

## 4.16.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant impact on recreation if the effects exceed the significance criteria described below:

a. 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. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Each of these thresholds is discussed under Section 4.16.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.16.4 Impact Assessment and Methodology

The following impact assessment evaluates the potential for the proposed project to result in adverse change to the existing setting, which was identified using County documents, including the County's Parks and Recreation Element, *Nipomo Community Plan*, County's *2016–2018 Resource Summary Report*, and the *Nipomo Community Park Master Plan*. The project would have a significant environmental impact if implementation of the proposed project were to result in a significant change to the existing environment in a manner that would physically deteriorate recreational facilities or result in other physical effects to the environment. The project's potential to result in physical deterioration was determined by evaluating how an increase in population generated by the project would affect existing recreational facilities. The project's potential to result in adverse physical effects to the environment was evaluated by determining potential impacts that would occur from development of new recreational facilities.

## 4.16.5 Project-Specific Impacts and Mitigation Measures

### 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?

### Specific Plan Area

#### *REC Impact 1: The project could increase the use of existing neighborhood, community, or regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. Impacts would be less than significant (Class III).*

Buildout of the Specific Plan Area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, 152 ADUs, and approximately 203,000 square feet of commercial and light industrial uses in the unincorporated community of Nipomo. As a result, the project is anticipated to generate a full buildout population of 4,826 people, including 4,554 residents and 272 employees. The exact schedule for buildout of the Specific Plan Area is currently unknown but is anticipated to occur over a span of 6 years beginning in 2024 (see Table 2-11 in *Chapter 2, Project Description*); therefore, associated population increase would also occur in phases. This proposed increase in population is anticipated to result in increased use of existing recreational facilities within the county, including parks, trails, golf courses, and special areas.

The County aims to provide 10 to 15 acres of regional parkland per 1,000 county residents. Based on the County's estimated 2018 population of 282,544, there are approximately 42.4 acres of regional parkland per 1,000 residents within the county (County of San Luis Obispo 2019). Based on the U.S. Census Bureau, the population of the county in 2020 was 282,424, which is consistent with the evaluation of public park facilities in the County's *2016–2018 Resource Summary Report* (U.S. Census Bureau 2021). Therefore, the County currently exceeds the goal of 10 to15 acres of regional parkland per 1,000 county residents. In addition, the County aims to provide 2 to 3 acres of community parkland per 1,000 residents within each corresponding community. Based on the estimated 2018 population, there are approximately 4.23 acres of community parkland per 1,000 residents in Nipomo and immediately adjacent areas (County of San Luis Obispo 2019). However, the *Nipomo Community Park Master Plan* notes that there are only 15 acres of active recreation facilities within Nipomo Community Park, which results in less than 1 acre of active recreation facilities per 1,000 residents in the community (County of San Luis Obispo 2012). Additionally, Jack Ready Park is a planned park that would provide 30 additional community parkland acres to facilitate recreation; however, the timing for buildout of this park is currently not known and associated park acreages are not included in the evaluation of existing or future community park acreages within Nipomo. Based on the U.S. Census Bureau, the population of Nipomo in 2020 was 18,176, which is less than what was analyzed in the County's *2016–2018 Resource Summary Report* (U.S. Census Bureau 2021). Based on the 2020 population and existing parkland within the community, there are 7.48 acres of community parkland per 1,000 residents within Nipomo. Therefore, the County currently exceeds the goal of 2 to 3 acres of community parkland per 1,000 residents.

Buildout of the Specific Plan Area is anticipated to occur between 2024 and 2029; therefore, population growth associated with the project would not occur until that time. As evaluated in Section 4.14, *Population and Housing*, the projected population within San Luis Obispo County is estimated to be 284,334 and the population of Nipomo is estimated to be approximately 19,498 at the anticipated time of full buildout in 2030. Using the 2030 population estimates, following an estimated population increase of 4,828 people generated by full buildout of the project, there would be approximately 289,162 people in

the county and approximately 24,326 people in the community of Nipomo. Following full buildout and the associated population increase, the County would provide approximately 41.5 acres of regional parkland per 1,000 residents in the county and approximately 5.6 acres of community parkland per 1,000 residents in the community of Nipomo. Since the County would continue to exceed established service goals for both regional and community parkland, there would be adequate parkland to provide recreation opportunities to new and existing residents. Based on the amount of available parkland, implementation of the project and associated population increase would not result in substantial deterioration of existing public recreation facilities.

In addition to proposed residential, commercial, and light industrial uses, the DRSP includes the proposed development of on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; 8.5 to 12 acres of pocket parks[1] within proposed neighborhoods; an 11-acre public park; and 49.8 acres of open space areas. As previously described, exact timing of buildout of the Specific Plan Area is unknown; however, proposed pocket parks would likely be constructed during buildout of associated neighborhoods and the proposed 11-acre public park would likely be constructed toward the end of buildout activities. The public park design has not been finalized; however, it is anticipated that bicycle racks, drinking fountains, entry signage and landscaping, group and individual picnic areas, interpretive and educational panels, parking areas, a playground or play features, restroom facilities, shade canopies, sport courts, trail connections, trash and recycle bins, and directional signage would be considered in the final project design. Proposed pocket parks would be between 0.6 and 3 acres in size and would be specific to each residential neighborhood. Pocket park features are likely to include bicycle racks, children's play areas, picnic areas, interpretive and educational panels, natural play areas, neighborhood mailbox facilities, parking areas, trail connections, trash and recycle bins, and directional signage. Construction of an additional public park within the community of Nipomo would increase the community park acreage to 147. Therefore, based on the total buildout population estimate of 24,326 residents in 2030 in the community of Nipomo, there would be approximately 6 acres of parkland per every 1,000 residents, which would exceed the goal of 2 to 3 acres of community parkland per 1,000 residents.

Construction of the proposed on-site recreational facilities would reduce the demand on existing recreational facilities within the county and the community by providing new local recreational facilities within the Specific Plan Area. The applicant has requested to waive the payment of Quimby Fees based on the dedication of a 10-acre lot to facilitate development of a public park. As a result, the project would not contribute funding for maintenance and development of existing and new recreational facilities included in the County's Capital Improvement Plan. However, based on the amount of existing regional and community recreational facilities, the project is not anticipated to result in substantial physical deterioration of existing parks or other recreational facilities. In addition, proposed development of new on-site recreational facilities would further reduce potential impacts related to deterioration of existing recreational facilities by providing facilities that would reduce the use of other public recreational facilities. Therefore, potential impacts would be *less than significant*. Potential impacts related to potential policy inconsistencies related to a waiver of Quimby Fees is discussed in Section 4.11, *Land Use and Planning*.

[1] Equivalent to the County's definition of a mini park, which includes a small residential lot (approximately 6,000 square feet up to 5 acres in size). Mini parks typically include a short pathway, a couple of benches, and sometimes a picnic table. Some mini parks may include an area with children's play equipment and the neighborhood's retention basin.

| **REC Impact 1 (Class III)** |
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| The project could increase the use of existing neighborhood, community, or regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to substantial physical deterioration of existing parks or other recreational facilities would be less than significant (Class III).* |

## Off-Site Improvements

### *REC Impact 2: Off-site improvements would not increase the use of existing neighborhood or regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. Impacts would be less than significant (Class III).*

Construction of proposed off-site transportation and NCSD water and sewer infrastructure does not include features that would result in a substantial increase in population that would increase the use of existing recreation facilities. Proposed improvements are necessary to expand the capacity of existing transportation and NCSD facilities to serve the proposed buildout of the Specific Plan Area. Expanded water and sewer infrastructure may allow for other residential or commercial development projects within the NCSD service area; however, due to the capacity of existing NCSD facilities, it is unlikely that proposed infrastructure improvements would be adequate to serve additional large-scale development projects. Therefore, proposed off-site improvements are not anticipated to result in substantial indirect population growth in addition to the population increase associated with buildout of the Specific Plan Area.

Existing recreational facilities have adequate capacity to support planned population increases from other residential or commercial projects that may result from expanded transportation, water, or wastewater infrastructure. In addition, maintenance and repair trips for proposed improvements would be conducted by existing County and/or NCSD employees and would not facilitate additional population growth within the project area. Therefore, proposed off-site improvements would not result in a significant population increase that could result in substantial physical deterioration of existing recreational facilities and impacts would be *less than significant*.

| **REC Impact 2 (Class III)** |
|---|
| Off-site improvements would not increase the use of existing neighborhood or regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to substantial physical deterioration of existing parks or other recreational facilities would be less than significant (Class III).* |

## WOULD THE PROJECT INCLUDE RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES WHICH MIGHT HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT?

### Specific Plan Area

#### *REC Impact 3: The project includes the development of recreational facilities that may have an adverse physical effect on the environment. Impacts would be less than significant with mitigation (Class II).*

The DRSP includes development of new on-site recreational facilities, including pedestrian, bicycle, and equestrian trails; pocket parks; a public park; and open space areas (see Figure 2-9 in *Chapter 2, Project Description*). Proposed open space areas would encompass approximately 49.8 acres of the Specific Plan Area and would be located throughout the project site. Proposed pedestrian, bicycle, and equestrian trails would either traverse open space areas or run along the edge of open space areas. The proposed public park would be 11 acres in size and would be located in the center of the Specific Plan Area. The public park design has not been finalized; however, it is anticipated that bicycle racks, drinking fountains, entry signage and landscaping, group and individual picnic areas, interpretive and educational panels, parking areas, a playground or play features, restroom facilities, shade canopies, sport courts, trail connections, trash and recycle bins, and directional signage would be considered in the final project design. Proposed pocket parks would be between 0.6 and 3 acres in size and would be specific to each residential neighborhood. Pocket parks would be positioned along a system of connected trails to allow for pedestrian access to each pocket park. Pocket park features are likely to include bicycle racks, children's play areas, picnic areas, interpretive and educational panels, natural play areas, neighborhood mailbox facilities, parking areas, trail connections, trash and recycle bins, and directional signage. In addition, proposed Neighborhood 8 includes an approximately 3-acre amenity site, which is anticipated to include a clubhouse, recreational area, and pool facility provided and be maintained by the HOA.

Development of proposed recreational facilities within the Specific Plan Area would require temporary construction activities, similar in scale to construction activities for proposed residential and commercial development, with the exception of open space areas, which would be left mostly undeveloped. As discussed in individual resource sections throughout this EIR, proposed construction activities associated with buildout of the Specific Plan Area have the potential to result in environmental impacts related to air quality, biological resources, cultural and tribal cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, and noise. The project would be required to implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1 during construction of recreational facilities to avoid or reduce potential adverse environmental impacts to a less-than-significant level. Following implementation of the identified mitigation measures, potential impacts related to proposed construction activities would be *less than significant with mitigation*.

Construction of new recreational facilities within the Specific Plan Area have the potential to result in long-term environmental impacts related to aesthetics, geology and soils, noise, transportation, water supply, and wildfire.

Buildout of the Specific Plan Area would alter the existing visual character of the project site through removal of oak trees and buildout of proposed land uses. Mitigation Measures AES/mm-3.1 and AES/mm-3.2 have been included to require screening of the project site to reduce long-term aesthetic

impacts. As such, buildout of the proposed public park would not result in adverse impacts related to aesthetic resources.

As discussed in Section 4.7, *Geology and Soils*, buildout of the Specific Plan Area would be subject to applicable CBC requirements to avoid risk associated with potential ground-shaking activity. In addition, the project would be required to implement Mitigation Measures GEO/mm-1.1 and GEO/mm-5.1 through GEO/mm-5.3, which identify foundational and other building requirements to be implemented during construction of the project to safeguard against potential earthquake or ground-failure events. Development of future recreational facilities within the Specific Plan Area would be required to comply with applicable CBC requirements and implement the identified mitigation measures to avoid and/or minimize adverse impacts related to geology and soils as a result of the proposed project.

Development of outdoor recreation facilities has the potential to increase ambient noise levels near residential land uses. However, Mitigation Measure N/mm-1.2 has been included in Section 4.13, *Noise,* to require an acoustical survey for future outdoor recreational development to determine areas where noise may exceed established County thresholds. If proposed outdoor recreational development is identified as exceeding established thresholds, long-term noise reduction features, such as setbacks, sound barriers, berms, hourly limitations, and/or equipment enclosures, would be required to be included in the final design plan to ensure new noise sources do not exceed established County noise thresholds. With implementation of the identified mitigation measure, the public park would not be expected to increase the ambient noise level at nearby noise-sensitive land uses.

Recreational facilities would require maintenance and repair trips on an as-needed basis. Maintenance of future recreational facilities is not anticipated to generate a significant number of long-term vehicle trips. In addition, due to the location of proposed recreational facilities within the Specific Plan Area, it is anticipated that on-site recreational facilities would primarily be used by residents of the Dana Reserve and surrounding residential land uses and accessed via proposed pedestrian, bicycle, and equestrian trails. The DRSP includes adequate pedestrian and bicycle trails to allow for movement between recreational areas using alternative modes of transportation. Further, Mitigation Measure TR-3.1 has been included in Section 4.17, *Transportation,* to reduce operational vehicle trips generated by the proposed project. Based on proposed pedestrian and bicycle facilities and implementation of mitigation, operation of the public park would not be expected to generate a substantial number of vehicle trips in addition to the proposed project.

Development of proposed recreational facilities would require long-term water use for landscaping and drinking fountains. As discussed in Section 4.19, *Utilities and Service Systems*, the NCSD would provide water to the proposed project, which has adequate available water supply to serve its existing and future service area. Mitigation Measure USS/mm-3.1 has been included to ensure adequate water supply for development of future land uses. Based on the NCSD water supply and mitigation included to ensure there is adequate water supply to serve the project, development of the proposed public park would not result in adverse impacts related to water supply.

As discussed in Section 4.20, *Wildfire,* establishment of open space areas near residential land uses has the potential to increase risk of wildfire caused by human activities, including arson, cigarette butts, fireworks, campfires, or operating vehicles or machinery. Mitigation Measure WF/mm-3.1 requires the master HOA to adopt Declaration of Covenants, Conditions, and Restrictions (CC&Rs) that include requirements for the maintenance and protection of the open space areas, including restrictions on uses and vegetation management, which would reduce the potential for long-term risk of human-caused wildfire.

As discussed in REC Impact 1, adoption and implementation of the DRSP would not require the development of new or expanded off-site recreational facilities because there are adequate existing

recreational facilities to serve the existing population and the proposed buildout population. The applicant has requested to waive the payment of Quimby Fees based on the dedication of a 10-acre public park. As such, the project would not contribute maintenance funding for other recreational projects included in the County's Capital Improvement Plan. As discussed in Section 4.16.2.4, *Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Recreation*, based on correspondence with County Parks, there would not be adequate funding for long-term maintenance of the proposed public park, which could be inconsistent with General Plan policies related to provision and funding for public park facilities. Further discussion is included in Section 4.11, *Land Use and Planning*.

Development of new on-site recreational facilities may result in short-term environmental impacts as a result of construction activities. In addition, long-term use of proposed recreational facilities may result in impacts related to geology and soils, noise, transportation, water supply, and wildfire. Development of proposed on-site recreational facilities would occur within the footprint of the Specific Plan Area; therefore, mitigation identified throughout Chapter 4 of this EIR, including Mitigation Measures AQ/mm-3.1 and AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1 have been included to reduce or avoid potential construction-related environmental impacts. In addition, Mitigation Measures AES/mm-3.1 and AES/mm-3.2, GEO/mm-1.1, GEO/mm-5.1 through GEO/mm-5.3, N/mm-1.2, USS/mm-3.1, and WF/mm-3.1 have been included to reduce or avoid potential long-term impacts related to use and maintenance of proposed recreational facilities. Following implementation of the identified mitigation measures at appropriate times during the lifetime of the project, potential impacts related to the construction of new on-site recreational facilities would be mitigated to a less-than-significant level. Therefore, potential impacts related to adverse physical effects on the environment would be *less than significant with mitigation*.

| **REC Impact 3 (Class II)** |
|---|
| The project includes the development of recreational facilities that may have an adverse physical effect on the environment. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AES/mm-3.1 and AES/mm-3.2, AQ/mm-3.1 and AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, GEO/mm-1.1, GEO/mm-5.1 through GEO/mm-5.3, GEO/mm-8.1 through GEO/mm-8.3, N/mm-1.1 and N/mm-1.2, USS/mm-3.1, and WF/mm-3.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AES/mm-3.1 and AES/mm-3.2, AQ/mm-3.1 and AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, GEO/mm-1.1, GEO/mm-5.1 through GEO/mm-5.3, GEO/mm-8.1 through GEO/mm-8.3, N/mm-1.1 and N/mm-1.2, USS/mm-3.1, and WF/mm-3.1, residual impacts related to adverse physical effects on the environment would be considered less than significant with mitigation (Class II).* |

## Off-Site Improvements

Proposed off-site transportation and NCSD water and sewer infrastructure improvements do not include the development of any recreational facilities and would not require the expansion of any existing

recreational facilities. Therefore, there would be *no impacts* related to the construction of new or expansion of existing recreational facilities associated with off-site improvements.

## 4.16.6 Cumulative Impacts

### *REC Impact 4: The project could result in a cumulatively considerable impact to recreational facilities. Impacts would be less than cumulatively considerable with mitigation (Class II).*

Existing and foreseeable future projects within the project region are identified in Chapter 3, *Environmental Setting*.

The project would result in a full buildout population increase of 4,826. However, this is not anticipated to result in physical deterioration of existing parks or other recreational facilities because there is adequate existing regional parkland per county resident and community parkland per Nipomo resident (County of San Luis Obispo 2019). In addition, the DRSP includes land dedicated to on-site recreational uses, which would further decrease demand on existing county and Nipomo facilities. Although the proposed project would waive the payment of Quimby Fees, other reasonably foreseeable future development projects would be subject to the payment of Quimby Fees and Public Facilities Fees to the County to provide funding for construction of capital projects and maintenance of existing facilities. . Other reasonably foreseeable future projects would also be subject to subsequent environmental review to determine if individual projects would result in physical deterioration of existing parks or other recreational facilities or result in potential adverse physical effects on the environment. Therefore, impacts would be *less than cumulatively considerable*.

The project includes development of new on-site parks and other recreational facilities that would result in short- and long-term impacts on the environment. Mitigation Measures AES/mm-3.1 and AES/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, HAZ/mm-7.1, GEO/mm-1.1, GEO/mm-5.1 through GEO/mm-5.3, GEO/mm-8.1 through GEO/mm-8.3, N/mm-1.1 and N/mm-1.2, USS/mm-3.1, and WF/mm-3.1 have been included to reduce project-specific short- and long-term environmental impacts. Reasonably foreseeable future projects that include the development of recreational facilities would also be subject to environmental review and would be required to implement mitigation measures to reduce any potential short- or long-term environmental impacts that may result from the project. Therefore, cumulative impacts associated with the proposed project would be *less than significant with mitigation*.

| **REC Impact 4 (Class II)** |
|---|
| The project could result in a cumulatively considerable impact to recreational facilities. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AES/mm-3.1 and AES/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, HAZ/mm-7.1, GEO/mm-1.1, GEO/mm-5.1 through GEO/mm-5.3, GEO/mm-8.1 through GEO/mm-8.3, N/mm-1.1 and N/mm-1.2, USS/mm-3.1, and WF/mm-3.1.* |

| **REC Impact 4 (Class II)** |
| --- |
| ***Residual Impacts*** |
| *With implementation Mitigation Measures AES/mm-3.1 and AES/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, HAZ/mm-7.1, GEO/mm-1.1, GEO/mm-5.1 through GEO/mm-5.3, GEO/mm-8.1 through GEO/mm-8.3, N/mm-1.1 and N/mm-1.2, USS/mm-3.1, and WF/mm-3.1, impacts would be less than cumulatively considerable (Class II).* |

# 4.17 TRANSPORTATION

This section describes the potential transportation-related impacts associated with the future phased development of the proposed single-family and multi-family residential uses, village commercial uses, flex commercial uses, hotel, educational facility, open space, trails, and public neighborhood park within the Specific Plan Area. See EIR Tables 2-1, *Project Overview*, and 2-11, *Dana Reserve Specific Plan Anticipated Buildout Schedule*, in Chapter 2, *Project Description*, for a detailed description of the proposed land uses and the 7-year phasing schedule for full buildout of the Specific Plan Area.

The impact analysis examines the roadway, transit, bicycle, and pedestrian components of the Specific Plan Area's roadway network and off-site improvements related to transportation, water, and wastewater infrastructure. To provide a context for the impact analysis, this section begins with the environmental setting which is a description of the existing physical and operational conditions for the transportation system. Following the setting is the regulatory framework influencing the transportation system and providing the basis for impact significance thresholds used in the impact analysis. The section concludes with the impact analysis findings and recommended mitigation measures where applicable.

The project applicant retained CCTC to prepare a Transportation Impact Study (TIS or transportation analysis) and a VMT Analysis to evaluate potential transportation-related impacts of buildout of the DRSP in conformance with the requirements of CEQA and the *San Luis Obispo County Transportation Impact Analysis Guidelines* (October 2020). The *Dana Reserve Nipomo Transportation Impact Study* (CCTC 2021a) to evaluate the potential transportation impacts associated with the proposed project. The County retained GHD to independently review the TIS and VMT Analysis. For informational purposes, in October 2021 CCTC prepared a TIS Addendum as a sensitivity analysis focused on the evaluation of a 15% increase in the maximum number of commercial service trips. Detailed information on both CEQA (VMT, policy/policy consistency, safety) and non-CEQA (level of service, access management, etc.) analysis of the DRSP is provided in the tis (CCTC 2021b; EIR Appendix J). The transportation analysis recommendations guide both the CEQA analysis, as well as the County's final determination of transportation-related conditions of approval that would be required to support conformance with policies outside of CEQA. This section is largely based on the information found in the transportation analysis and its peer review.

## 4.17.1 Existing Conditions

This section describes the existing transportation system and operating conditions in the study area. See Figure 4.17-1 for an illustration of the study area and study intersections.

### *4.17.1.1 Roadway Network*

The Specific Plan Area is located within the southwestern portion of unincorporated San Luis Obispo County (see EIR Figure 2-1 in Chapter 2, *Project Description*, for a map showing roadways discussed in this section). The Specific Plan Area consists of three adjoining undeveloped parcels totaling approximately 288 acres (see EIR Figures 2-2 and 2-3 in Chapter 2, *Project Description*). The Specific Plan Area is generally bounded by rural residential uses, Willow Road, and Cherokee Place to the north; existing residential development to the south; existing residential development and Hetrick Avenue to the west; and US 101 to the east. Regional access to the project site is provided by US 101 and SR 1.

Local access is provided from the north via Willow Road and Hetrick Avenue and from the south via West Tefft Street and Pomeroy Road. The following text provides a brief discussion of major components of the study area roadway network.

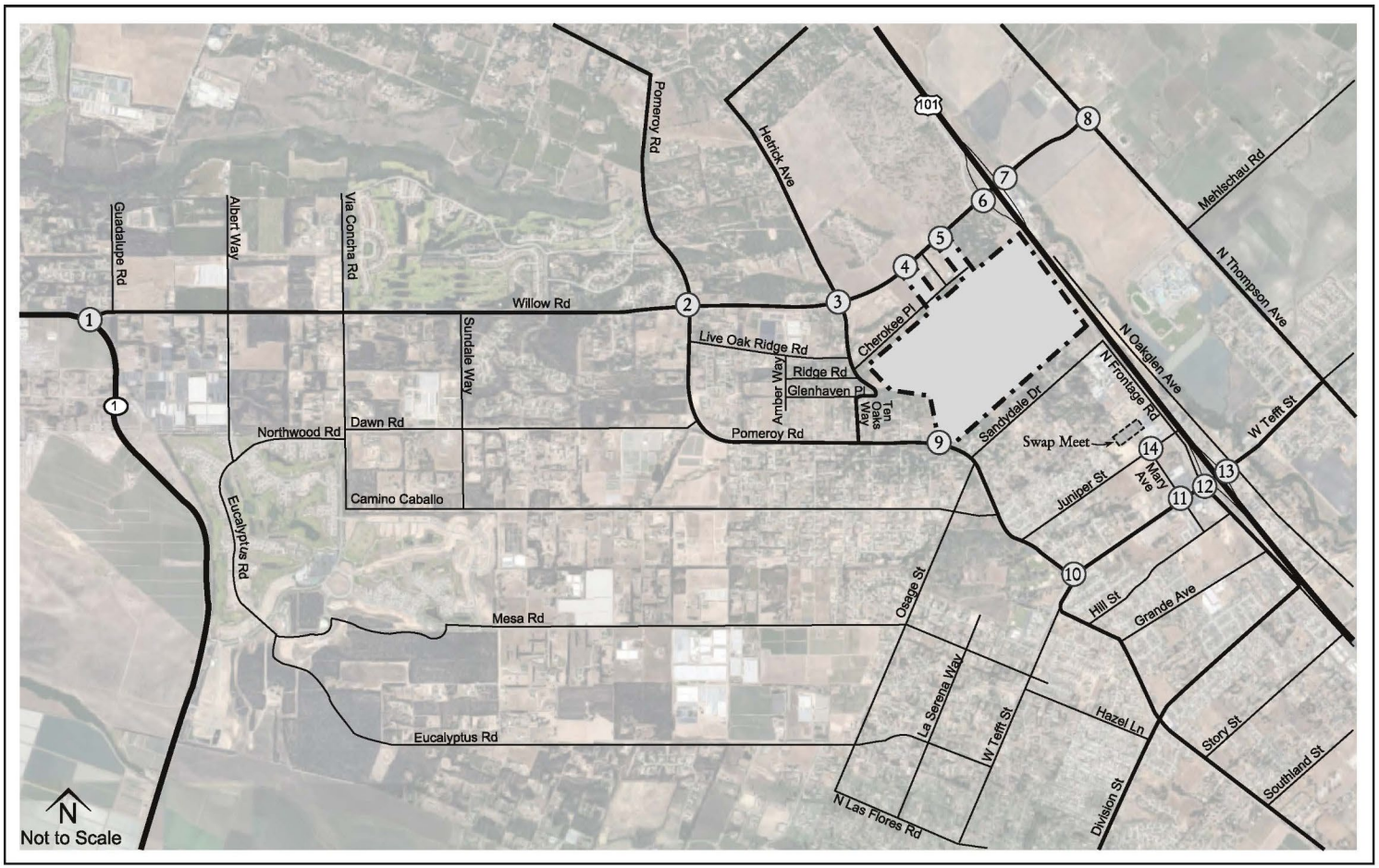


**Figure 4.17-1. Study area intersections.**

**US 101** is east of the Specific Plan Area and is a major north–south interstate facility connecting Los Angeles to San Francisco. US 101 has four lanes with full access interchanges at Willow Road and West Tefft Street.

**SR 1** is west of the Specific Plan Area and is a north–south state highway facility connecting the South County area to the Five Cities area to the north. SR 1 branches off US 101 in Pismo Beach, running parallel to US 101 throughout South County as a conventional two-lane highway.

**Willow Road** is north of the Specific Plan Area and is an undivided, two-lane arterial[1] running east–west with a speed limit of 50 to 55 mph connecting SR 1 to US 101 with a full-access interchange.

**Cherokee Place** is an unimproved, approximately 20-foot-wide, east–west, privately maintained road parallel to and south of Willow Road along the Specific Plan Area's northern boundary. It begins at Hetrick Avenue to the west and terminates near the northeast corner of the Specific Plan Area.

**Hetrick Avenue** is west of the Specific Plan Area and is broken into County-maintained and privately maintained segments with a non-vehicular trail between the two segments. The segment along the northwest portion of the Specific Plan Area is a two-lane road (County-maintained portion only) with no posted speed limit. The portion along the southwestern portion of the Specific Plan Area is privately maintained and provides existing connection to Pomeroy Road. Hetrick Avenue does not provide a continuous connection from Pomeroy Road to Willow Road.

**North Frontage Road** is east of the Specific Plan Area and is a north–south collector[2] connecting Juniper Street to Sandydale Drive with no posted speed limit. It terminates south of the project site at Sandydale Drive.

**North Thompson Avenue** is east of the Specific Plan Area and is a two-lane, undivided collector running north–south with posted speed limits ranging from 35 to 55 mph. North Thompson Avenue links the residential areas east of US 101 to commercial services via West Tefft Street, as well as providing regional access via full access interchanges with US 101 at Willow Road and Los Berros Road.

**Pomeroy Road** is east of the Specific Plan Area and is a two-lane, north–south undivided arterial with a speed limit ranging from 45 to 55 mph.

**Sandydale Drive** is south of the Specific Plan Area and is an east–west, two-lane undivided collector with a speed limit of 35 mph. Sandydale Drive connects the residential properties to the commercial areas to the south along West Tefft Street via North Frontage Road, or to Pomeroy Road to the west.

**Camino Caballo** is south of the Specific Plan Area and is an east–west, two-lane undivided road with a speed limit of 35 mph. Camino Caballo does not provide a continuous connection to the commercial areas along North Frontage Road. The privately maintained portion of Camino Caballo does not allow through-traffic.

[1] Arterial facilities serve to connect areas of major activity within the urban area and function primarily to distribute cross-town traffic from freeways/highways to collector streets. Within the Nipomo area, arterial streets are mostly two-lane facilities with maximum operating speeds ranging from 30 to 55 mph. In addition, arterial facilities generally have limited access to adjacent land uses.

[2] Collectors function as connector routes between local and arterial streets providing access to residential, commercial, and industrial properties. Additionally, the County's Circulation Element identifies collectors as serving to provide bicycle and equestrian travel away from arterials for safety purposes.

**Juniper Street** is south of the Specific Plan Area and is an east–west, two-lane undivided collector with a speed limit of 35 mph. Juniper Street connects the residential properties to the commercial areas to the south along West Tefft Street via Mary Avenue, or to Pomeroy Road to the west.

**Mary Avenue** is south of the Specific Plan Area and is a north–south, two-lane undivided street with a continuous center left-turn lane. Mary Avenue connects the residential areas along Juniper Street to the commercial services along West Tefft Street.

**West Tefft Street** is south of the Specific Plan Area and is an east–west, four-lane arterial with speed limits ranging from 25 to 45 mph. West Tefft Street connects North Thompson Avenue, Pomeroy Road, Orchard Avenue, and Las Flores Drive to a variety of commercial and retail services, as well as to a full-access interchange with US 101.

#### 4.17.1.1.1 TRANSPORTATION CONDITIONS

See EIR Appendix J for a detailed discussion of (1) existing weekday AM and PM peak hour level of service (LOS) intersection operations and queue lengths, (2) existing Sunday midday LOS intersection operations and queue lengths, and (3) freeway mainline and ramp operations (see TIS pp. 14–22). Because LOS conditions are no longer evaluated under CEQA, a detailed analysis is not provided in this section. (Per the County-Developer Memorandum of Understanding, any non-CEQA impacts or considerations resulting from the LOS analysis will be conditions of approval on the Tract Map and/or included as terms of the Development Agreement.)

### *4.17.1.2 Pedestrian and Bicycle Facilities*

A comprehensive network of pedestrian facilities and bikeways that are safe, convenient, and accessible for both commuter and recreational travel is an essential part of the County's transportation infrastructure. The County General Plan encourages the use of walking and bicycling and recognizes the following functional classes of pedestrian and bicycle facilities:

- **Pedestrian Path:** A path that is physically separated by distance or barrier from a roadway. Pedestrian paths are different than sidewalks and are typically constructed in conjunction with Class I Bicycle Paths.
- **Sidewalk:** A pedestrian-dedicated paved walkway located adjacent to roadways.
- **Class I – Bicycle Path:** Class I facilities are multi-use facilities that provide a completely separated ROW for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized.
- **Class II – Bicycle Lane:** Class II facilities provide a striped and signed lane for one-way bicycle travel within the paved area of a roadway. The minimum width for bike lanes ranges between 4 and 6 feet depending on the edge of roadway conditions (curbs) and speed. Bike lanes are demarcated by a 6-inch white stripe, signage, and pavement legends.
- **Class III – Bicycle Route:** Class III facilities provide signs for shared use with motor vehicles within the same travel lane on a street or highway. Bike routes may be enhanced with warning or guide signs and shared lane marking pavement stencils. While Class III routes do not provide measure of separation, they have an important function in providing continuity to the bikeway network.
- **Class IV – Cycle Track or Separated Bikeway:** Class IV facilities provide a ROW designated exclusively for bicycle travel adjacent to a roadway that is protected from vehicular traffic. Types of separation include, but are not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

#### 4.17.1.2.1 PEDESTRIAN FACILITIES

Pedestrian facilities in the study area include sidewalks, crosswalks, and pedestrian signals at signalized and unsignalized intersections as follows:

- Signalized intersections
  - Willow Road and Pomeroy Road: does not have sidewalks but has crosswalks and pedestrian signals, except on the east leg.
  - West Tefft Street and Pomeroy Road: has crosswalks on the north and east legs and the south leg has a sidewalk.
  - West Tefft Street and Mary Avenue: has crosswalks on each leg.
  - West Tefft Street and the US 101: northbound and southbound ramps have crosswalks on each leg except the west and east legs, respectively.
- Unsignalized Intersections
  - All-way stop controlled intersection of Mary Avenue and Juniper Street: has partial sidewalk coverage on the south leg and discontinuous sidewalk coverage on the north leg; this intersection has no marked crosswalks.

All other remaining intersections do not have pedestrian facilities.

#### 4.17.1.2.2 BICYCLE FACILITIES

Bicycle facilities in the study area consist of Class II and III bikeways. There are no Class I or Class IV facilities in the study area. The Class II and III bikeways in the study area are as follows:

- Willow Road: existing Class II bike lanes between SR 1 and North Thompson Avenue
- North Thompson Avenue: existing Class II bike lanes from Knotts Street to Nipomo High School
- Pomeroy Road: existing Class II bike lanes between West Tefft Street and Willow Road
- West Tefft Street: existing Class II bike lanes between Las Flores Drive and the Nipomo Creek Bridge and Class III bike route between Nipomo Creek Bridge and North Thompson Avenue
- Mary Avenue: existing Class II bike lanes between Juniper and Hill Streets
- Juniper Street: existing Class III bike route between Pomeroy and North Frontage Roads
- South Frontage Road: existing Class III bike route south from West Tefft Street to Grande Avenue

### *4.17.1.3 Transit Service*

San Luis Obispo Regional Transit Authority (SLORTA) provides service to San Luis Obispo, Pismo Beach, Arroyo Grande, and Santa Maria 7 days a week with those destinations providing service countywide. The South County region is serviced by South County Transit, a branch of SLORTA. Transit service in Nipomo includes fixed-time transit services, Dial-A-Ride, Runabout Paratransit, Senior Shuttle, Veteran's Express Shuttle, and Ridesharing. San Luis Obispo County Regional Rideshare facilitates programs and incentives encourage reduced VMT and have on-line commuter resources to match carpools, vanpools, school pools, and bike buddies and to track commuter trips. South County Transit serves the community of Nipomo via the Route 10 and Route 10 Express. Within the community of Nipomo, the Route 10 stops are all located outside the study area, specifically along North Thompson Avenue near Nipomo High School and along West Tefft Street east of the US 101 ramps. Nipomo Dial-A-Ride provides curb-to-curb transportation within the local Nipomo area. It operates Monday through

Friday from 7:00 AM to 6:30 PM and can provide connections to Route 10, as well as to the two Old Towne Nipomo bus stops on West Tefft Street.

## 4.17.2 Regulatory Setting

A variety of federal, state, regional, and local plans, legislation, and policy directives provide guidelines for the safe operation of streets and transportation facilities in the unincorporated community of Nipomo. While the County has primary responsibility for the maintenance and operation of local transportation facilities in its jurisdiction, including Nipomo, County staff work on a continual basis with responsible federal, state, and regional agencies, including SLOCOG, Caltrans, and the FHWA, as well as others, to maintain, improve, and balance the competing transportation needs of the community and the region.

### *4.17.2.1 Federal*

There are no federal regulations related to transportation applicable to the project.

### *4.17.2.2 State*

#### 4.17.2.2.1 CALIFORNIA DEPARTMENT OF TRANSPORTATION

Caltrans manages the operation of state highways, including US 101, which passes through the Nipomo area, and SR 1, from which the project site is visible and can be accessed via the Willow Road or West Tefft Street interchanges. Caltrans maintains annual traffic data on state highways and interchanges within San Luis Obispo County.

Caltrans has eliminated LOS consistent with SB 743 and now relies on VMT and safety to evaluate transportation impacts. Caltrans published a VMT Focused TIS Guide in May 2020, which replaced the prior guide reliant on LOS. The TIS Guide notes that lead agencies have the discretion to choose VMT thresholds and methods, and generally conforms to OPR guidance. Caltrans also issued Traffic Safety Bulletin 20-02-R1 in December 2020 providing guidance for intergovernmental review for potential safety impacts of land use projects and plans affecting the State Highway System. The bulletin describes the procedure for Caltrans staff to review potential safety impacts and develop mitigation measures as appropriate.

#### 4.17.2.2.2 CALIFORNIA SENATE BILL 743

In 2013 SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required 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 SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

SB 743 modifications, which are now in effect, change the focus of transportation impact analysis in CEQA from measuring impacts to drivers, to measuring the impact of driving. The change replaces LOS with VMT and provides a review of land use and transportation projects that will help reduce future VMT growth. In October 2020, the County drafted Transportation Impact Analysis Guidelines that focus on VMT; these have yet to be approved.

## *4.17.2.3 Local*

### 4.17.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

### Land Use and Circulation Elements

#### *Framework for Planning (Inland)*

The County's Framework for Planning (Inland), Part I of the LUCE, establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. The County's Circulation Element sets forth policies and programs to address transportation impacts. The following summarizes the transportation goals from the Circulation Element:

**Goal 1** Provide for a land use pattern and rate of population growth that will not exceed the financial ability of the county and its residents to expand and maintain the circulation system.

**Goal 2** Plan transportation system improvements to provide for, but not exceed, the capacities that are needed to serve the travel demand generated by the year 2010 population, consistent with the land use patterns allowed by the Land Use Element and the cities' general plans, so that growth is not facilitated or induced in inappropriate amounts or locations.

**Goal 3** Integrate land use and transportation planning so that necessary transportation facilities and services can be provided to accommodate urban and rural development.

**Goal 4** Coordinate the transportation system between different modes of travel, sensitive to the needs and desires of citizens in a manner that will provide an optimum benefit for the investment of public funds.

**Goal 5** Recognize public transit and carpooling as very important components of the county's strategy to provide adequate circulation and to reduce dependency on the automobile.

**Goal 6** Develop and coordinate transportation programs that reinforce federal, state, regional and local agency goals.

**Goal 7** Design a transportation system that provides for safe travel within attainable, feasible economic and technical means.

**Goal 8** Design transportation facilities with the intent to preserve important natural resources and features, promote the esthetic quality of the region and minimize environmental changes.

**Goal 9** Develop and enhance a system of scenic roads and highways through areas of scenic beauty without imposing undue restrictions on private property, or unnecessarily restricting the placement of agricultural support facilities in agricultural and rural areas.

**Goal 10** Encourage policies for new development to finance adequate additional circulation and access as a result of increased traffic it will cause.

**Goal 11** Encourage new development to provide public transit access and pedestrian and bicycle pathways from residential areas to shopping areas, businesses, and public facilities.

### *South County Inland Area Plan*

The County's Area Plans are included as Part II of the LUCE. The South County Area Plan refines the general land use policies of the Framework for Planning (Inland) and serves as a guide for future development within the South County Inland Planning Area. The South County Area Plan identifies where land use categories are applied within the planning area and establishes policies and programs for land use, circulation, public facilities, services, and resources that apply areawide, in rural areas, and/or unincorporated urban areas adjacent to cities.

### *Nipomo Community Plan*

The Nipomo Community Plan, included in Part III of the LUCE and adopted in 2014, includes transportation improvements in the Nipomo URL and recommends the following:

- Improve North Frontage Road to urban collector standards from Sandydale Drive to the proposed interchange at the Willow Road extension.
- Develop Class II bike lanes on all urban collector and arterial streets within the Nipomo urban area

## 4.17.2.3.2 COUNTY PUBLIC IMPROVEMENT STANDARDS (2019)

The Public Improvement Standards, which are prepared by the County Public Works Department and approved by the Board of Supervisors, ensure that adequate infrastructure exists for access, drainage, stormwater, and water, wastewater, and other utilities, and that the minimum design and construction requirements for infrastructure improvements are met. Roadway and road edge design standards and construction specifications outline minimum requirements to ensure that adequate circulation, parking, and road surfaces exist.

## 4.17.2.3.3 2015 SOUTH COUNTY CIRCULATION STUDY AND TRAFFIC IMPACT FEE UPDATE FINAL REPORT

The County Public Works Department maintains 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 based on projected growth per the County General Plan. These community traffic circulation studies include the South County, Los Osos, Templeton, San Miguel, Avila, and North Coast Circulation Studies.

The *2015 South County Circulation Study and Traffic Impact Fee Update* analyzed the existing and cumulative capacity of intersections and roadways in the vicinity of the Specific Plan Area based on the existing General Plan land uses (Omni-Means 2016). The study identified the following Fee Area 1[3] improvements to the east of the Specific Plan Area (Omni-Means 2016:5; County of San Luis Obispo 2014):

- extension of North Frontage Road from Sandydale Drive north to Willow Road

[3] Area 1 includes the Nipomo urban area and extends north and west as far as the Black Lake Village area.

- installation of a coordinated traffic signal at Willow Road/US 101 southbound (SB) ramps with protective/permissive phasing on the westbound Willow Road approach
- installation of a coordinated traffic signal at Willow Road/US 101 northbound (NB) ramps with protective/permissive phasing on the eastbound Willow Road approach

The Fee Area 1 improvements also include improvements south of the Specific Plan Area (i.e., interchange improvements at West Tefft Street/US 101 and construction of an additional interchange south of West Tefft Street). The following remaining improvements at West Tefft Street/US 101 SB Ramps/South Frontage Road and West Tefft Street/US 101 NB Ramps would be constructed and operational prior to completion of the first phase of development in the Specific Plan Area:

- an additional turn lane on the northbound and southbound off-ramps
- restrictions on northbound left turns on South Frontage Road

#### 4.17.2.3.4 2015/16 SAN LUIS OBISPO COUNTY BIKEWAYS PLAN

The County Public Works Department establishes bicycle paths and lanes in coordination with the RTP, which outlines how the region can establish an extensive bikeway network. The Bikeways Plan prioritizes bikeway facilities in the unincorporated areas of the County. It recognizes a variety of facilities, including bicycle lanes, routes, parking, connections with public transportation, educational programs, and funding. County bikeway facilities are funded by state grants, local general funds, and developer contributions.

#### 4.17.2.3.5 REGIONAL TRANSPORTATION PLAN

SLOCOG holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency, SLOCOG is responsible for conducting a comprehensive, coordinated transportation program; preparing an RTP; programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. As the Metropolitan Planning Organization, 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 as well as the cities within the county in facilitating the development of the RTP.

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 Nipomo, Grover Beach, Arroyo Grande, Pismo Beach, and Oceano. Dial-a-ride systems provide intra-community transit in Nipomo, 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.

### *4.17.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Transportation*

Table 4.17-1 lists applicable state, regional, and local land use policies and regulations pertaining to transportation that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.17.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.17-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.17.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.17-1. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Conservation and Open Space Element** | | |
| **Policy AQ 1.1 Compact Development**. Encourage compact land development by concentrating new growth within existing communities and ensuring complete services to meet local needs. | Development of mixed-used communities with locally serving commercial uses will support regional efforts to reduce VMT. | **Potentially Consistent.** The Specific Plan Area would include new development immediately adjacent to the Nipomo URL in an area planned for housing of varying densities and hotel, retail, and educational land uses, which would be supported by the planned extension of transportation, water, and wastewater infrastructure. |
| **Policy AQ 1.2 Reduce vehicle miles traveled**. Require projects subject to discretionary review to minimize additional vehicle travel. | The intent of this policy is to reduce VMT on a project-by-project basis. | **Potentially Inconsistent.** Buildout of the DRSP would result in an increase in overall VMT and VMT per employee even with implementation of Mitigation Measure TR/mm-2. |
| **Policy AQ 1.3 Convenient alternative transportation.** Require new development to provide safe and convenient access to alternative transportation within the project area and safe access to public transportation as feasible. | Improvements to the accessibility of alternative transportation modes will support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities, a Park and Ride transit center, and transit stops along Collector A. |
| **Policy AQ 1.4 Alternative transportation improvements.** Where new development is required to provide necessary alternative transportation improvements, such improvements should be in place, or otherwise guaranteed, before or concurrent with construction of the new development. | Land developers must ensure improvements to alternative transportation modes are in place concurrent with new development to support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities; a Park and Ride transit center; and transit stops along Collector A. These improvements would generally be installed concurrently with new residential development. |
| **Policy AQ 1.5 Transportation efficiency.** Improve the operating efficiency of the transportation system by reducing vehicle travel demand and expanding opportunities for multi-modal travel. | The promotion of alternative transportation modes supports regional efforts to maximize the existing transportation network and to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities; a Park and Ride transit center; and transit stops along Collector A. These improvements would generally be installed concurrently with new residential development. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy AQ 1.6 Multi-modal transportation.** Coordinate with other local governments and agencies to develop a multi-modal transportation system. This system should enable convenient and efficient use of transportation alternatives. It should also provide multi-modal transfer sites that incorporate auto, bike parking, transit, pedestrian and bicycle paths, as well as park and ride pickup points. | The promotion of alternative transportation modes supports regional efforts to maximize the efficiency of the existing transportation network and to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities; a Park and Ride transit center; and transit stops along Collector A. These improvements would generally be installed concurrently with new residential development. |
| **Policy AQ 1.7 Bicycle and pedestrian travel.** Encourage bicycle and pedestrian use by supporting the policies found in the Regional Transportation Plan, County Bikeways Plan, Land Use and Circulation Element, and County Parks and Recreation Element. In addition, support public and private efforts to facilitate bicycling and walking for transportation and recreation. | The promotion of walking and bicycling for varied trip purposes supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would include the development of an interconnected system of pedestrian and bicycle facilities; a Park and Ride transit center; and transit stops along Collector A. These improvements would generally be installed concurrently with new residential development. |
| **Policy AQ 1.8 Support SLO Regional Rideshare.** Support San Luis Obispo Regional Rideshare's Transportation Choices Programs that promote transportation alternatives by providing financial or other incentives to employers, employees, and commuters who develop Trip Reduction Plans and implement commute options. | The promotion of carpooling and bicycle use for varied trip purposes (e.g., work, school, household needs) supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the Specific Plan Area would support countywide rideshare as part of a suite of transportation demand management (TDM) strategies limiting the number of single-occupancy vehicles for work trips. |
| **Framework for Planning (Inland)** | | |
| **Policy 7.** Give highest priority to avoiding significant environmental impacts from development through site and project design. Where such impacts cannot be avoided, minimize them to the maximum extent feasible. | Project location, site design, and project design are components of integrated transportation and land use planning that support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of land uses (residential, parks and open space, commercial/retail, and educational) and multimodal transportation infrastructure. Transportation demand strategies identified under Mitigation Measure TR/mm-2 would minimize impacts associated with VMT per employee and overall VMT to the maximum extent feasible. |
| **Policy 3**. Plan for most future development to be within existing and strategically planned cities and communities. | Integrated transportation and land use planning that focuses projected growth to infill locations and planned expansions of urbanized areas support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of land uses (residential, parks and open space, commercial/retail, and educational) and multimodal transportation infrastructure. The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. The Specific Plan Area is also within the NCSD SOI, which is indicative that the Specific Plan Area is an area designated for planned future growth. |
| **Policy 4.** Create complete communities with appropriate areas for housing, commerce, civic uses, schools, recreation and open spaces. | Integrated transportation and land use planning that focuses projected growth to infill locations and planned expansions of urbanized areas support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of land uses, including residential, parks and open space, commercial/retail, and educational and multimodal transportation infrastructure. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy 5.** Create active and vital urban and village environments that are attractive, compact and orderly arrangements of structures and open space, appropriate to the size and scale of each community. | Integrated transportation and land use planning that focuses projected growth to infill locations and planned expansions of urbanized areas support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of land uses (residential, parks and open space, commercial/retail, and educational) and multimodal transportation infrastructure. The DRSP includes a 10-acre public neighborhood park and an approximately 1-acre equestrian trailhead and staging area within the Recreation land use category, as well as between 8.5 to 12 acres of publicly accessible but privately maintained pocket parks within residential neighborhoods. The pocket parks would be positioned along a system of connected trails to enable users to enter the trail system and safely walk to each park within the DRSP. |
| **Policy 6.** Plan adequate and convenient areas within communities for employment and economic development near transit and residential areas. | Integrated transportation and land use planning that focuses projected growth to infill locations and planned expansions of urbanized areas support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP contains a variety of commercial land uses with varying density ranges. These include Village Commercial (DR-VC) and Flex Commercial (DR-FC). More specifically, anticipated individual commercial land uses include a village center, flex commercial, a neighborhood barn, a hotel, a daycare center, and an educational/training campus. These uses would be located within proximity to proposed residential uses on-site.<br>Public transit stops would be included in the Specific Plan Area to encourage transit use by DRSP residents, employees, and visitors. |
| **Policy 7.** Phase urban development in a compact manner, first using vacant or underutilized “infill” parcels and lands next to or near existing development. | Integrated transportation and land use planning that focuses projected growth to infill locations and planned expansions of urbanized areas support regional efforts to reduce VMT. | **Potentially Consistent.** The project site is generally surrounded by existing suburban and rural residential development. The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. |
| **Policy 9.** Give high priority to funding needed infrastructure improvements in a timely manner within existing and strategically planned urban and village areas. | Land developers must ensure improvements to the transportation network are in place concurrent with new development to support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions for needed transportation improvements. |
| **Policy 10.** The cost of additional services and facilities will be fairly shared among those who most immediately benefit and the entire community. | Future development must contribute fair-share costs for transportation services and/or infrastructure to support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions for needed transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy 11.** Provide adequate community amenities, parks, natural areas and trails in support of new development, which will support a high quality of life and a compact form of community development. | Integrated transportation and land use planning that focuses projected growth to infill locations and planned expansions of urbanized areas support regional efforts to reduce VMT. | **Potentially Consistent**. The DRSP includes a 10-acre public neighborhood park and an approximately 1-acre equestrian trailhead and staging area within the Recreation land use category, as well as between 8.5 to 12 acres of publicly accessible but privately maintained pocket parks within residential neighborhoods. The pocket parks would be positioned along a system of connected trails to enable users to enter the trail system and safely walk to each park within the DRSP. |
| **Principle 4:** Create walkable neighborhoods and towns. | The intent of this policy is to encourage walking as an alternate mode of transportation. | **Potentially Consistent.** The DRSP includes a mix of compatible land uses interconnected by a system of pedestrian, bicycle, and equestrian facilities with links to the Nipomo and county pedestrian and bicycle network. |
| **Policy 1.** Plan communities with schools, parks, public spaces, transit stops, and commercial districts located as focal points within convenient walking distances of neighborhoods. | The planning and development of mixed-used communities with multimodal transportation infrastructure and locally serving commercial uses supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of compatible land uses interconnected by a system of pedestrian, bicycle, and equestrian facilities with links to the Nipomo and county pedestrian and bicycle network. |
| **Policy 2.** Plan for maximum connectivity between different land uses through walkways or other means. | The planning and development of an interconnected multimodal transportation system within mixed-used communities with locally serving commercial uses supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of compatible land uses interconnected by a system of pedestrian, bicycle, and equestrian facilities with links to the Nipomo and county pedestrian and bicycle network. |
| **Principle 5:** Provide a variety of transportation choices. | The intent of this policy is to encourage alternative modes of transportation. | **Potentially Consistent.** The DRSP includes a mix of compatible land uses interconnected by a system of pedestrian, bicycle, and equestrian facilities with links to the Nipomo and county pedestrian and bicycle network. |
| **Policy 1.** Design a safe, reliable and effective transportation system that protects natural and scenic resources and minimizes environmental impacts. | The planning and design of a multimodal transportation system supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP would include a backbone roadway infrastructure designed as “Complete Streets” to include pedestrian and bicycle facilities and meet the County’s minimum design standards and construction specifications. The DRSP would also include off-street pedestrian paths. |
| **Policy 2.** Reduce and minimize the generation of air pollutants and greenhouse gases from existing and future development, with emphasis on reducing vehicle miles traveled. | Compact development with a mix of land uses limits single-occupant vehicle trips and supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP includes a mix of land uses (residential, parks and open space, commercial/retail, and educational) and multimodal transportation infrastructure to reduce VMT, consistent with this policy. Transportation demand strategies identified under Mitigation Measure TR/mm-2 would further minimize the project’s impacts associated with VMT per employee and overall VMT. Overall, the project has incorporated components and measures to reduce VMT to the greatest extent feasible, short of changing the land use mix, which would not be consistent with project |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | objectives; however, such impacts would remain significant and unavoidable. |
| **Policy 3.** Coordinate land use and transportation planning to ensure that all transportation demands can be safely and adequately accommodated. | Coordinated land use and transportation planning, including development of effective TDM strategies, support mixed-use developments and regional efforts to reduce VMT. | **Potentially Consistent.** All DRSP internal and external roadways would be designed as "Complete Streets" consistent with the County's Public Improvement Standards (2019). Driveways accessing the Village Commercial and all driveways on Collectors A, B, and C will be located no closer than 200 feet to the adjacent intersection(s) consistent with County Standards. In addition, the distance between driveways will not be less than 200 feet. Two roundabouts would be constructed at the intersections of Collector C/Collector A and Collector C/ Collector B consistent with County Standards. The two-way, stop-controlled intersections and the roundabouts on Collectors A, B, and C would operate acceptably as proposed and would not include geometric design features that would create new hazards or an incompatible use. |
| **Policy 4.** Provide public transit, bicycle lanes, multi-use trails and pedestrian walkways that connect destinations within and between communities, to encourage alternative transportation. | Implementation of mixed-use communities with pedestrian and bicycle facilities that connect with transit service support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP would include a backbone roadway infrastructure designed as "Complete Streets" to include pedestrian and bicycle facilities and meet the County's minimum design standards and construction specifications. The DRSP would also include off-street pedestrian paths. |
| **Policy 5.** Make communities more bicycle- and pedestrian-friendly with safe and attractive routes. | Implementation of mixed-use communities with pedestrian and bicycle facilities that connect with the existing facilities support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP would include a backbone roadway infrastructure designed as "Complete Streets" to include pedestrian and bicycle facilities and meet the County's minimum design standards and construction specifications. The DRSP would also include off-street pedestrian paths. |
| **Policy 1.** Plan for most new housing to be within urban or village areas and close to jobs while protecting residential areas from incompatible uses. | The planned development of housing near employment centers and neighborhood commercial uses supports regional efforts to reduce VMT. | **Potentially Consistent.** The project site is generally surrounded by existing suburban and rural residential development. The project site is located directly adjacent to areas within the existing Nipomo URL and the NCSD service area. |
| **Policy 1.** Integrate residential units designed for affordability with non-residential uses in order to bring workplaces, commercial development and homes closer together for workers, senior citizens and others. | Coordinated land use and transportation planning support mixed-use developments and regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP would allow for the construction of a minimum of 75 affordable residential units on-site. These units would be located adjacent to village and flex commercial uses, including a hotel, educational/training facilities, and retail/light industrial uses. |
| **Policy 2.** Integrate complementary uses within commercial sites, in order to build effective mixed-use neighborhoods. | Coordinated land use and transportation planning support mixed-use developments and regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP would allow for the future phased development of residential uses, village and flex commercial uses (including a hotel, educational/training facilities, and retail/light industrial uses), open space, trails, and a public neighborhood park within the Specific Plan Area. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **South County Inland Area Plan** | | |
| *Circulation Policies* | | |
| a. Transportation should be planned to facilitate the use of all modes to improve traffic service and air quality. Transportation planning should be consistent between the Planning and Public Works Departments. | Increased efficiency of the transportation system through coordinated development and promotion of multimodal transportation supports regional efforts to reduce VMT and limit air pollutant and PM emission. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| b. Encourage improvements of road conditions and circulation, including two new interchanges at Highway 101. | Improvements to roadway conditions of the local and regional transportation network enhance the efficiency of the transportation network and supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| c. Revise existing County road standards to allow for more flexibility to address various road conditions and neighborhood needs, to be more affordable, to increase safety for pedestrians, equestrians, vehicles and bikes, and to protect, enhance and maintain the rural character of the area. | Coordinated efforts and requests for input between and among governmental agencies, adjacent land uses, the community at large, and potential land developers preserve the area's natural character and support efforts to reduce potential traffic hazards for all users. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards and would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from roads , such as Class I and Class IV bicycle paths. |
| *Circulation Objectives* | | |
| a. Utilize transportation system/demand management to develop various means of reducing traffic volume increases and conflicts, and reduce the need for roadway capacity improvements. | Improvements to roadway conditions of the regional and local transportation network enhance the efficiency of the transportation network and supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP proposes an efficient and functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit. Improvements would meet the minimum standards identified in County Public Improvement Standards. Additionally, implementation of Mitigation Measure TR/mm-2 would build on the suite of available TDM strategies on a project-by project basis. |
| b. Monitor roadway capacities and correlate growth within safe traffic levels, utilizing the criteria contained in the resource management system. | This objective is focused on the provision and maintenance of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit and supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions for needed transportation improvements based on projected travel demand and the traffic context at the time a particular project within the Specific Plan Area is proposed. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |

| | Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|---|
| c. | Develop funding sources that are linked to new development impacts. | This objective is focused on an equitable approach to ensuring future development contributes fair-share costs for services and infrastructure. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer including fair-share contributions for needed transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| d. | Plan for a mix of fixed-route express and local bus service, dial-a-ride service, and study the long-range feasibility of a regional light-rail system. | This objective is focused on the provision and maintenance of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit and supports regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP proposes the extension of public transit through the site along Collector A where the higher-density residential neighborhoods would be developed along with the Specific Plan Area's employment centers. Collector A would include a Park and Ride lot, and implementation of Mitigation Measure TR/mm-2 would highlight transportation services, such as dial-a-ride and rideshare, available for residents and employees. |
| *Road Improvement Objectives* | | | |
| 1. | All projects and subdivisions shall pay for their share of the cost of improvements that will be necessary because of the traffic they will generate. | This objective is focused on an equitable approach to ensuring future development contributes fair-share costs for services and infrastructure. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer including fair-share contributions for needed on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| 2. | Within residential areas, a wider right-of-way should be provided to allow for a landscaped parkway for street trees, between the curb and sidewalk, as illustrated in Figure 5-2. This improvement will provide a canopy of trees on streets and create a more open, suburban character within neighborhoods. Several streets are shown on the Nipomo Circulation map that should have a sufficient width dedicated for a multi-use pathway as well, as shown in Figure 5-3. The dedication requirement is in Article 9 of the Land Use Ordinance, and the improvement design should be selected from existing County Parks and Recreation Element options. As an incentive, the portion of abutting parcels within these dedications should not be deducted from the gross acreage of the parent parcel when calculating the minimum parcel size in Land Use Ordinance Section 22.22. | This objective is focused on maintaining the quality of service on county roadways as growth continues so that increases in congestion and delay are limited and user safety is maintained. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from roads, such as Class I and Class IV bicycle paths. |

| | Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| 3. | Streets within downtown and in residential areas should be designed in a modified grid pattern that provides an interconnected network of local streets, which should be curvilinear, as shown in Figure 5-4. Frequent connections will provide alternate routes and minimize traffic concentrating on collector and arterial streets. Cul-de-sac streets should also consider through routes for emergency vehicles and pedestrians when feasible. | This objective is focused on maintaining the quality of service on county roadways as growth continues so that increases in congestion and delay are limited and user safety is maintained. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. Residential streets would be internally connected with gateway entrances along Willow, Pomeroy, and North Frontage Roads. Additional emergency access points would be provided from Hetrick Avenue and Cory Way (on the west and south boundaries of the Specific Plan Area, respectively). |
| 4. | Residential development should occur at moderate densities near major employment areas so that transit can be convenient to more people. | This objective is focused on promoting a jobs and housing balance and use of transit for work trips to support efforts to limit increase in VMT per employee and overall VMT. | **Potentially Consistent.** The DRSP design guidelines for the residential and nonresidential land uses and supporting infrastructure, including the backbone roadway infrastructure, include interconnected pedestrian and bicycle facilities that also connect with public transit. Improvements would meet the minimum standards identified in County Public Improvement Standards. |
| 5. | Streets should be the focal orientation of most urban development, as illustrated in Figure 5-5, to promote the efficient use of sidewalks and alternative transportation, by facing and locating buildings at or near the edge of the street yet providing adequate setbacks in residential areas where needed to buffer noise. | This objective is focused on promoting a jobs and housing balance and use of transit for work trips to support efforts to limit increase in VMT per employee and overall VMT. | **Potentially Consistent.** The site planning and associated design guidelines for the DRSP backbone roadway infrastructure and the residential, open space, educational, hotel, and retail uses include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| 6. | Multi-use pathways should be established in accordance with the County Parks and Recreation Element. They may also be constructed along roads where there is a desire among local residents for them. The actual design of these multi-use pathways will be dictated by available funding, community needs and adjacent property impacts. The surfaces used for these multi-use pathways should be appropriate for their usage and available funding and take into consideration the existing soil conditions.<br>As an incentive to obtaining these rights-of-way, this dedication should be considered part of the net acreage of the abutting parcels instead of gross acreage when calculating the minimum parcel size in Land Use Ordinance Section 22.22. | This objective is focused on the development of alternative modes of transportation for work and recreation and to support efforts to limit increases in VMT per employee and overall VMT. | **Potentially Consistent.** The site planning and associated design guidelines for the DRSP backbone roadway infrastructure and the residential, open space, educational, hotel, and retail uses include interconnected pedestrian and bicycle facilities including multi-use pathways. |
| *Other Means of Transportation-Bikeways* | | | |
| 1. | Regional bikeway system. Create an area-wide bikeway system to provide for efficient and safe transportation for bicycle commuters.<br>Encourage local jurisdictions and major employers to provide bicycle parking facilities at major destination points such as shopping centers, public facilities, transit hubs, and park and ride lots to increase the use of bicycles. | This objective is focused on the development of alternative modes of transportation for work trips to support efforts to limit increases in VMT per employee and overall VMT. | **Potentially Consistent.** The site planning and associated design guidelines for the DRSP backbone roadway infrastructure and the residential, open space, educational, hotel, and retail uses include interconnected bicycle facilities that connect with the larger Nipomo and countywide network. |

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| 2. | Safe bikeway improvements. Provide safe travel for school children, the commuter, and the recreational rider.<br>Encourage all new development to include 5' - 8' Class II bikeways along all new collectors and arterials, where terrain permits, as shown in Figure 5-6.<br>Width and class should be determined by factors such as vehicle speed, traffic volumes, terrain and road width. | This objective is focused on the development of alternative modes of transportation for work and recreation and to support efforts to limit increases in VMT per employee and overall VMT. | **Potentially Consistent.** The DRSP design guidelines for the residential and nonresidential land uses and supporting infrastructure, including the backbone roadway infrastructure, include interconnected pedestrian and bicycle facilities that also connect with public transit. Improvements would meet the minimum standards identified in County Public Improvement Standards. |
| 3. | Transportation demand management, (TDM). Encourage use of bikes as an alternative transportation mode to reduce single occupancy vehicle (SOV) travel thereby reducing air pollution.<br>Encourage employers with 25 or more employees to reduce SOV travel with an organized program that includes bike use. | This objective is focused on the development of alternative modes of transportation for work and other trip purposes to support efforts to limit increases in VMT per employee and overall VMT. | **Potentially Consistent.** The site planning and associated design guidelines for the DRSP backbone roadway infrastructure and the residential, open space, educational, hotel, and retail uses include interconnected bicycle facilities that connect with the larger Nipomo and countywide network. Additionally, implementation of Mitigation Measure TR/mm-2 would build on the suite of available TDM strategies on a project-by-project basis. |
| 5. | Recreation. Develop Class I bikeways with multi-use trails through public recreational areas and along public rights-of-way where deemed appropriate due to scenic and/or recreational resources. Dedicated public easements should be sought, and economic incentives for private land owners should be considered where unique scenic, recreational or historical routes coincide with private property, and where connections are desired between recreational and scenic areas. The protection of natural resources should also be achieved. Prepare a plan for Class I bikeways along appropriate routes through the sub-area, to connect major destinations for different age groups, as part of an areawide pathway planning project. | This objective is focused on the development of alternative modes of transportation for work and other trip purposes to support efforts to limit increases in VMT per employee and overall VMT. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from roads, such as Class I and Class IV bicycle paths. |
| *Other Transportation Improvements-Trails* | | | |
| 1. | Safe routes for children on foot and bicycle, especially to schools; | This objective is focused on the development of alternative modes of transportation for work and other trip purposes to support efforts to increase safety for vulnerable populations. | **Potentially Consistent.** The site planning and associated design guidelines for the DRSP backbone roadway infrastructure and the residential, open space, educational, hotel, and retail uses include interconnected pedestrian and bicycle facilities that connect to schools/daycare centers proposed for the Specific Plan Area and also to existing routes to schools and parks in the larger Nipomo community. |
| 2. | Safe pedestrian, bicycle and equestrian passage from neighborhoods to frequent destinations, schools, parks, shopping facilities and adjacent neighborhoods; | This objective is focused on the development of alternative modes of transportation for work and other trip purposes to support efforts to increase safety for vulnerable populations. | **Potentially Consistent.** The site planning and associated design guidelines for the DRSP backbone roadway infrastructure and the residential, open space, educational, hotel, and retail uses include interconnected pedestrian and bicycle facilities that connect to the retail/commercial and education uses on the eastern portion of the proposed Specific Plan Area and the schools/daycare centers and parks in the central portion of |

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| | | the Specific Plan Area. The internal pedestrian and bicycle network would connect with pedestrian and bicycle facilities in the larger Nipomo community and enhance access to other schools and parks. |
| 3. Linking a local multi-use trails system to regional destinations, such as nearby cities and Oso Flaco Lake; | This objective is focused on the development of alternative modes of transportation for work and other trip purposes to support efforts to increase safety for vulnerable populations. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from roads, such as Class I and Class IV bicycle paths. |
| *Other Transportation Improvements-Public Transit* | | |
| 1. Along major transit corridors, urban densities should be achieved in urban village centers that will have a mix of employment and higher density residential zoning to encourage transit, walking and bicycling. Minimum densities as well as maximum densities should be set within these activity centers to provide a population threshold for convenient transit.<br>Automobile oriented uses such as service stations, car sales lots and drive-through retail should not be located within these activity centers so that there will be areas that encourage walking, biking and transit use. Mixed compatible use should be encouraged within the centers, allowing for the development of areas where walking can access homes, offices and stores. | This objective is focused on the development of mixed-use communities with residential areas developed with sufficient density, employment-generating uses, and neighborhood-serving retail to support existing transit or areas planned to be served by public transit and that features an interconnected circulation system for all modes of transportation to reduce use of single-occupancy vehicle (SOV) for work and other trip purposes and to support regional efforts to reduce VMT. | **Potentially Consistent.** The site planning and associated design guidelines for the DRSP backbone roadway infrastructure and the residential, open space, educational, hotel, and retail uses include interconnected pedestrian and bicycle facilities that connect to each other and to local schools/daycare centers and open spaces in the larger Nipomo community. |
| 2. Parallel routes to Highway 101 should be established on Hetrick Road and Orchard Avenue to facilitate access north and south through the area, for general transportation and for connecting multi-modal transit stops. | This objective is focused on reducing traffic congestion on the US 101 corridor as growth continues so that increases in congestion and delay are limited and transfer locations for transit and other services, such as rideshare or carpooling. | **Potentially Consistent.** The DRSP proposes the extension of public transit through the site along Collector A where the higher-density residential neighborhoods would be developed along with the Specific Plan Area's employment centers. Collector A would include a Park and Ride lot, and implementation of Mitigation Measure TR/mm-2 would highlight transportation services, such as dial-a-ride and rideshare, available for residents and employees. The County-initiated General Plan Amendment would revise the Circulation Element to identify Collector B as the north–south collector in the project vicinity rather than Hetrick Road; therefore, the above-described improvements would be consistent with this policy. |
| 3. On-site services should be encouraged at urban village centers, including child care, personal services, cafes, pharmacy and convenience stores in residential areas, as well as restaurants, banks, general retail stores in employment centers. | This objective is focused on the development of mixed-use communities with residential areas developed with sufficient density, employment-generating uses, and | **Potentially Consistent.** The site planning and associated design guidelines for the DRSP backbone roadway infrastructure and the residential, open space, educational, hotel, and retail uses include interconnected pedestrian and bicycle facilities that connect to each other and to local schools/daycare |

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| | neighborhood-serving retail to support existing transit or areas planned to be served by public transit and that features an interconnected circulation system for all modes of transportation to reduce use of SOV for work and other trip purposes and to support regional efforts to reduce VMT. | centers and open spaces in the larger Nipomo community. |
| *Other Transportation Improvements-Carpooling and Park and Ride* | | |
| Provide convenient locations for transferring commuters from single-occupancy vehicles into carpools, van pools and public transit.<br>Criteria are needed to standardize the location, amenities and design of lots. A bicycle bus trailer should be included in South County bus service. | This objective is focused on reducing traffic congestion on the US 101 corridor as growth continues so that increases in congestion and delay are limited and transfer locations for transit and other services like rideshare or carpooling are available. | **Potentially Consistent**. The DRSP proposes the extension of public transit through the site along Collector A where the higher-density residential neighborhoods would be developed along with the Specific Plan Area's employment centers. Collector A would include a Park and Ride lot, and implementation of Mitigation Measure TR/mm-2 would highlight transportation services, such as dial-a-ride and rideshare, available for residents and employees. |
| *Circulation Programs* | | |
| 7. Areawide Circulation Plan. The Public Works and Planning Departments, in coordination with area group representatives, should refine the circulation plan to include local street circulation and address the location, timing, costs and funding of needed improvements in the Nipomo urban area northward to the southern fringe of the five cities urban area. | This objective is focused on soliciting input for refinements to the local circulation system as part of larger regional efforts to relieve traffic congestion, improve air quality, reduce VMT, and ensure that future development contributes fair-share costs for services and infrastructure. | **Potentially Consistent.** Buildout of the DRSP would implement a local circulation system designed to County Public Improvement Standards and requirements of LUO Articles 22 and 9, as applicable.<br>Improvements would require the payment of development fees by each prospective developer, including fair-share contributions, for needed off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| 8. Resolution of Route for the Willow Road Extension and Willow/Highway 101 interchange. The County should conduct and complete an alternative routing study for the extension of Willow Road to Highway 101 and beyond to Thompson Road by November 9, 1994. | This objective is focused on buildout of local circulation system as part of larger regional efforts to relieve traffic congestion, improve air quality, and reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the applicant and/or each prospective future developer to construct and/or provide fair share contributions for needed off-site transportation improvements, including at the US 101/Willow Road interchange. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |

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| 9. | Transportation Demand Management. The Public Works and Planning Departments, in cooperation with the Area Coordinating Council and Caltrans staff, should conduct special studies to seek ways to reduce peak-hour traffic volumes on the heavily traveled sections of Highways 1 and 101. The studies should be scheduled for completion as input to the Circulation Plan. | This objective is focused on buildout of local circulation system as part of larger regional efforts to relieve traffic congestion, improve air quality, and reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for needed on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| 10. | Funding reimbursement. The Public Works Department should initiate an ordinance amendment providing for the reimbursement of those developers who pay for the road improvements to their projects, by those who subsequently develop along the particular improved street or road. | This objective is focused on an equitable approach to ensuring future development contributes fair-share costs for services and infrastructure. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for needed on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| 11. | Street Landscaping Projects. The County should seek and obtain funding for street landscaping that can be installed with planned street improvements or separately.<br>Street trees, landscaped center medians, special lighting and street furniture should be included. | This objective is focused on an equitable approach to ensuring future development contributes fair-share costs for services and infrastructure. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for needed on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| 12. | Cooperative Roads Program. The County Public Works Department should initiate a cooperative roads program for responding to property owners' requests for upgrading unimproved roads. The program could begin with an inventory with the community identifying which roads most need improving. The cooperative roads program would offer improvements on the basis of loan funding repaid by affected land owners. Bicycle lanes and multi-use paths addressed in this plan should be included in the program. | This objective is focused on an equitable approach to ensuring affected landowners and future development contribute fair-share costs for services and infrastructure improvements. | **Potentially Consistent.** Buildout of the DRSP would include coordination with adjacent land owners to the north along the privately maintained Cherokee Place that forms long stretches of the northern boundary of the Specific Plan Area. Cooperative agreements requiring payment of fair-share contributions for immediately adjacent transportation improvements could be one of several potential financing mechanisms for the DRSP (see DRSP Chapter 8). |
| **Nipomo Community Plan** | | | |
| *Land Use Programs* | | | |
| 4. | **Pathway Plan**. Work with the community to prepare a plan for pedestrian circulation through the urban area. The plan should identify locations of walking and riding paths connecting neighborhoods to shopping areas, parks and schools. Linear parkways should be studied as one method of providing alternate pedestrian routes within public parks. | The intent of this program is to support development of an interconnected system of bicycle, pedestrian, and equestrian pathways that connect varied land uses. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities |

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| *Circulation Programs* | | |
| 1. **Tefft Street and Thompson Road Improvements.** The Public Works and Planning Departments should develop a landscaping and sidewalk improvement plan for Thompson Road and Tefft Street, including considering landscaped center medians along Tefft Street, using low water-consuming plantings of ground cover, shrubs and street trees. This project should be implemented with any major street improvement or widening and upon the assumption of maintenance responsibility by the County or another association or agency such as the Nipomo Community Services District. | This program is focused on leveraging identified transportation improvements to meet multiple goals, such as an improved pedestrian circulation system and water conservation. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for identified off-site transportation improvements at the Tefft Street/US 101 interchange and North Frontage Road. existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| 3. **Street Improvements.** The Public Works Department should work with property owners to establish one or more improvement districts to install adequate street improvements including curbs, gutters and sidewalks, multi-use paths, street lighting and landscaping according to available design options. | The intent of this policy is to establish a funding mechanism to support design and construction of street improvements, including associated pedestrian, bicycle, equestrian systems, and, where appropriate, separated multi-use pathways. | **Potentially Consistent.** Buildout of the DRSP would require adoption of a Development Agreement stipulating that backbone roadway infrastructure would be part of the first phase of development and that all prospective developers construct and/or provide fair-share contributions for implementation of remaining on- and off-site transportation improvements. |
| ***SLOCOG 2019 Regional Transportation Plan (RTP)*** | | |
| **Goal 1.** Preserve the transportation system | | |
| **Policy Objective 1.1.** Maintain and maximize efficiency of existing transportation system and operations. | Maintenance of the transportation system improves its efficiency and supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for identified on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| **Policy Objective 1.2.** Employ low-cost solutions whenever possible, including transportation demand management principles. | Coordinated land use and transportation planning, including development of effective TDM strategies, supports transit-oriented, mixed-use developments, and regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for needed on- and off-site transportation improvements. It would also include public transit elements in the site design, such as a Park and Ride lots with secure bicycle parking/repair infrastructure, to promote carpooling/rideshare and other countywide circulation options as part of concerted and increasingly integrated efforts to implement effective TDM strategies (see Mitigation Measures TR/mm-2 and GHG/mm-1.1). |

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| **Policy Objective 1.3.** Preserve the region's transportation system to a state of good repair. | Maintenance of the transportation system improves its efficiency and supports regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for needed transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| **Goal 2.** Improve intermodal mobility and accessibility for all people | | |
| **Policy Objective 2.1.** Provide reliable, integrated, and flexible travel choices across and between modes. | Development of interconnected pedestrian, bicycle, and transit facilities support regional efforts to reduce VMT, and ultimately GHG, criteria air pollutant, and PM emissions. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops and the proposed Park and Ride lot along Collector A. |
| **Policy Objective 2.2.** Improve opportunities for businesses and citizens to easily access goods, jobs, services, and housing. | Mixed-use developments support regional efforts to reduce VMT, and ultimately GHG, criteria air pollutant, and PM emissions, by locating goods, jobs, services, and housing in close proximity to pedestrian, bicycle, and transit-supportive facilities. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops, the proposed Park and Ride lot along Collector A, and the commercial and employment center on the east portion of Specific Plan Area. |
| **Policy Objective 2.3**. Integrate new technologies and concepts to make the transportation system more efficient and accessible. | Efforts to increase the efficiency of the transportation network support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP includes development of a parallel route to US 101 (Collector A), which has been identified by the County and Caltrans as a means for relieving traffic congestion. |
| **Policy Objective 2.4.** Identify and improve major transportation corridors for all users. | Efforts to increase the efficiency of the transportation network support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP includes development of a parallel route to US 101 (Collector A), which has been identified by the County and Caltrans as a means for relieving traffic congestion. |
| **Policy Objective 2.5.** Support cooperative planning activities that lead to an integrated multimodal transportation system. | Coordinated land use and transportation planning, including development of effective TDM strategies, support mixed-use developments and regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP includes a variety of pedestrian, bicycle, and equestrian facilities and connects these systems to public transit stops, the proposed Park and Ride lot along Collector A, and the commercial and employment center on the east portion of Specific Plan Area. |
| **Policy Objective 3.1.** Support transportation investments and choices to enhance economic activity, travel, and tourism. | Efforts to increase the efficiency of the transportation network support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP includes development of a parallel route to US 101 (Collector A), which has been identified by the County and Caltrans as a means for relieving traffic congestion. Development of an interconnected system of pedestrian, bicycle, equestrian, and transit-supportive facilities support efforts to enhance the local economy. |

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| **Policy Objective 3.2.** Improve the freight network and strengthen the region's ability to access national and international trade markets. | Efforts to increase the efficiency of the transportation network support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP includes development of a parallel route to US 101 (Collector A), which has been identified by the County and Caltrans as a means for relieving traffic congestion along this important freight transportation corridor. |
| **Goal 4.** Improve public safety and security. | | |
| **Policy Objective 4.1.** Reduce fatalities, serious injuries, and collisions for motorized and non-motorized users. | This policy is focused on user safety for all modes of transportation. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from road, such as Class I and Class IV bicycle paths. |
| **Policy Objective 4.2.** Reduce congestion and increase safety by improving operations. | This policy is focused on the development of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit with an emphasis on user safety. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from roads, such as Class I and Class IV bicycle paths. |
| **Policy Objective 4.3.** Enhance public safety and security in all modes of transportation. | This policy is focused on the development of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit with an emphasis on user safety. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from roads, such as Class I and Class IV bicycle paths. |
| **Goal 5.** Foster livable, healthy communities and promote social equity | | |
| **Policy Objective 5.1.** Reflect community values while integrating land use and transportation planning to connect communities through a variety of transportation choices that promote healthy lifestyles. | This policy is focused on the development of an efficient and highly functional circulation network for pedestrians, bicycles, equestrians, automobiles, and public transit with an emphasis on user safety. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from roads, such as Class I and Class IV bicycle paths. |
| **Policy Objective 5.2.** Integrate public health and social equity in transportation planning and decision-making. | This policy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting a circulation system that meets the needs of all users for a range of trip purposes, including recreation. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities, some with visual or physical separation from roads, such as Class I and Class IV bicycle paths. |

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| **Policy Objective 5.3.** Support efforts to increase the supply and variety of housing, jobs, and basic services in locations that reduce trips, travel distances, and congestion on US 101. | This policy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting mixed-use land development. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| **Policy Objective 5.4.** Make investments and develop programs that support local land use decisions that implement the SCS and other strategies to reduce GHG emissions and make our communities more healthy, livable, sustainable, and mobile. | This policy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting compact mixed-use developments. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for identified on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| **Goal 7.** Practice financial stewardship | | |
| **Policy Objective 7.1.** Invest strategically to optimize transportation system performance for the long-term. | Efforts to increase the efficiency of the transportation network support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for identified on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| **Policy Objective 7.2.** Assure early and continual involvement of all parties affected by major transportation improvement projects and programs. | Efforts to increase the efficiency of the transportation network support regional efforts to reduce VMT. | **Potentially Consistent.** The DRSP has been developed with input from various governmental agencies and includes transportation infrastructure (California Government Code Sections 65450–65457). |
| **Policy Objective 7.3.** Seek sustainable, flexible, and competitive funding to maintain and improve the transportation system. | Efforts to increase the efficiency of the transportation network support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer, including fair-share contributions, for identified on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| **Sustainable Communities Strategy** | | |
| *Community Planning and Development Standards* | | |
| 1. Coordinate with local jurisdictions in general land use and circulation planning, traffic assessment, impact mitigation, and specific project development, where appropriate. (Ongoing) | This standard is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on | **Potentially Consistent**. The DRSP has been developed with input from various governmental agencies and has employed smart growth, transit-oriented development principles for site planning and infrastructure. |

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| | development of mixed-use communities. | |
| 2. Support the update and modification of zoning and development standards in downtowns and villages to consider or support (Near):<br>• Mixed-use, infill, and residential development,<br>• Reduced vehicle parking requirements,<br>• Increased bicycle parking requirements,<br>• Intensification of land use, and<br>• Modification of setbacks, building height, and size limitations. | This standard is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities with transportation demand strategies. | **Potentially Consistent**. The DRSP has been developed with input from various governmental agencies and has employed smart growth, transit-oriented development principles for site planning and infrastructure. |
| *Infill Development and Location Efficiency* | | |
| 8. Support mixed-use and infill development near existing transit services and activity centers. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 9. Assign a high priority to funding improvements that address existing deficiencies to the roadway system in existing developed areas that are subject to intensification. (Ongoing) | Efforts to increase the efficiency of the transportation network support regional efforts to reduce VMT. | **Potentially Consistent.** Buildout of the DRSP would require the payment of development fees by each prospective developer including fair-share contributions for identified on- and off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| 11. Support the reduction of parking requirements along existing and emerging transit corridors. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |

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| *Healthy, Livable Communities* | | |
| 12. Promote healthy and livable communities and human-scale development that promotes biking and walking. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 13. Coordinate with local jurisdictions to ensure best practices of incorporating healthy community design in land use, circulation, and health elements of agency general plans. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 14. Coordinate with public health staff to share best practices of incorporating healthy community design into policy and planning documents. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 15. As part of agency review and comment on specific plans and significant development projects, encourage healthy and livable community design concepts, and incorporation of multimodal transportation options. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |

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| *Land Use Transportation Connection* | | |
| 18. Support local jurisdictions' efforts to direct new and future development to existing downtowns, villages, and commercial corridors. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 19. Support local jurisdictions' efforts to improve connectivity between adjacent land uses. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Reduce Vehicle Trips and VMT* | | |
| 20. Support expanded transit service and increased frequency of transit service within and between communities to reduce vehicle trips and vehicle miles of travel. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 21. Support local jurisdictions' efforts to improve active transportation infrastructure to replace some short vehicle trips with bike and walk trips. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 22. Support the addition of peak-hour express transit trips to reduce vehicle congestion on major highways, and other primary transportation corridors. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and |

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| | coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Parking and Parking Demand Management* | | |
| 24. Support ordinances that reduce required parking and parking reduction strategies that reduce the quantity of off-street parking in downtown and village areas over time. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 25. Support local jurisdictions' policies that encourage a "park-once" philosophy in downtown and village areas. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| 28. Support roadway corridor plans in downtown and village areas that investigate how to best use existing roadway width relative to traffic demands to assess options of reducing travel lanes and providing additional on-street parking and enhanced pedestrian and bicycle facilities, additional public space, and aesthetic streetscape improvements. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area is located adjacent to the URL in an area planned for growth, including expansion of transit service. Collector A would be designed to include transit stops, a Park and Ride lot, commercial uses, and the higher-density residential developments. Proximate land uses include the local high school and elementary school, the Tefft Street commercial corridor, the public library, and Nipomo Regional Park. |
| *Complete Streets and Multi-Modal Transportation Options* | | |
| 29. Support local jurisdictions' incorporation of complete streets policies as part of periodic circulation element updates. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |

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| | systems, coupled with transportation demand strategies. | |
| 30. Encourage local jurisdictions to establish and maintain a mix of transit, bicycle, and pedestrian access choices. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| 31. Support the incorporation of design features and infrastructure in new projects that support active transportation and transit users. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| *Resource Protection* | | |
| 38. Work with federal, state, and local agencies and other stakeholders to identify priority areas for protection; enhancement of sensitive resources; carbon sequestration opportunities; and/or provide mitigation banking opportunities/funds for mitigating adverse impacts to the environment associated with transportation improvements. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards and would avoid identified on-site sensitive resources such as the oak trees as well as any resources at off-site locations for infrastructure improvements. |
| 39. Set aside a percentage of highway funding to establish an environmental/transportation enhancement program. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. Development of the Specific Plan Area does not preclude use of fees collected as part of the phased development from land use and transportation planning efforts for future local and regional transportation or other capital improvement projects. |

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| *Context Sensitivity* | | |
| 40. Advocate for Caltrans, local jurisdictions, and transportation designers to develop transportation facilities and amenities that fit within the unique character of the community, providing landscaped medians and walkways along major multi-lane arterial highways, streets, and roadways. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** Development of the Specific Plan Area does not preclude use of fees collected as part of the phased development from land use and transportation planning efforts for future improvements to the US 101 and Willow Road and Tefft Street interchanges, pedestrian and bicycle facility crossings, and the proposed DRSP site frontage for the commercial components of the urban village. |
| *Regional Modeling Tools and Analysis* | | |
| 43. Support local jurisdictions' use of regional modeling and analysis tools to compare multiple land use and transportation scenarios when updating land use and circulation elements. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area has been identified in previous planning documents and modeled under a variety of land uses and transportation scenarios to future years. The current process defines a buildout scenario for the proposed land uses and infrastructure consistent with requirements under California Government Code Section 65450 through 65457 and does not preclude use of the information for regional land use and transportation modeling efforts as part of future updates to the County's LUCE or the 2023 RTP update. |
| 44. Use regional modeling tools to quantify the return on investment for intensification along existing commercial corridors and emerging transit corridors. (Near) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** The Specific Plan Area has been identified in previous planning documents and modeled under a variety of land uses and transportation scenarios to future years. The current process defines a buildout scenario for the proposed land uses and infrastructure consistent with requirements under California Government Code Section 65450 through 65457 and does not preclude use of the information for land use and transportation planning efforts as part of future local and regional transportation or other capital improvement plans. |
| *Funding Mechanisms* | | |
| 45. Support modifications in existing mechanisms for financing transportation improvements that will support long-term sustainable land use and transportation development. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** Improvements would require the payment of development fees by each prospective developer, including fair-share contributions, for needed off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |

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| 46. Prioritize funding toward existing communities to improve the effectiveness of public investments; and support community revitalization through such strategies as encouraging redevelopment and mixed-use development along existing corridors and emerging transit corridors. (Ongoing) | This strategy is focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of mixed-use communities and multimodal transportation systems, coupled with transportation demand strategies. | **Potentially Consistent.** Improvements would require the payment of development fees by each prospective developer, including fair-share contributions, for needed off-site transportation improvements. Additionally, existing Road Improvement Fee Ordinance No. 2379 (1988) allows the County to collect fees to fund road construction projects that are needed to mitigate cumulative traffic impacts. |
| ***County of San Luis Obispo Inland Land Use Ordinance (Title 22)*** | | |
| **22.98.072(H)(a) Road Right of Way:** Provide a dedication of land for road right-of-way between 15 and 30 feet for the construction of a separate pathway, as determined to be feasible by the County Public Works Department, utilizing the Circulation Element and the County Parks and Recreation Element. Properties affected by this standard may use gross acreage in calculating the allowable density. | Adherence to this standard promotes development of separated paths of travel in support of improved safety for pedestrians and bicyclists. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| **22.98.072(H)(b) Curvilinear:** Road alignments shall respond to natural land forms, be slightly curvilinear and provide alternate routes of travel. Straight roads are not encouraged. | Adherence to this standard reduces speed of travel in support of improved safety for pedestrians and bicyclists. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards to include interconnected pedestrian and bicycle facilities that also connect with public transit. |
| ***County Bikeways Plan (2016)*** | | |
| **Goal 1: Accommodate increased bicycle usage for a mode split of 20% by 2035** by removing barriers that discourage bicycling and developing facilities that encourage bicycle use. | This goal and its underlying policies are focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of countywide and local bicycle infrastructure. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from roads, such as Class I and Class IV bicycle paths. Development in the Specific Plan Area would also contribute to the extension of the Class II bike lane along North Thompson Avenue through payment of Public Facilities Fees. It would be consistent with this goal and applicable implementing policies. |
| **Goal 2: Provide a safer bicycling environment** toward zero deaths through engineering, education and enforcement programs consistent with the Strategic Highway Safety Plan. | This goal is focused on maintaining improving bicycle safety on county roadways as growth continues. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from roads, such as Class I and Class IV bicycle paths. Development in the Specific Plan Area would also contribute to the extension of the Class II bike lane along North Thompson Avenue through payment of Public Facilities Fees. It |

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| | | would be consistent with this goal and applicable implementing policies. |
| **Goal 3: Complete the top 20 projects in the bike plan** by 2035 by developing funding strategies to increase the number of bikeways and bicycle facilities. | This goal and its underlying policies are focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of countywide and local bicycle infrastructure. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from roads, such as Class I and Class IV bicycle paths. Development in the Specific Plan Area would also contribute to the extension of the Class II bike lane along North Thompson Avenue through payment of Public Facilities Fees. It would be consistent with this goal and applicable implementing policies. |
| **Goal 4: Collaborate with City and Regional agencies to coordinate the planning and design of County Bikeways** to support a regional bicycle network. | This goal and its underlying policies are focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of countywide and local bicycle infrastructure. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from roads, such as Class I and Class IV bicycle paths. Development in the Specific Plan Area would also contribute to the extension of the Class II bike lane along North Thompson Avenue through payment of Public Facilities Fees. It would be consistent with this goal and applicable implementing policies. |
| **Goal 5: Recommend a strong presence of multi-modal coordination** within and between San Luis Obispo County, SLOCOG, cities, and other providers. | This goal and its underlying policies are focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of countywide and local bicycle infrastructure. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from roads, such as Class I and Class IV bicycle paths. Development in the Specific Plan Area would also contribute to the extension of the Class II bike lane along North Thompson Avenue through payment of Public Facilities Fees. It would be consistent with this goal and applicable implementing policies. |
| **Goal 6: Plan for bike facilities as part of all projects** within the unincorporated areas of San Luis Obispo County roads and in compliance with Complete Streets requirements and the Bike Plan. | This goal and its underlying policies are focused on reducing VMT, and ultimately GHG, criteria air pollutant, PM, and TAC emissions by promoting coordinated planning efforts that focus on development of countywide and local bicycle infrastructure. | **Potentially Consistent.** The DRSP backbone roadway infrastructure would be designed and constructed in accordance with County Public Improvement Standards. It would include a mix of interconnected pedestrian, bicycle, and equestrian facilities with visual or physical separation from roads, such as Class I and Class IV bicycle paths. Development in the Specific Plan Area would also contribute to the extension of the Class II bike lane along North Thompson Avenue through payment of Public Facilities Fees. It would be consistent with this goal and applicable implementing policies. |

## 4.17.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, a project would be considered to have a significant effect on transportation if the effects exceed the significance criteria described below:

a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

b. 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.

Each of these thresholds is discussed under Section 4.17.5, *Project-Specific Impacts and Mitigation Measures*, below.

Under County Board of Supervisors-adopted policy, the County still requires evaluation of LOS and site access management to guide local circulation system planning and recommended conditions of approval for development projects. Although not used as a metric to identify a significant impact under CEQA, the LOS analysis is used to determine project consistency with the County's LUCE, which specifies minimum LOS standards for streets and intersections within the County. LOS is a qualitative description of traffic flow based on such factors as speed, travel time, delay, and freedom to maneuver. Six levels are defined, from LOS A, with the best operating conditions, to LOS F, with the worst operating conditions. The County has adopted LOS C as the minimum standard for rural roadway operations and LOS D or better on roadways in urban areas. The LOS analysis is considered outside of the CEQA process and is not used as a metric to determine the significance of an impact.

## 4.17.4 Impact Assessment and Methodology

For purposes of this section, the project site includes the Specific Plan Area and any off-site areas where project-related transportation improvements would occur. The proposed circulation system and off-site transportation improvements are evaluated to determine whether phased development of the DRSP would conflict with a program, plan, ordinance, or policy related to the circulation system; create or increase hazards due to geometric design or incompatible uses; and/or result in inadequate emergency access.

As discussed in EIR Chapter 2, *Project Description*, approximately 22 acres of the Specific Plan Area would be dedicated to primary roadways. The proposed roadway system is shown in Figures 2-15 and 2-16 in Chapter 2, *Project Description*. The primary roadways are Collectors A, B, and C and Local Road D. Typical cross-sections of primary collector and local neighborhood streets are shown in Figures 2-13 and 2-14 in Chapter 2, *Project Description*. The primary roadways and associated infrastructure would be constructed as "Complete Streets" pursuant to the County's Public Improvements Standards (2019).[4]

[4] The Specific Plan Area includes site design features intended to create a connected community by establishing a network of pedestrian, bicycle, and equestrian trails. For example, consistent with County Public Improvement Standard A-2d, 5- to 6-foot detached sidewalks would be constructed along with Collectors A, B, and C and Local Road D. Eight-foot-wide Class II bike lanes would also be constructed with Collectors A, B, and C and would connect to the existing Class II bike lanes on Willow and Pomeroy Roads. The proposed multi-use trails—two east–west trails and two north–south trails—would connect to Pomeroy Road, Hetrick Avenue, and Cory Way north of Sandydale Drive. In addition to the sidewalks and multi-use trails, a network of proposed pedestrian trails would provide access within and between neighborhoods and connect to the public recreation facilities. It is important to note, however, that the final design of each road section is subject to change based on the County Public Works Department's review of public improvement plans, which occurs after approval of the tentative tract map.

The primary roadways would connect the local neighborhood roads to existing County roads, such as Willow and Pomeroy Roads, and act as a continuation of County-maintained roadways.

Construction of the backbone road infrastructure would allow for the phased development of the Specific Plan Area's proposed land uses as follows:

- Phase 1 (611 residential units, plus an additional 75 [minimum] affordable housing units)
  - Neighborhoods 1, 2, 3, 5, 10
  - Village and flexible commercial uses (113,000 square feet)
  - Hotel use (60,00 square feet, 110 rooms)
  - Education facility (30,000 square feet)
- Phase 2 (417 more residential units)
  - Neighborhoods 7, 8, and 9
- Phase 3 (186 more residential units)
  - Neighborhoods 4 and 6

There are two project entries (Collectors A and B) planned along Willow Road between Hetrick Avenue and the Willow Road/US 101 ramps, and two project entries from the south (Collectors A and B) planned at North Frontage Road and along Pomeroy Road between Calimex Place and Sandydale Drive. For coordinated buildout of the proposed land uses, public infrastructure, public services, and community amenities the project would include the following off-site transportation-related improvements (see Figure 2-4 in Chapter 2, *Project Description*):

- An extension of North Frontage Road at the southeast corner of the Specific Plan Area from Sandydale Drive to Willow Road. This improvement would be completed as a part of the project, providing site access from two of the four project entries. This improvement must be completed as part of the first phase of development and prior to certificate of occupancy for the residential uses (i.e., Neighborhoods 1, 2, 3, 5, and 10) and the village commercial, flex commercial, hotel, and educational uses. Left-turn lanes would also be provided at intersections along Collector A.
- Widening of Willow Road and signalization at the Willow Road/Collector A intersection within existing ROW areas. This improvement must be completed as part of the first phase of development and prior to certificate of occupancy for the residential uses (i.e., Neighborhoods 1, 2, 3, 5, and 10) and the village commercial, flex commercial, and educational uses.
- Restriping and one-way stop-control at the Willow Road/Collector B intersection within existing ROW areas. This improvement must be completed as part of the second phase of development and prior to certificate of occupancy for the residential uses (i.e., Neighborhoods 7, 8, and 9).
- Improvements/paving at the Cherokee Place/Collectors A and B intersections. These improvements must be completed as part of the first and second phases of development, respectively, and prior to certificate of occupancy for the residential uses (i.e., Neighborhoods 1, 2, 3, 5, and 10 and Neighborhoods 7, 8, and 9, respectively). Although the road will not provide the fastest or most convenient route to most destinations, a small amount of project traffic may use the route to access neighborhoods off Hetrick Avenue. Road maintenance concerns would be addressed through a private road maintenance agreement entered into by owners of the access road easement or adjacent parcel owners. This requirement would be included in the Development Agreement.
- Removal/closure of the privately maintained Hetrick Avenue access from Pomeroy Road and provision of a new access to Hetrick Avenue from Collector B. This improvement must be

completed as part of the second phase of development and prior to certificate of occupancy for the residential uses (i.e., Neighborhoods 7, 8, and 9).

- Restriping and one-way stop control at the Pomeroy Road/Collector B intersection within existing ROW areas. This improvement must be completed as part of the second phase of development and prior to certificate of occupancy for the residential uses (i.e., Neighborhoods 7, 8, and 9).
- Emergency access at Hetrick Avenue and Cory Way.

For additional details, including intersection and roundabout locations and designs, emergency access, and the off-site transportation improvements at Willow, North Frontage, and Pomeroy Roads and Hetrick Avenue, see Chapter 2, *Project Description*.

## 4.17.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT CONFLICT WITH A PROGRAM, PLAN, ORDINANCE, OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT, ROADWAY, BICYCLE, AND PEDESTRIAN FACILITIES?

### Specific Plan Area

#### *TR Impact 1: Phased implementation of the Specific Plan Area could conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant (Class III).*

PLAN, PROGRAM, AND POLICY CONSISTENCY

Planning documents applicable to the Specific Plan Area, including those with transportation improvements in and around Nipomo, are the 2019 RTP, 2014 US 101 Transportation Concept Report, South County Circulation Study, Nipomo Community Plan, County's LUCE and Parks and Recreation Element, and County's Bikeways Plan. The DRSP does not propose incompatible land uses that would interfere or obviously conflict with applicable plans, programs, or policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities. The proposed characteristics of buildout of the Specific Plan Area would be consistent with the County's Framework for Planning (Inland) and with the projected level of growth and development identified in the 2019 RTP.

The 2014 US 101 Transportation Concept Report supports West Tefft Street/US 101 interchange improvements, parallel routes, enhanced transit, transportation demand management (TDM) strategies, and transportation system management (TSM) strategies in the project vicinity. The following planned transportation improvements identified in the South County Circulation Study would be constructed as part of the phased development of the Specific Plan Area:

- extension of North Frontage Road north from Sandydale Drive along the east edge of an off-site parcel adjacent to the southeast corner of the Specific Plan Area to Willow Road;
- installation of a coordinated traffic signal at Willow Road/US 101 SB Ramps with protective/permissive phasing on the westbound Willow Road approach; and
- installation of a coordinated traffic signal at Willow Road/US 101 NB Ramps with protective/permissive phasing on the eastbound Willow Road approach.

Consistent with these traffic reports, the phased development of the Specific Plan Area would provide pedestrian and bicycle facilities, construct a parallel route to US 101 relieving congestion on US 101 and

West Tefft Street (i.e., the North Frontage Road extension to Willow Road), and contribute fair-share impact fees to support future infrastructure improvements. The Specific Plan Area neighborhoods have also been designed to include pedestrian linkages with adjacent residential neighborhoods (e.g., the emergency access points along the west and south at Hetrick Avenue and Cory Way, respectively) and also from the interior to the proposed commercial businesses along the eastern portion of the Specific Plan Area. Consistent with the County's Public Improvements Standards, the Specific Plan Area's primary roadways would be developed as "Complete Streets" with associated bicycle and pedestrian facilities connecting to Nipomo Regional Park, Dana Elementary, and Nipomo High School via existing pedestrian and bicycle facilities on Willow and Pomeroy Roads, Juniper and West Tefft Streets, and North Thompson Avenue. See Figure 2-10 in Chapter 2, *Project Description*. Consistent with the County's Bikeways Plan, the northerly extension of North Frontage Road from Sandydale Drive to Willow Road would include an associated Class IV bicycle facility to connect with the existing Class III bikeway on South Frontage Road south of the Specific Plan Area between West Tefft Street and Grand Avenue. In addition, development in the Specific Plan Area would contribute to the extension of the Class II bike lane along North Thompson Avenue.

Consistent with the US 101 Transportation Concept Report, 2019 RTP, and South Circulation Study, the Specific Plan Area would include a Park and Ride lot and transit stops and facilitate the extension of transit service into the site along with maintenance of the existing bus stop located along North Thompson Avenue.

Cumulative impacts will be addressed through the payment of the adopted South County Traffic Impact Fee based on the latest adopted Fee Area 1 schedule and the number of net new weekday PM peak hour trips as estimated based on the trip generation letter. Applicant payments to the South County Traffic Impact Fee program for Fee Area 1 and compliance with existing public improvements standards, County ordinances, and applicable regulations would ensure that Specific Plan Area buildout would be developed consistent with applicable programs, plans, ordinances, or policies. Therefore, Specific Plan Area impacts related to consistency with a program, ordinance, or policy related to transportation would be *less than significant* and no mitigation measures are necessary.

| **TR Impact 1 (Class III)** |
|---|
| Phased implementation of the Specific Plan Area could conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

## Off-Site Improvements

### *TR Impact 2: Off-site improvements could conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant (Class III).*

Although not within the Specific Plan Area, the project would require project-related disturbances and/or improvements at additional off-site areas to facilitate the proposed development within the Specific Plan

Area. Off-site project areas include locations where necessary transportation-, water-, and wastewater-related improvements would be necessary to serve the project.

## OFF-SITE TRANSPORTATION IMPROVEMENTS

Proposed off-site transportation improvements identified above (see Figure 2-4 in Chapter 2, *Project Description*) would be implemented as part of the DRSP's phased development. Additionally, other off-site transportation improvements, such as the US 101/Willow Road interchange improvements, would be consistent with the 2019 RTP, 2015 South County Circulation Study, and 2014 US 101 Transportation Concept Report and would be constructed and/or funded by the applicant and/or prospective future developers through payment of fair-share contributions for future implementation.

## OFF-SITE NCSD IMPROVEMENT AREAS

The exact location of proposed off-site NCSD water and wastewater system improvements is currently not known; however, proposed water system improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue and East Tefft Street and proposed wastewater system improvements are anticipated to occur along North Frontage Road (see Figures 2-5 and 2-6 in Chapter 2, *Project Description*). The off-site water and wastewater infrastructure improvements are necessary for buildout of the Specific Plan Area and would be consistent with the SLOLAFCO procedures for annexation. Furthermore, construction of these off-site infrastructure improvements would comply with minimum design standards and construction specifications identified in the County's Public Improvement Standards.

In conclusion, the construction and operation of off-site infrastructure necessary for buildout of the Specific Plan Area would be consistent with applicable regional and local programs, ordinances, and policies, and impacts would be *less than significan*t. No mitigation measures are necessary.

| **TR Impact 2 (Class III)** |
|---|
| Off-site improvements could conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

## WOULD THE PROJECT CONFLICT OR BE INCONSISTENT WITH CEQA GUIDELINES SECTION 15064.3, SUBDIVISION (B)?

### Specific Plan Area

#### *TR Impact 3: Buildout of the Specific Plan Area would exceed the County VMT thresholds and therefore would not be consistent with State CEQA Guidelines Section 15064.3(b). VMT per employee would be incrementally reduced compared to existing conditions; however, the project-related increase in residential VMT per capita and overall VMT would exceed the County VMT thresholds. Impacts would be significant and unavoidable (Class I).*

The County's Transportation Impact Analysis Guidelines (October 2020) provide the following thresholds of significance for VMT impacts:

- Residential Projects: 27.2 VMT per capita
- Work Projects: 25.7 VMT per employee
- Retail and other projects: no net increase in overall VMT

The County designed an estimation tool to calculate potential changes in VMT from a proposed development, based on the SLOCOG Regional Travel Demand Model. The County's SB 743 Thresholds of Significance and Sketch VMT tool for determining potential increases in VMT makes use of the suggested screening thresholds outlined in the OPR Technical Advisory (December 2018). These include screening thresholds for small projects, office and residential projects, projects near transit stations, and affordable residential development projects among others. The OPR Technical Advisory discusses various commercial developments and states that typically retail development "redistributes shopping trips rather than creating new trips," so the best way to analyze the impacts of these types of projects is by estimating the total change in VMT. The technical advisory also states that when proposed retail development decreases VMT, "lead agencies should consider the impact to be less than significant."

The TIS concluded that the project would generate 17,892 net new weekday daily vehicle trips, including 1,156 net new weekday AM peak hour trips, 1,379 net new weekday PM peak hour trips, and 12,930 net new Sunday vehicle trips. Although buildout of the Specific Plan Area would include an affordable housing component, the Specific Plan Area is not in a pre-screened, low VMT area for residential development; Specific Plan Area buildout is estimated to generate more than 110 daily vehicle trips; and the Specific Plan Area is located more than 0.5 mile from SLORTA Routes 10 and 10 Express (the closest stops are located at North Thompson Avenue/East Branch Street, North Thompson Avenue/Titan Way near Nipomo High School, and West Tefft Street/Carillo Street east of the West Tefft Street/US 101 interchange). Buildout of the Specific Plan Area is therefore not able to be screened out as having less-than-significant impacts on VMT. Therefore, using the County's SB 743 Sketch VMT tool, the TIS evaluated VMT impacts of the buildout of the Specific Plan Area against a threshold of 15% below the regional average, consistent with state guidance.

The project's potential impacts to VMT were evaluated under three scenarios (residential only, mixed use as proposed, and no residential). The additional scenarios were evaluated to determine if specific components of the project would have different VMT impacts. The VMT analysis concluded that the project would increase regional VMT under all scenarios. As shown in Table 4.17-2, the existing VMT per employee and residential VMT per capita currently exceed the County's VMT thresholds without the addition of project traffic (4.8% and 8.7% above the VMT thresholds, respectively). The project as proposed would generate 26.9 VMT per employee and 30.0 residential VMT per capita, which are 4.8% and 9.5% above the threshold, respectively. The overall VMT for the project as proposed would increase

by 26,861 miles, which exceeds the threshold for retail project components (i.e., no net increase in overall VMT). The residential-only scenario generates more residential VMT per capita than the project as proposed and results in longer trip lengths. The mix of residential, commercial, and other land uses under the proposed project would incrementally lower the VMT per employee when compared to existing conditions. The addition of the proposed mix of uses would also lower residential VMT per capita and overall VMT when compared to the residential-only scenario.

**Table 4.17-2. San Luis Obispo County SB 743 Sketch VMT Tool Summary**

| Scenario | Overall VMT | Miles per Trip | VMT per Employee | Residential VMT per Capita |
|---|---|---|---|---|
| *Threshold* | *N/A* | *N/A* | *25.7* | *27.2* |
| *Current* | *9,812,738* | *11.26* | ***27.0*** | ***29.8*** |
| Residential Only | | | | **30.1** |
| Mixed Use (as proposed) | 9,839,599 | 11.21 | **26.9** | **30.0** |
| Mixed Use (No Residential) | 9,842,931 | 11.21 | **26.9** | |

Source: CCTC, July 2021 (Table 14); County of SLO Quick Response Tool Version 6.6.

Note: **Bold** indicates higher than threshold.

The VMT analysis concluded that the project's estimated VMT per Employee and residential VMT per capita are higher than the regional averages and that the project would generate an increase in regional VMT. Thus, buildout of the Specific Plan Area would exceed County VMT Thresholds of Significance and result in a significant impact. Therefore, VMT reduction strategies developed by the California Air Pollution Control Officers Association (CAPCOA) were applied to determine the maximum potential VMT reduction allowed for suburban land uses—11.9% as shown below in Table 14.17-3.

The effectiveness of the plan area's neighborhood and site design features in reducing VMT to the extent needed is not certain. Each phase of development would therefore generate VMT per employee and residential VMT per capita that would exceed County VMT thresholds (i.e., 15% below regional averages). At buildout, the project would result in an overall increase in regional VMT and would result in a significant and unavoidable impact to VMT. Implementation of additional VMT reduction strategies would be required on a project-by-project basis as the Specific Plan Area is built out.

**Table 4.17-3. California Air Pollution Control Officers Association VMT Reductions**

| Strategy | VMT Reduction[1] | Notes |
|---|---|---|
| ***Land Use/Location VMT Reduction Strategies*** | | |
| LUT-4: Increase Destination Accessibility | 1.7% | Reductions for distance to downtown job center |
| LUT-6: Integrate Affordable & Below Market Rate Housing | 0.2% | Reduction for percentage of low-income housing |
| LUT-8: Locate Project near Bike Path/Bike Lane | 0.625% | Reduction for bike path/lane |
| LUT-9: Improve Design of Development | 25.0% | Reduction for intersections per square mile |
| *Subtotal (Land Use/Location) Reductions* | *10.0%*[2] | |
| ***Neighborhood/Site Design VMT Reduction Strategies*** | | |
| SDT-1: Provide Pedestrian Network Improvements | 1.0% | Reduction for pedestrian network within urban/suburban project site. |

| Strategy | VMT Reduction[1] | Notes |
|---|---|---|
| SDT-5: Incorporate Bike Lane Street Design (on-site) | 0.9% | Reduction for each mile of bikeway per 100,000 residents |
| *Subtotal (Neighborhood/Site Design) Reductions* | *1.9%* | |
| **TOTAL VMT REDUCTIONS** | **11.9%** | |

Source: CCTC (2021); Table 15, CAPCOA (2010)

[1] Parking Policy/Pricing, Commute Trip Reduction, and Transit System Improvement Management Strategies not included.

[2] Max Reduction for Suburban Land Use/Location Strategies (LUT-2)

Mitigation has been identified that requires each future development project to implement additional feasible TDM strategies to reduce project-specific VMT impacts. Potential measures to reduce VMT include, but are not limited to:

- Improve or increase access to transit;
- Increase access to common goods and services;
- Incorporate affordable housing into the project;
- Orient the project towards transit, bicycle, and pedestrian facilities;
- Improve bicycle and/or pedestrian facilities and/or transit services;
- Limit or eliminate parking supply;
- Implement or provide access to commute reduction programs;
- Provide car-, bike-, and ride-sharing programs;
- Provide transit passes; and
- Provide on-site amenities at places of work.

This project site has been identified in County planning documents as an area for allocating future growth in the southern portion of the county because of its adjacency to the unincorporated community of Nipomo (the immediately adjacent urbanized area) and the Nipomo URL. As noted, the first phase of development would include multi-family residential development (Neighborhoods 1, 2, 3, and 5), affordable housing (Neighborhood 10), commercial development (village commercial and flexible commercial), and a hotel and educational facility. Future development phases would include additional single-family residential development, a childcare center, a park, and extensions of the pedestrian and bicycle facilities to the larger network in Nipomo.

The conceptual design for buildout of the Specific Plan Area incorporates many of the land use mix, location, and neighborhood/site design VMT reduction strategies with benefits for internal trip capture quantified through trip credits. That is, the commercial uses would be located within walking distance to nearby residential development, thereby reducing VMT by replacement with walking and bicycle trips. Development of the proposed local-serving retail uses could shorten the average length of vehicle trips and therefore reduce VMT. For example, commercial uses could provide products and services that residents of the Specific Plan Area and Nipomo would have to drive to Santa Maria (9 miles) to the south or Arroyo Grande (7 miles) to the north to obtain.

Additionally, the design of Collectors A and C would accommodate future transit stops within the proposed ROWs in the Village Commercial area along Collector A just west of the roundabout and at the Park and Ride location along Collector A just south of Willow Road. South County Transit is expected to provide service with stops at the designated locations. Because public transit stops would be included in the Specific Plan Area to encourage transit use by future residents, employees, and visitors, the most

effective TDM measures would be those related to reducing the cost of transit through commuter benefit programs (employers) and free or reduced-cost transit passes for new residents as part of the HOAs or other conglomeration. Additionally, a local preference program for housing that gives priority to individuals who live or work in the southern portion of the county would be included as a provision in a Development Agreement to be negotiated by the project applicant and approved by the County. This would also be required per the County's conditions of approval.

In sum, the effectiveness of transit system improvement management strategies and tailored TDM strategies in reducing VMT to the extent needed to be at 15% below regional averages is not certain. Furthermore, phased buildout would result in an overall increase in regional VMT. Therefore, phased buildout of the Specific Plan Area would result in a significant and unavoidable impacts related to VMT with mitigation.

In addition to the residential, commercial, and open space features the project would construct a new backbone roadway network (e.g., Collectors A, B, and C and Local Road D) and 8-foot-wide Class IV bikeways on Collectors A, B and C, with two connections to Willow Road and one connection to Pomeroy Road. Along Collectors A, B and C and Local Road D, 5- to 5-foot-wide sidewalks would be constructed. The Specific Plan Area would also include a network of pedestrian trails in addition to the sidewalks, bicycle facilities, and equestrian trails. The pedestrian trails and bicycle facilities would provide access within and between neighborhoods and connect to the public recreation facilities, as well as the commercial and job areas of the site, without the need to use an automobile. The County's TIS Guidelines list a number of transportation projects that can be presumed to have a less-than-significant impact. These include the addition of roadway capacity on local or collector streets, provided a project also substantially improves conditions for pedestrians, cyclists, and transit if applicable. They also include the installation of turn lanes at intersections. Because the project would construct new local and collector roads with extensive facilities for pedestrians and cyclists, the project's transportation improvement impacts to VMT as it relates to induced demand would be *less than significant*.

| **TR Impact 3 (Class I)** | |
|---|---|
| Buildout of the Specific Plan Area would exceed the County VMT thresholds and therefore would not be consistent with State CEQA Guidelines Section 15064.3(b). VMT per employee would be incrementally reduced compared to existing conditions; however, the project-related increase in residential VMT per capita and overall VMT would exceed the County VMT thresholds. | |
| ***Mitigation Measures*** | |
| *TR/mm-3.1* | *A transportation demand management program or identification of transportation demand management strategies to implement would be required of each applicant. The residential, commercial, education, and/or hotel development applicant in consultation with the County of San Luis Obispo will choose feasible transportation demand management strategies and tailor to the development proposal. Potential measures to reduce vehicle miles traveled include, but are not limited to:*<br>1. *Improve or increase access to transit*<br>2. *Increase access to common goods and services*<br>3. *Incorporate affordable housing into the project*<br>4. *Orient the project towards transit, bicycle, and pedestrian facilities*<br>5. *Improve bicycle and/or pedestrian facilities and/or transit services*<br>6. *Limit or eliminate parking supply*<br>7. *Implement or provide access to commute reduction programs*<br>8. *Provide car-, bike-, and ride-sharing programs*<br>9. *Provide transit passes*<br>10. *Provide on-site amenities at places of work* |

| **TR Impact 3 (Class I)** |
|---|
| ***Residual Impacts*** |
| *With implementation of feasible mitigation measures, including Mitigation Measure TR/mm-3.1, VMT impacts of the phased buildout of the Specific Plan Area would remain significant and unavoidable with mitigation (Class I).* |

## Off-Site Improvements

### *TR Impact 4: Off-site improvements would not generate VMT in a manner that would be inconsistent with State CEQA Guidelines Section 15064.3(b). Impacts would be less than significant (Class III).*

#### OFF-SITE TRANSPORTATION IMPROVEMENTS

The proposed project would include off-site transportation improvements (e.g., Frontage Road extension near Sandydale Drive adjacent to the southeast corner of the plan area, widening of Willow Road, new traffic signals at Willow Road intersection with Collector A). In addition, fair-share contributions to other off-site improvements such as the new traffic signals at Willow Road/US 101 northbound and southbound ramps would be required as part of the individual projects within the Specific Plan Area boundaries. As noted above, transportation projects that add roadway capacity on local or collector streets can be presumed to have a less-than-significant impact if a project also substantially improves conditions for pedestrians, cyclists, and transit. Because the project would develop an interconnected system of pedestrian and bicycle facilities that connect with existing pedestrians and bicycle facilities in the community of Nipomo, the project's off-site transportation improvements would have a *less-than-significant impact* to VMT as it relates to induced demand.

#### OFF-SITE NCSD IMPROVEMENT AREAS

Proposed wastewater and water system infrastructure improvements would occur within previously developed roads along North Frontage Road, on the west side of US 101, and along North Oakglen Avenue and East Tefft Street, respectively. Wastewater and water system infrastructure improvements would result in an incremental increase in VMT per employee as a result of construction worker trips; however, these increases would be temporary and less than significant. After completion of the anticipated work, the roadways would be returned to previous conditions. Long-term operation of the NCSD infrastructure would require routine repair and maintenance activities and generate vehicle trips on an as-needed basis; however, vehicle trips associated with these routine activities would be limited and impacts related to VMT per employee would be *less than significant*.

| **TR Impact 4 (Class III)** |
|---|
| Off-site improvements would not generate VMT in a manner that would be inconsistent with State CEQA Guidelines Section 15064.3(b). |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

## WOULD THE PROJECT SUBSTANTIALLY INCREASE HAZARDS DUE TO A GEOMETRIC DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?

### Specific Plan Area

#### *TR Impact 5: Phased buildout of the Specific Plan Area would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts would be less than significant (Class III).*

The Specific Plan Area's roadway network (Collector A [between Willow Road and northerly extension of North Frontage Road], Collector B [West/Southwest Project Entry], Collector C [east–west connection from Collector A to B], and Local Road D) and all connections to the existing roadway network (Willow, Pomeroy, and North Frontage Roads) will be designed as "Complete Streets" consistent with the County's Public Improvement Standards (2019). Driveways accessing the village commercial and all driveways on Collectors A, B, and C will be located no closer than 200 feet to the adjacent intersection(s), consistent with County Standards. In addition, the distance between driveways will not be less than 200 feet. Two roundabouts would be constructed at the intersections of Collector C/Collector A and Collector C/Collector B, consistent with County Standards. The two-way, stop-controlled intersections and the roundabouts on Collectors A, B, and C would operate acceptably as proposed and would not include geometric design features that would create new hazards or an incompatible use. The closure of Hetrick Avenue as it connects to Pomeroy Road would also be constructed per County standards. Therefore, impacts would be *less than significant*. As part of the development of the Specific Plan Area's infrastructure, improvement plans for the backbone road infrastructure and site plans should include truck turning templates.

| **TR Impact 5 (Class III)** |
|---|
| Phased buildout of the Specific Plan Area would not substantially increase hazards due to a geometric design feature or incompatible uses. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

### Off-Site Improvements

#### *TR Impact 6: Off-site improvements would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts would be less than significant (Class III).*

OFF-SITE TRANSPORTATION IMPROVEMENTS

Proposed off-site transportation improvements, such as the widening of Willow Road and installation of a traffic signal and turn lanes at its intersection with proposed Collector A, would be implemented as part of the DRSP's phased development. Additionally, other off-site transportation improvements assumed as part of future buildout scenarios for the 2019 RTP and the 2015 South County Circulation Study would also be constructed. These off-site transportation improvements would include the new traffic signals at

Willow Road/US 101 NB and SB ramps, US 101/Tefft Street interchange improvements, and construction of an additional US 101 interchange at Southland Street, south of the US 101/Tefft Street interchange. All off-site transportation improvements would be implemented by the County and/or Caltrans and would be designed and constructed to meet the minimum requirements identified in the County's Public Improvement Standards and similar set of Caltrans design and construction specification standards. As a result, off-site transportation improvements would not introduce hazardous design features that would affect public safety and impacts would be *less than significant*.

### OFF-SITE NCSD IMPROVEMENT AREAS

Proposed wastewater and water system infrastructure improvements would occur within previously developed roads along North Frontage Road, on the west side of US 101, and along North Oakglen Avenue and Tefft Street, respectively. Wastewater and water system infrastructure improvements would not result in changes to emergency access except during construction. During construction, standard construction management plans would ensure that site access to adjacent land uses would be maintained and that effects on pedestrian and bicycle facilities and transit service would be limited. After completion of the anticipated work, the roadways would be returned to previous conditions. Furthermore, the proposed NCSD infrastructure improvements would not introduce new incompatible land uses. As a result, off-site NCSD improvements would not affect public safety, and impacts would be *less than significant*.

| **TR Impact 6 (Class III)** |
|---|
| Off-site improvements would not substantially increase hazards due to a geometric design feature or incompatible uses. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

## WOULD THE PROJECT RESULT IN INADEQUATE EMERGENCY ACCESS?

## Specific Plan Area

### *TR Impact 7: Phased buildout of the Specific Plan Area would not result in inadequate emergency access. Impacts would be less than significant (Class III).*

The CAL FIRE station in Nipomo is located on North Oakglen Avenue north of West Tefft Street, approximately 2 miles from the project site via West Tefft Street and 3 miles via North Thompson Avenue, which typically does not experience congestion. As the Specific Plan Area neighborhoods develop, CAL FIRE approval will be required for access and other proposed improvements. The existing roadway network adjacent to the project site and the connecting roads in the area are currently able to accommodate emergency vehicles.

Implementation of the DRSP and resultant increases in regional travel passing through the Nipomo area would increase the volume of vehicular traffic in and around the Specific Plan Area. At full buildout, emergency vehicles would be able to access the Specific Plan Area neighborhoods from the north via two project entries along Willow Road at Collectors A and B, from the south via a project entry at North Frontage Road/Sandydale Drive, and from the west via a project entry at Pomeroy Road. All Specific

Plan Area neighborhoods would have two access points to Collectors A, B, C, or Local Road D, except for Neighborhood 3, which would have additional access through Neighborhood 1 and emergency access to Neighborhood 7, as described below. To ensure adequate fire and safety access to the Specific Plan Area neighborhoods, two emergency access points would be provided—Hetrick Avenue on the west through Specific Plan Area Neighborhood 9 and Cory Way on the south through Neighborhood 7 (as a continuation of Cory Way). Hetrick Avenue along the northwestern portion of the Specific Plan Area (where emergency access would be provided) is a two-lane, County-maintained road that runs along a portion of the western boundary of the Specific Plan Area and is not fully improved. Cory Way is an existing off-site public local road that terminates at the southern property line of the Specific Plan Area. All emergency access points would be constructed in compliance with CAL FIRE standards and County Public Improvement Standards. These emergency access points would be designed to be accessible to emergency vehicles only (not passenger vehicles), as well as pedestrian, bicycle, and equestrian users. No public or private vehicular access would be provided at these emergency access points.

The project would have the highest risk of emergencies during construction, which would be temporary. The project would not result in road closures during short-term construction activities or long-term operations. The project would not block or alter egress routes for surrounding residents. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, impacts related to emergency access would be *less than significant*.

| **TR Impact 7 (Class III)** |
|---|
| Phased buildout of the Specific Plan Area would not result in inadequate emergency access. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

## Off-Site Improvements

### *TR Impact 8: Off-site improvements would not result in inadequate emergency access. Impacts would be less than significant (Class III).*

#### OFF-SITE TRANSPORTATION IMPROVEMENTS

Proposed off-site transportation improvements, such as the widening of Willow Road and installation of a traffic signal and turn lanes at its intersection with proposed Collector A, would be implemented as part of the DRSP's phased development. Additionally, other off-site transportation improvements assumed as part of future buildout scenarios for the 2019 RTP and the 2015 South County Circulation Study would also be constructed. These off-site transportation improvements would not limit emergency vehicle access to the project site except during the construction of such improvements. During construction, standard construction management plans would ensure that vehicular travel along the anticipated work locations and site access routes (Willow Road from the north and Pomeroy and North Frontage Roads from the south and west) is managed to limit effects on police and fire service response. As a result, off-site transportation improvements would not be expected to limit the ability of emergency service providers to

respond to calls for service in the community of Nipomo or the Specific Plan Area, and impacts would be *less than significant*.

### OFF-SITE NCSD IMPROVEMENT AREAS

Proposed wastewater and water system infrastructure improvements would occur within previously developed roads along North Frontage Road, on the west side of US 101, and along North Oakglen Avenue and Tefft Street, respectively. Wastewater and water system infrastructure improvements would not result in changes to emergency access except during construction. During construction, standard construction management plans would ensure that travel along the anticipated work locations would be managed to limit effects on the ability of emergency services providers to respond to calls for service. After completion of the anticipated work, the roadways would be returned to previous conditions. Therefore, because the scope of work for the proposed off-site NCSD improvements would be geographically limited, potential impacts on emergency access would be *less than significant*.

| **TR Impact 8 (Class III)** |
|---|
| Off-site improvements would not result in inadequate emergency access. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts would be less than significant (Class III).* |

## 4.17.6 Cumulative Impacts

### *TR Impact 9: The project would result in a cumulatively considerable impact to transportation and traffic. Cumulative impacts would be significant and unavoidable (Class I).*

As discussed in Chapter 3, *Environmental Setting*, the cumulative impact analysis is based on the County's cumulative projects list. Cumulative projects would generate residential, industrial, and commercial development within the county. The proposed DRSP is intended to guide cumulative development within the Specific Plan Area, including necessary off-site roadway and transportation improvements. The project-specific analysis evaluated potential impacts under the DRSP. In this case, project-specific impacts are considered the same as cumulative impacts. Specific Plan Area cumulative growth (i.e., the phased development and associated planned and recommended transportation improvements) are discussed above and summarized under TR Impact 1 in terms of consistency with adopted state, regional, and local plans, programs, and policies. As discussed under TR Impact 1, buildout of the DRSP would be consistent with the 2019 RTP, the County's Circulation Element, the 2015 South County Circulation Study, and other traffic studies, including those prepared by Caltrans for US 101 operations, and impacts would be *less than significant*.

Individual future projects would be subject to separate environmental review to determine individual impacts related to consistency with applicable plans, policies, and programs. When considered with individual projects and planned buildout in the South County as projected in the 2019 RTP and the 2015 South Circulation Study, buildout of the DRSP would be consistent with adopted plans, programs, and policies and would have a *less than cumulatively considerable* and *less than significant* impact.

As discussed under TR Impact 3, buildout of the DRSP would result in significant and unavoidable impacts related to VMT with implementation of Mitigation Measure TR/mm-3.1. Future development under the DRSP would be required to implement TDM strategies to reduce VMT impacts; however, the effectiveness of such measures is not certain and the cumulative VMT impact would be significant and unavoidable. Reasonably foreseeable future projects would likely contribute to VMT within the vicinity of the Specific Plan Area. Individual future projects would be subject to separate environmental review to determine individual impacts related to VMT and implement reduction measures as necessary and feasible. Other reasonably foreseeable future projects are not anticipated to generate population growth or VMT of this scale; however, reasonably foreseeable future projects within the vicinity of the Specific Plan Area still have the potential to contribute VMT and further exceed established thresholds. Since other reasonably foreseeable future projects are anticipated to generate substantially less population growth and VMT, implementation of long-term VMT reduction strategies would likely mitigate impacts to below established VMT thresholds. However, due to project-specific significant impacts, cumulative impacts would be *significant and unavoidable*.

As discussed under TR Impact 5, the design and construction of the roadway backbone infrastructure and the pedestrian, bicycle, and equestrian infrastructure would meet the minimum standards identified in the County's Public Improvement Standards and would not introduce hazardous roadway design features. Thus, cumulative impacts associated with traffic hazards and potential conflicts between traffic and pedestrians, bicycles, and equestrians would also be less than significant. Reasonably foreseeable future projects in the Specific Plan Area could include transportation infrastructure improvements. Individual future projects would be subject to separate environmental review, and changes to the transportation network, if any, would meet the minimum standards identified in the County's Public Improvement Standards and would not introduce hazardous design features. Thus, impacts of the proposed project when considered with reasonably foreseeable future projects would have a *less than cumulatively considerable impact*.

As discussed under TR Impact 7, emergency access impacts would be less than significant because buildout of the DRSP's backbone roadway infrastructure, site access points, and driveway locations for the varied land use (retail, residential, educational, and hotel) would meet the minimum standards identified in the County's Public Improvement Standards. Individual future projects would be subject to separate environmental review, and changes to emergency access, if any, would meet the minimum standards identified in the County's Public Improvement Standards. Thus, impacts of the proposed project when considered with reasonably foreseeable future projects would have a *less than cumulatively considerable impact*. Pursuant to State CEQA Guidelines Section 15183, additional CEQA review is not required for projects that are consistent with the development density established by existing zoning or community or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Conditions under which future development in the Specific Plan Area would require additional CEQA review, pursuant to Section 15183, would include, but not be limited to, the following:

- future project is inconsistent with underlying General Plan and zoning designations;
- future project is inconsistent with DRSP policies;
- future project would result in an impact peculiar to the project or parcel in any issue area. An effect is not considered peculiar if uniformly applied development policies or standards previously adopted by the County would substantially mitigate the environmental effect;
- future project would result in an impact or impacts not analyzed above, including off-site or cumulative effects (for example, if the project included a hazardous design feature); and
- future project would result in an impact or impacts analyzed above, but at a higher level of severity as a result of substantial new information not known at the time the EIR was certified.

| **TR Impact 9 (Class I)** |
|---|
| The project would result in a cumulatively considerable impact to transportation and traffic. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure TR/mm-3.1.* |
| ***Residual Impacts*** |
| *Cumulative impacts related to consistency with applicable plans, hazardous roadways design, and emergency access would be avoided through compliance with identified project-specific mitigation; no additional mitigation is needed to avoid or minimize potential cumulative impacts. However, implementation of Mitigation Measure TR/mm-3.1 would not reduce impacts to a less-than-significant level. Therefore, residual cumulative impacts would be significant and unavoidable (Class I).* |

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# 4.18 TRIBAL CULTURAL RESOURCES

This section of the EIR provides an assessment of potential impacts related to Tribal Cultural Resources (TCRs) that could result from implementation of the project. The analysis in this section is based on the results of the Native American consultation conducted by the County for purposes of compliance with CEQA requirements and, in particular, AB 52.

The County, as the CEQA Lead Agency, has provided notification to Native American tribes affiliated with the project area pursuant to AB 52. Letters describing the project and providing information regarding consultation were sent to the County's list of local tribes on June 29, 2021:

- Mona Olivas Tucker and Lori Laguna, yak titᵛu titᵛu yak tiłhini -Northern Chumash Tribe of San Luis Obispo County and Region (ytt);
- Karen White and Donna Haro, Xolon Salinan Tribe;
- Fred Segobia, Salinan Tribe of Monterey and San Luis Obispo Counties; and
- Fred Collins, Northern Chumash Tribal Council (NCTC).

The County received requests for consultation from:

- Ms. Tucker, ytt, via email on November 8, 2021; and
- Mr. Collins, NCTC, via email on June 21, 2021.

This section includes the results of the County's consultation and includes mitigation measures to address potential impacts to known and unknown TCRs. For the purposes of this EIR, identified prehistoric archaeological resources within the Dana Reserve Specific Plan Area (DR-001, P-40-002132, and P-40-002273) are considered TCRs.

## 4.18.1 Existing Conditions

As described in detail in Section 4.5, *Cultural Resources*, the Specific Plan Area contains three prehistoric archaeological sites: DR-001, P-40-002132, and P-40-002273.

#### 4.18.1.1.1 DR-001

Prehistoric archaeological resource DR-001 was documented during the pedestrian survey of the Specific Plan Area. The Extended Phase I study revealed that a portion of the resource contains subsurface deposits, which include Monterey and Franciscan chert debitage, charcoal, ochre, Pismo clam (*Tivela stultorum*) shell fragments, and one groundstone artifact.

#### 4.18.1.1.2 P-40-002132

Prehistoric archaeological resource P-40-002132 was originally recorded by Robert Gibson in 1997. When originally recorded, the site consisted of a low-density lithic scatter of Monterey chert, two chert cores, one denticulate scraper, and weathered and burnt marine shell fragments. A second concentration was identified between the resource and US 101 and was designated as Locus B. In 2005 Gibson revisited the resource and subsurface testing was conducted within Locus A. Testing within Locus B was not conducted at the time due to objections by the property owner. A total of six STPs and one 1- by 1-meter test unit were excavated within Locus A. All STPs were excavated to 80 to 100 cmbs and augered to a total depth of 200 cmbs, while the test unit was excavated to a depth of 100 cmbs. Of the six STPs

excavated, three yielded cultural materials and the excavation unit yielded 10 chert flakes, 10 fragments of mammal bone, and carbon spotting in the 40 to 80 cmbs level.

#### 4.18.1.1.3 P-40-002273

Prehistoric archaeological resource P-40-002273 was originally recorded in 2003 by LSA Associates. The resource consists of a sparse lithic scatter comprised of Monterey chert. The XPI study revealed a portion of P-40-002273 contains subsurface deposits, including Monterey chert debitage.

## 4.18.2 Regulatory Setting

### *4.18.2.1 Federal*

There are no federal regulations related to TCRs applicable to the project.

### *4.18.2.2 State*

#### 4.18.2.2.1 CALIFORNIA ASSEMBLY BILL 52

AB 52 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3.

AB 52 formalizes the lead agency–tribal consultation process, requiring the lead agency to initiate consultation with California Native American groups that are traditionally and culturally affiliated with the project, including tribes that may not be federally recognized. As the lead agency, the County is required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report.

#### 4.18.2.2.2 TRIBAL CULTURAL RESOURCES

Section 4 of AB 52 adds PRC Section 21074(a) and (b), which address TCRs and cultural landscapes. Section 21074(a) defines TCRs as one of the following:

> (1) Sites, features, places, 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.
>
> (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
>
> (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Section 1(a)(9) of AB 52 establishes that "a substantial adverse change to a tribal cultural resource has a significant effect on the environment." Effects on TCRs should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 the PRC, which states that parties may propose mitigation measures "capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource." Further, if a California

Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to TCRs, the consultation shall include those topics (PRC Section 21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3 [a]).

### *4.18.2.3 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Tribal Cultural Resources*

Table 4.18-1 lists applicable state, regional, and local land use policies and regulations pertaining to cultural resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Chapter 3, *Environmental Setting*. Also included in Table 4.18-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.18.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.18-1. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Conservation and Open Space Element** | | |
| **Policy CR 1.1 Cultural identity.** Establish and support programs that enhance the county's sense of community and identity, such as the collection of oral histories, cultural and genealogical research, and the acquisition of collections of historic artifacts, documents, and memorabilia relevant to the history of the county. | The intent of this policy is to support and enhance the County's sense of community and identity. | **Potentially Consistent.** The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community of Nipomo. Further, mitigation has been included to ensure implementation of the project does not result in adverse effects to known or unknown historic resources, archaeological resources, and TCRs. Mitigation has also been identified to require the incorporation of (to the extent feasible) themes, infrastructure, and placenames associated with local Chumash tribes into the overall project design throughout all phases of future development. |
| **Policy CR 2.3 Living resources**. Preserve historic sites and buildings and recognize cultural and archaeological resources as "living resources" that are part of a continuing culture. | The intent of this policy is to preserve historic sites and buildings. | **Potentially Consistent.** The main project site does not contain significant historic resources; however, off-site improvements have the potential to result in disturbance to off-site historic resources if present within proposed improvement areas. Mitigation has been included to reduce these impacts accordingly. The project site contains known cultural resources that could be adversely affected during construction activities. However, mitigation has been identified to ensure the avoidance of known cultural resource sites during project construction. Mitigation has also been identified for protection of unknown cultural resources. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| **Policy CR 3.1 Historic preservation.** The County will provide for the identification, protection, enhancement, perpetuation, and use of features that reflect the County's historical, architectural, Native American, archaeological, cultural, and aesthetic heritage. | The intent of this policy is to preserve historic resources, archaeological resources, and TCRs. | **Potentially Consistent.** The Specific Plan Area does not contain any structures that could be considered significant historic resources; however, off-site improvements have the potential to result in disturbance to off-site historic resources if present within proposed improvement areas. Mitigation has been included to reduce these impacts accordingly. The project site contains known cultural resources that could be adversely affected during construction activities. However, mitigation has been identified to ensure the avoidance of known cultural resource sites during project construction. Mitigation has also been identified for protection of unknown cultural resources. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community. |
| **Policy CR 4.2 Protection of Native American cultural sites.** Ensure protection of archaeological sites that are culturally significant to Native Americans, even if they have lost their scientific or archaeological integrity through previous disturbance. Protect sites that have religious or spiritual value, even if no artifacts are present. Protect sites that contain artifacts, which may have intrinsic value, even though their archaeological context has been disturbed. | The intent of this policy is to ensure protection of archaeological sites that are culturally significant to Native Americans. | **Potentially Consistent.** In accordance with AB 52, tribal consultation with appropriate tribes was conducted for the proposed project. Mitigation has been identified in Section 4.5, *Cultural Resources*, to ensure the avoidance of known cultural resource sites during project construction and the protection of unknown cultural resources and TCRs, including unidentified human remains. In addition, Mitigation Measures TCR/mm-1.1 and TCR/mm-1.2 have been included for protection of TCRs. |
| **Policy CR 4.3 Cultural resources and open space.** The county supports the concept of cultural landscapes and the protection and preservation of archaeological or historical resources as open space or parkland on public or private lands. | The intent of this policy is to preserve cultural resources as open space or parkland. | **Potentially Consistent.** The DRSP includes site design and layout of the property intended to avoid the known cultural resources site and retain culturally sensitive areas in designated open space land. |
| **Policy CR 4.4 Development activities and archaeological sites.** Protect archaeological and culturally sensitive sites from the effects of development by avoiding disturbance where feasible. Avoid archaeological resources as the primary method of protection. | The intent of this policy is to ensure avoidance of known cultural resources. | **Potentially Consistent.** The project site contains known cultural resources that could be adversely affected during construction activities. The project has been designed to avoid known sites to the extent feasible. Mitigation has also been identified to ensure the avoidance and minimization of known and previously unknown culturally sensitive areas during project construction and operation. |
| **Policy OS 1.1 Future open space protection.** Continue to identify and protect open space resources with the following characteristics:<br>• Recreation areas<br>• Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities, significant marine resources<br>• Archaeological, cultural, and historical resources<br>• Scenic areas | The intent of this policy is to preserve and protect cultural resources within open space areas. | **Potentially Consistent.** The project site contains known cultural resources that could be adversely affected during construction activities. The project has been designed to avoid known sites to the extent feasible. Mitigation has also been identified to ensure the avoidance and minimization of known and previously unknown cultural resource sites during project construction and operation. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| • Hazard area<br>• Rural character | | |

## 4.18.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on TCRs if the effects exceed the significance criteria described below, which are based on Appendix G of the State CEQA Guidelines.

a. 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 or 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, the lead agency shall consider the significance of the resource to a California Native American tribe.

Each of these thresholds is discussed under Section 4.18.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.18.4 Impact Assessment and Methodology

Methodology to identify cultural resources that may qualify as TCRs, and the resulting findings, are described in detail in Section 4.5, *Cultural Resources*. Based on the results of the XPI study, the County is assuming for the purposes of this project, DR-001, P-40-002132, and P-40-2273, are CRHR-eligible under Criterion D (*Has yielded, or may be likely to yield, information important in prehistory or history)*. As such, for the purposes of this project, these archaeological resources (DR-001, P-40-002132, and P-40-2273) are considered historical resources and TCRs under CEQA. As with historical resources, the significance of a TCR may be impacted by direct physical disturbance associated with future development or indirectly through a change in setting or increased use of the area.

This discussion focuses on the County's coordination with the two tribes (ytt and NCTC) that requested consultation for the project:

### *4.18.4.1 yak titʸu titʸu yak tiłhini -Northern Chumash Tribe of San Luis Obispo County*

Subsequent to Ms. Tucker's original response to the County on November 8, 2021, she sent an email on December 22, 2021, with the following statements:

- There should be a plan to avoid the known resources; and

- Archaeological and Native American monitoring is needed for any excavation activities for this project.

The County responded on December 22, 2021, asking if Ms. Tucker would like to visit the project area or consult further. To date, Ms. Tucker has not provided any further response.

### *4.18.4.2 Northern Chumash Tribal Council*

NCTC's original email response from Chairman Fred Collins stated:

> The Northern Chumash Tribal Council would like to consult concerning this proposed project. The Dana Adobe is known to the Chumash as the Black Heart Peoples, disrespectful, discriminatory, racist, uses divide and conquer tactics, and have induced us to work with them to secure a $3,000,000 dollar grant and then through us under the bus, this organization is a shameful organization, NCTC would like to present all of our work to the County, letter to the State, and DPR so the county can see for themselves how badly we were treated. All the land proposed for building are Chumash sacred Sites, Sacred Landscapes, and should not ever be build on or near. NCTC looks forward to meaningful consultation.

NCTC Chairwoman Violet Sage Walker met with the County at the Specific Plan Area on January 11, 2022, to discuss the proposed project and conduct a field review of the known archaeological resources documented by SWCA. Subsequent to the initial field meeting, the County held virtual meetings with Ms. Walker on March 1 and 16, 2022.

The NCTC requests that all prehistoric archaeological resources in the Specific Plan Area be considered TCRs and avoided by future development. In addition to avoidance, NCTC requests:

- Designated areas for local Chumash tribes to use for various purposes, such as ceremonial gatherings, education, events.
- Planting of native vegetation, specifically species varieties that have significance to the local Chumash tribes.
- Incorporation of informative and interpretive signage.
- Incorporation of tribal names, placenames, and phrases for appropriate project design features.
- Development of designated trails outside of the boundaries of known resources to limit unauthorized use and reduce potential for looting.
- Protection of known resources as Environmentally Sensitive Areas.

If avoidance is not feasible for any or all TCRs, NCTC requests the following:

- A specific location, protected by a deed restriction, be dedicated to repatriate cultural materials encountered during future archaeological study, development, and occupation within the Specific Plan Area. The dedicated location should be placed within archaeological site DR-001.
- Tribal monitoring during future construction phases within the Specific Plan Area should include both NCTC and ytt representatives.
- Tribal monitoring should occur during the duration of ground disturbance within the Specific Plan Area.
- An NCTC representative should participate in the project's Worker Environmental Awareness Training(s).

- NCTC wants weekly updates regarding TCRs and/or data recovered during monitoring efforts.
- Approval of the applicant's archaeological consultant(s) working on the project.
- Preparation of a Data Recovery Plan demonstrating specifically how project related impacts to known TCRs will be mitigated to be included in this EIR.
- The Data Recovery Plan should be prepared in direct coordination with NCTC and NCTC should approve the plan prior to its implementation.

## 4.18.5 Project-Specific Impacts and Mitigation Measures

As with cultural resources, project-specific impacts to TCRs include similar direct and indirect impacts. Direct impacts result from land modification directly and immediately caused by the construction, landscaping, operation, or maintenance of the proposed development. Indirect impacts also occur as a result of a specific project, but do not result from intentional ground disturbance. Common indirect impacts include erosion, vibration, unauthorized artifact collecting, and vandalism. As currently planned, the proposed project entails ground disturbing construction activities during future construction phases. The remainder of this section discusses the potential impacts to TCRs from the construction and occupation of the proposed DRSP and related off-site improvements.

Because off-site improvements have not been designed and their precise location is not currently known, they are being evaluated at a programmatic level in this EIR. Subsequent environmental review of these improvements, if necessary, would be required as described in Section 2.5.2, *Environmental Review of Subsequent Development Proposals*.

### 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 OR 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, THE LEAD AGENCY SHALL CONSIDER THE SIGNIFICANCE OF THE RESOURCE TO A CALIFORNIA NATIVE AMERICAN TRIBE.**

## Specific Plan Area

### *TCR Impact 1: Proposed development of the Specific Plan Area could directly and indirectly impact CRHR-eligible resources and resources considered by the County to be significant pursuant to PRC Section 5024.1 (DR-001, P-40-02132, and P-40-002273). Impacts would be less than significant with mitigation (Class II).*

The County, as the CEQA Lead Agency, has provided notification to Native American tribes affiliated with the project area pursuant to AB 52. As described in Section 4.18.4, *Impact Assessment and Methodology*, the ytt and NCTC have requested consultation for the project. The Specific Plan Area contains two previously documented resources (P-40-002132 and P-40-002273) and one newly identified resource (DR-001). These resources would have potential for listing in the CRHR and are also considered by the County to be significant pursuant to PRC Section 5024.1. For the purposes of this project, these archaeological resources are also considered historical resources and TCRs under CEQA.

Ground-disturbing activities for future buildout of the Specific Plan Area have the potential to directly impact these significant prehistoric archaeological resources and TCRs. The conceptual site design and layout of the Specific Plan Area have been designed to integrate and retain the known cultural resources and culturally sensitive areas in designated open space land, which would avoid disturbance to identified resources to the extent feasible. Additionally, Mitigation Measures CR/mm-1.1 through CR/mm-1.4 have been included to further ensure avoidance of known cultural resource sites, TCRs, and culturally sensitive areas present within the Specific Plan Area, as well as protection of potentially unknown cultural resources, including human remains. Based on consultation with the ytt and NCTC, Mitigation Measures TCR/mm-1.1 and TCR/mm-1.2 have also been included to ensure protection of TCRs in accordance with AB 52. Implementation of the identified mitigation measures would ensure avoidance and minimization of impacts to known and unknown TCRs. The project would also be required to comply with HSC Section 7050.5, LUO Section 22.10.040, and PRC Sections 5097.94, 5097.98, and 5097.99 related to inadvertent discovery of unidentified human remains. Compliance with these regulations would ensure protection of previously unidentified human remains if encountered during project construction. Based on the proposed site design, implementation of identified mitigation measures, and required compliance with state and local regulations, future buildout of the project site would not result in substantial adverse change in the significance of known or unknown TCRs within the Specific Plan Area. Therefore, impacts would be *less than significant with mitigation*.

| **TCR Impact 1 (Class II)** | |
|---|---|
| Proposed development of the Specific Plan Area could directly and indirectly impact CRHR-eligible resources and resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1 (DR-001, P-40-02132, P-40-002273). | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measures CR/mm-2.1 through CR/mm-2.4.* | |
| *TCR/mm-1.1* | ***Deeded Repatriation Location.*** *A specific location, protected by a deed restriction, shall be dedicated to repatriate cultural materials encountered during future archaeological study, development, and occupation within the Specific Plan Area. An accessible vault, protected from the elements, and accessible to the tribes shall be constructed within the boundary of DR-001. The specific location, size, and construction methodology of the vault will be developed in direct consultation with the consulting tribes.* |

| **TCR Impact 1 (Class II)** | |
|---|---|
| *TCR/mm-1.2* | ***Project Design Considerations.*** *The applicant shall incorporate, to the extent feasible, themes, infrastructure, and placenames associated with local Chumash tribes into the overall project design throughout all phases of future development. These design considerations shall include, but not be limited to the following aspects:*<br>*1. Designated areas for local Chumash tribes to use for various purposes, such as ceremonial gatherings, education, and events;*<br>*2. Planting of native vegetation, specifically species varieties that have significance to the local Chumash tribes;*<br>*3. Incorporation of informative and interpretive signage;*<br>*4. Incorporation of tribal names, placenames, and phrases for appropriate project design features; and*<br>*5. Development of designated trails outside of the boundaries of known resources to limit unauthorized use and reduce potential for looting.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measures CR/mm-2.1 through CR/mm-2.4, TCR/mm-1.1, and TCR/mm-1.2, impacts to known and unknown CRHR-eligible resources would be considered less than significant with mitigation (Class II).* | |

## Off-Site Improvements

### *TCR Impact 2: Off-site improvements could result in adverse effects to known and unknown CRHR-Eligible Resources or resources considered by the County to be significant pursuant to PRC Section 5024.1. Impacts would be less than significant with mitigation (Class II).*

The exact location of proposed off-site transportation improvements and NCSD water and wastewater system improvements is currently not known, as these project components have not yet been designed and are being evaluated at a conceptual level in this EIR. However, proposed off-site improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue, East Tefft Street, North Frontage Road, Pomeroy Road, and Willow Road, among others (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). Proposed off-site improvements would include installation of water, wastewater, and transportation infrastructure within previously developed roadways and other disturbed areas, which would reduce the potential to uncover previously unidentified TCRs. In addition, based on the nature of proposed improvements, construction of off-site improvements would not be expected to require demolition, destruction, relocation, or alteration of any buildings or other structures. However, since the exact timing and location of off-site improvements are currently not known, and installation of improvements would require ground disturbance and other construction activities, there would still be potential to encounter TCRs if present within the proposed disturbance areas. In order to ensure avoidance and minimization of impacts to historical resources (including TCRs), programmatic mitigation measures have been included to identify, evaluate, and mitigate potential impacts. Mitigation Measures CR/mm-1.3, CR/mm-1.4, and CR/mm-5.1 have been included to ensure avoidance and minimization of impacts to TCRs during installation of off-site improvements. Therefore, impacts would be *less than significant with mitigation*.

| **TCR Impact 2 (Class II)** |
|---|
| Off-site improvements could result in adverse effects to known and unknown CRHR-Eligible Resources or resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1, impacts to off-site CRHR-eligible would be considered less than significant with mitigation (Class II).* |

## 4.18.6 Cumulative Impacts

### *TCR Impact 3: Project implementation could result in the cumulative disturbance and destruction of tribal cultural resources, including known and unknown CRHR-Eligible Resources and resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1. Impacts would be less than significant with mitigation (Class II).*

Implementation of the project could contribute to the cumulative degradation of significant TCRs in the County. The destruction of TCRs can have the potential for significant cumulative impacts that are inherently important to the descendants of native peoples and make the study of pre-historic and historic life unavailable for study by scientists. Given the prevalence of TCRs (both known and unknown CRHR-Eligible Resources or resources considered by the County to be significant TCRs pursuant to PRC Section 5024.1) within and in the immediate vicinity of the project area, and the number of construction activities that involve disturbance of archaeologically sensitive areas that are not regulated, it is likely that significant pre-historic and historic resources (including TCRs) are often not identified and are permanently lost. For the proposed project, impacts to any known CRHR-eligible resources or resources considered by the Couty to be significant TCRs pursuant to PRC Section 5024.1 could occur, and mitigation measures are in place to reduce these potential impacts. Based on implementation of recommended mitigation measures, potential cumulative impacts resulting from the proposed project are considered *less than significant with mitigation*.

| **CR Impact 3 (Class II)** |
|---|
| Project implementation could result in the cumulative disturbance and destruction of tribal cultural resources, including known and unknown CRHR-Eligible Resources and resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures CR/mm-2.1 through CR/mm-2.4, CR/mm-3.1, TCR/mm-1.1, and TCR/mm-1.2.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures CR/mm-2.1 through CR/mm-2.4, CR/mm-3.1, TCR/mm-1.1, and TCR/mm-1.2, cumulative impacts to known and potentially unknown TCRs would be less than significant with mitigation (Class II).* |

# 4.19 UTILITIES AND SERVICE SYSTEMS

The following setting and impact evaluation assesses the condition of existing water, wastewater, and solid waste utilities and service systems; pertinent regulations; thresholds of significance; and potential impacts of the project related to utilities and service systems. The existing setting is based on the *Nipomo Community Plan*, County's LUO, *2020 Nipomo Community Services District Urban Water Management Plan* (2020 NCSD UWMP; MKN 2021), *Dana Reserve Water and Wastewater Service Evaluation* (Dana Reserve Water and Wastewater Evaluation; MKN 2022; EIR Appendix H), and *Dana Reserve Water Supply Assessment* (Dana Reserve WSA; Rick G Sweet and RRM Design Group 2021; see EIR Appendix H).

## 4.19.1 Existing Conditions

### *4.19.1.1 Regional*

#### 4.19.1.1.1 NIPOMO COMMUNITY SERVICES DISTRICT

The NCSD was formed in 1965 and provides water service, wastewater service, street lighting, and some drainage facility maintenance within its service area, which includes the community of Nipomo (County of San Luis Obispo 1994). The Nipomo URL represents the limits of the Nipomo community located in southern San Luis Obispo County and encompasses approximately 3,900 acres. It should be noted that the Nipomo URL boundary and the NCSD water service area boundary are not the same. Approximately 2,300 acres of the Nipomo URL falls within the current NCSD water service area, with approximately 1,300 acres within the Golden State Water Company (GSWC) service area and the remaining 300 acres within the NCSD's SOI. The NCSD service area primarily consists of single-family residential uses. Other land uses within the service area include multi-family residences, commercial and light industrial, institutional and governmental, parks, golf courses, and agricultural. As of 2020, the NCSD provided water and wastewater services to a service population of approximately 13,771 people within the community of Nipomo (MKN 2021). Figure 4.19-1 shows the existing NCSD service area boundary.

#### 4.19.1.1.2 WATER SUPPLY

The NCSD's sources of water supply include groundwater from the Santa Maria River Valley Groundwater Basin and imported water from the Nipomo Supplemental Water Project (NSWP) (MKN 2021).

##### Groundwater

The NCSD extracts water from the Santa Maria River Valley Groundwater Basin. The NCSD owns five wells within the basin, four of which are active, and one that is currently being rehabilitated. These five wells have a combined pumping capacity of 3,100 gallons per minute (gpm) or 5,000 AFY. Assuming the largest well is out of service, maximum available pumping capacity is 2,100 gpm.

The basin covers approximately 288 square miles and is bordered by the Santa Lucia Range to the north, the Casmalia-Solomon Hills to the south, the San Rafael Mountains to the east, and the Pacific Ocean to the west. The basin is comprised of alluvial deposits with underlying consolidated rock. Most of the groundwater is contained in the alluvial deposits and consolidated rock generally yields small quantities of water. Groundwater recharge of the basin occurs from rainfall percolation, riverbed recharge, subsurface inflows, and return flows. The average annual precipitation within the basin is 15.65 inches, based on data collected between 1958 and 2020 (MKN 2021).

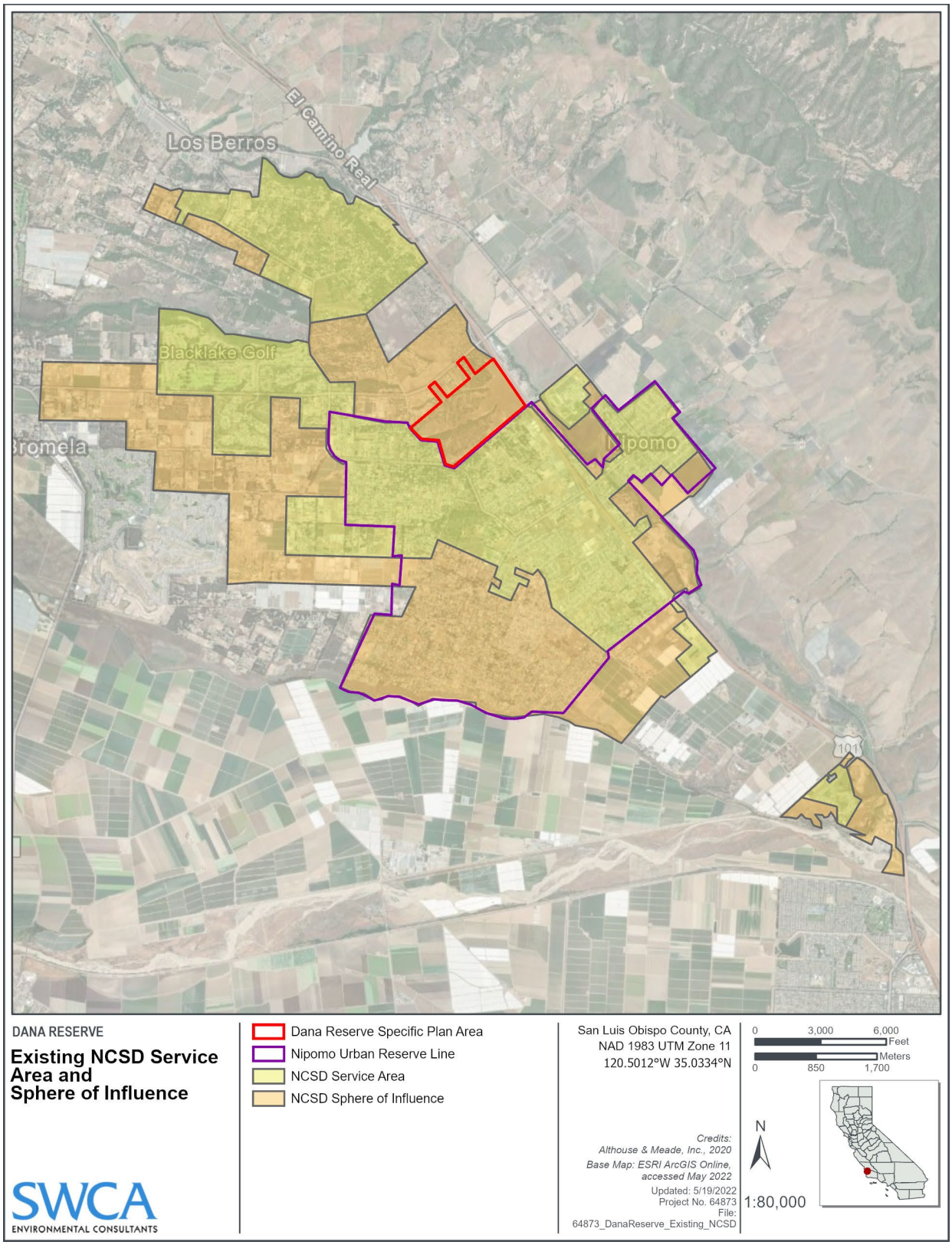


**Figure 4.19-1. Nipomo Community Services District service area.**

Following ongoing litigation beginning in 1997, a final judgment was filed in 2008 regarding management of the basin. The results of the final judgment include the following:

- The basin was divided into three sub-management areas, including the Northern Cities Management Area (NCMA), Nipomo Mesa Management Area (NMMA), and Santa Maria Valley Management Area (SMVMA).
- The NMMA Technical Group was established.
- It provides that a minimum of 2,500 AFY of supplemental water from the City of Santa Maria with an additional 500 AFY for growth for NCSD be transmitted to the NMMA by the NCSD with funding participation from Woodlands Mutual Water Company (WMWC) and GSWC.
- It contains specific provisions with regard to groundwater conditions, development of groundwater monitoring programs, and development of plans and programs to respond to potentially severe and severe water shortage conditions.
- The NMMA Technical Group developed criteria to track groundwater levels and quality throughout the basin using the Key Wells Index (KWI), which collects data from eight selected wells distributed throughout the management area.
- It requires that each management area prepare an annual report to summarize monitoring results, water balance data, and threats to groundwater supply.

The NCSD service area is located within the NMMA. The NMMA Technical Group is the court-assigned entity responsible for assessment of groundwater within the NMMA and the basin. The NMMA covers approximately 33 square miles, accounts for approximately 13% of the basin, and is underlain by thick sand dune deposits and the Paso Robles Formation. Recharge occurs through precipitation, agricultural and urban return flows, and subsurface inflows. The NMMA Technical Group has assigned a Stage IV water severity condition for subbasin purveyors, which results in a voluntary groundwater reduction goal of 50%, allowing for 1,267 AFY of available groundwater supply for the NCSD. Voluntary reduction goals for the NCSD are based on the average production rate of 2,553 AFY between the years 2009 and 2013. The five water severity stages and available water following voluntary reduction measures include the following:

- **Stage I:** This stage is always in place and includes voluntary measures and outreach. Available groundwater would be 2,553 AFY.
- **Stage II:** This stage is a potentially severe water shortage and has a goal of 20% reduction in groundwater production. Available groundwater would be 2,027 AFY.
- **Stage III:** This stage is a severe water shortage and has a voluntary goal of 30% reduction in groundwater production. Available groundwater would be 1,733 AFY.
- **Stage IV:** This stage is a severe water shortage and has a voluntary goal of 50% reduction in groundwater production. Available groundwater would be 1,267 AFY.
- **Stage V:** This stage is a severe water shortage and has a voluntary goal of 60% reduction in groundwater production. Available groundwater would be 1,013 AFY.

Based on Stage V drought conditions, which reflect the worst-case scenario available groundwater supply, the NCSD would have 1,013 AFY of available groundwater supply.

Through groundwater supply, the NCSD has self-allocated 2,533 AFY with a maximum pumping capacity of 2,100 gpm or 3,387 AFY. Groundwater supply is considered reliable and would be available during normal, single, and multiple dry year conditions based on the existing conditions of the several active wells and current NCSD operational practices (MKN 2021).

## Purchased or Imported Water

Groundwater from the basin was the sole source of the NCSD water supply until 2015, when the NCSD began importing water from the City of Santa Maria as part of the NSWP. The NSWP included construction of the following infrastructure to deliver supplemental water to the NCSD from the City of Santa Maria's water distribution system:

- Approximately 5,000 feet of 24-inch transmission pipeline located in the city of Santa Maria;
- Flow control and meter station located in the city of Santa Maria;
- Santa Maria River crossing, including 2,600 feet of 24-inch pipeline;
- Joshua Road Pump Station with four 800-gpm pumps with on-site generator and 0.5-million-gallon (MG) storage tank;
- Approximately 1,700 feet of 24-inch transmission pipeline from the Joshua Road Pump Station to the NCSD's existing distribution system; and
- Approximately 12,000 feet of 16-inch transmission pipeline located within the NCSD service area.

The NCSD executed a Wholesale Water Supply Agreement (Wholesale Agreement) with the City of Santa Maria on May 7, 2013. Supplemental water consists of a "municipal mix" of both surface water from the State Water Project and groundwater from the City of Santa Maria. This agreement establishes a minimum required water delivery of 2,500 AFY and a maximum allowable delivery of 6,200 AFY to NCSD beginning in the 2025 to 2026 fiscal year (MKN 2021; Rick G Sweet and RRM Design Group 2021). Portions of the infrastructure constructed as part of the NSWP were designed to deliver 6,200 AFY of water; however, the license agreement between the County of Santa Barbara and the NCSD would need to be amended to allow the NCSD full use of the NSWP's designed capacity of 6,200 AFY. Additionally, improvements, including pump replacements and additional system pipelines, would be necessary. The NCSD is obligated to meet the minimum delivery identified in the agreement and will continue operating the groundwater wells to serve existing and future demands. The agreement includes the following delivery schedule:

- July 1, 2020: 1,000 AFY
- July 1, 2025: 2,500 AFY
- Planning Capacity: 3,000 AFY
- Maximum Capacity: 6,200 AFY

This delivery schedule also includes delivery to the WMWC, GSWC, and GSWC Cypress Ridge (GSWCCR) (MKN 2021). Table 4.19-1 identifies the required NSWP purchase allocations for the NCSD, GSWC, GSWCCR, and WMWC per the Supplemental Water Management and Groundwater Replenishment Agreement (Replenishment Agreement).

The NCSD would have a minimum imported water supply of 2,167 AFY, excluding sales to other agencies. Based on the existing infrastructure of the NSWP, and contractual obligations between the NCSD and City of Santa Maria, this water supply source is considered reliable and would be available during normal, single, and multiple dry year conditions (MKN 2021).

**Table 4.19-1. Nipomo Supplemental Water Project Replenishment Agreement Allocation**

| Water Purveyor | Percent Allocation | NSWP (1,000 AFY) | NSWP (2,500 AFY) |
|---|---|---|---|
| Nipomo Community Services District | 66.68 | 667 | 1,667 |
| Nipomo Community Services District (as needed) | -- | -- | 500 |
| Golden State Water Company | 8.33 | 83 | 208 |
| Golden State Water Company Cypress Ridge | 8.33 | 83 | 208 |
| Woodlands Mutual Water Company | 16.66 | 167 | 417 |
| **Total** | **100.00** | **1,000** | **3,000** |

Source: MKN (2021)

## Projected NCSD Water Supply

Table 4.19-2 identifies the NCSD's total water supply from available groundwater per Stage IV drought conditions and NSWP allocation that would be available to serve future NCSD demands.

**Table 4.19-2. Total Nipomo Community Services District Water Supply**

| Water Supply Source | Water Supply (AFY) |
|---|---|
| Nipomo Community Services District Groundwater Available[1] | 1,267 |
| Nipomo Supplemental Water Project Allocation | 2,500 |
| **Total Future Water Supply** | **3,767** |
| Nipomo Supplemental Water Project New Development Allocation[2] | 500 |
| **Maximum Future Water Supply[3]** | **4,267** |

Source: MKN (2022)

[1] The NCSD's current voluntary groundwater reduction goal based on 50% reduction from average production in fiscal years 2009 to 2010 through 2013 to 2014 as required by the Final Judgment, or 50% of 2,533 AFY based on Stage IV.

[2] While this additional allocation is available to the NCSD for delivery under the Wholesale Agreement, it should only be taken as needed. After the NCSD requests 3,001 AFY, the NCSD must maintain that delivery. It is believed the NCSD may not have enough demand to warrant additional water delivery past 2,500 AFY in the planning horizon contemplated in this report.

[3] Table 7-4, NMMA Stage 4, 2020 UWMP.

As identified in Table 4.19-2, the NCSD would have a maximum total water supply of 4,267 AFY (MKN 2022).

## Water Demand

The NCSD is comprised of one water system with three pressure zones to provide water to its service area. One pressure zone serves the Blacklake Specific Plan area, one pressure zone serves the Maria Vista area, and one pressure zone serves the rest of the NCSD service area. As of 2020, the NCSD had 4,470 municipal water connections to serve its service population of 13,771 people (MKN 2021). The *Dana Reserve Water and Wastewater Evaluation* includes a detailed description of the NCSD's existing water system infrastructure based on the results of the NCSD's WaterCAD hydraulic model (MKN 2022; see EIR Appendix H).

## Past NCSD Service Area Water Demand

Land uses that are provided water by the NCSD include single-family residential, multi-family residential, commercial, recreational, and agricultural. Table 4.19-3 identified the past water use within the NCSD service areas between the years 2015 and 2019.

**Table 4.19-3. Past Nipomo Community Services District Water Demand**

| Land Use | Water Demand (AF) | | | | |
|---|---|---|---|---|---|
| | 2015 | 2016 | 2017 | 2018 | 2019 |
| Single-Family | 1,312 | 1,234 | 1,262 | 1,316 | 1,215 |
| Multi-Family | 151 | 121 | 116 | 111 | 112 |
| Commercial | 85 | 88 | 86 | 91 | 90 |
| Recreational | 238 | 222 | 251 | 252 | 231 |
| Agricultural | 17 | 19 | 20 | 17 | 7 |
| Other | 7 | 5 | 1 | 3 | 15 |
| Losses | 138 | 147 | 203 | 171 | 198 |
| **Total** | **1,948** | **1,837** | **1,940** | **1,961** | **1,868** |

Source: MKN (2021)

As shown in Table 4.19-3, water demand within the NCSD fluctuated between the years 2015 and 2019, averaging 1,911 AFY.

According to the 2015 UWMP, the NCSD is required to comply with an urban water use target of 184 gallons per capita per day (gpcd) by the year 2020. Table 4.19-4 shows the past water demand rates between 2010 and 2020, including years with mandatory conservation requirements, as described in the *Projected NCSD Service Area Water Demand*, discussion below.

**Table 4.19-4. Nipomo Community Services District Water Demand Between 2010 and 2020**

| Year | Service Area Population | Water Production (AFY) | Gross Water Use (gpcd) | Meter Residential Use (AFY) | Residential Water Use (gpcd) | Mandatory Conservation (%) |
|---|---|---|---|---|---|---|
| 2010 | 12,140 | 2,367 | 174 | 1,899 | 140 | -- |
| 2011 | 12,334 | 2,488 | 180 | 1,868 | 135 | -- |
| 2012 | 12,370 | 2,473 | 178 | 1,952 | 141 | -- |
| 2013 | 12,697 | 2,646 | 186 | 1,996 | 140 | -- |
| 2014 | 12,796 | 2,310 | 161 | 1,868 | 131 | 28 |
| 2015 | 12,884 | 1,948 | 135 | 1,463 | 101 | 28 |
| 2016 | 12,992 | 1,837 | 126 | 1,356 | 93 | 28 |
| 2017 | 13,134 | 1,940 | 132 | 1,378 | 94 | 23 |
| 2018 | 13,265 | 1,961 | 132 | 1,427 | 96 | -- |
| 2019 | 13,476 | 1,868 | 124 | 1,327 | 88 | -- |
| 2020 | 13,771 | 2,048 | 133 | 1,448 | 94 | -- |
| | **5-Year Average** | | **129** | **--** | **94** | **--** |
| | **10-Year Average** | | **149** | **--** | **112** | **--** |

Source: MKN (2021)

[1] Water production is from pumped groundwater from the Santa Maria Groundwater Basin and supplemental imported water from the City of Santa Maria through the NSWP.

[2] Potable water demand is based on past production values provided by the NCSD.

[3] The 5-year average includes the years 2016 through 2020 and the 10-year average includes the years 2011 through 2020.

Based on Table 4.19-4, average water usage rates have been consistently below the target of 184 gpcd identified in the 2015 UWMP.

## Existing NCSD Service Area Water Demand

Existing water demand reflects water demand within the NCSD service area from the year 2020 (Table 4.19-5).

**Table 4.19-5. Existing NCSD Water Demand**

| | 2020 Water Demand | |
|---|---|---|
| **Land Use** | **Level of Treatment When Delivered** | **Volume (AFY)** |
| Single-Family | Drinking Water | 1,326 |
| Multi-Family | Drinking Water | 122 |
| Commercial | Drinking Water | 76 |
| Recreational | Drinking Water | 271 |
| Agricultural Irrigation | Drinking Water | 12 |
| Other | Drinking Water | 4 |
| Losses | Drinking Water | 237 |
| | **Total** | **2,048** |

Source: MKN (2022)

Notes:

[1] Demands = Annual water consumption by customer type as shown above.

[2] Value represent use as reported to DWR for 2020.

As shown in Table 4.19-5, the existing water demand within the NCSD service area for the year 2020 was 2,048 AF (MKN 2022).

## Projected NCSD Service Area Water Demand

The 2020 UWMP identifies two potential growth scenarios for the NCSD service area. Growth Scenario 1 includes the existing service population (13,771 people), infill development within the existing service area (parcels with reserved NCSD capacity, parcels currently served by private wells, and development of vacant parcels), and future population with annexations under review. Growth Scenario 2 includes the existing service population (13,771 people) and infill development within the existing service area (parcels with reserved NCSD capacity, parcels currently served by private wells, and development of vacant parcels). Table 4.19-6 identifies the estimated population increase according to Growth Scenario 1 and Growth Scenario 2.

**Table 4.19-6. Estimated Population Increase within the NCSD Service Area**

| | Estimated Population | | | | | |
|---|---|---|---|---|---|---|
| **Growth Scenario** | **2020** | **2025** | **2030** | **2035** | **2040** | **2045** |
| Growth Scenario 1 | 13,771 | 15,407 | 17,042 | 17,494 | 17,946 | 18,398 |
| Growth Scenario 2 | 13,771 | 14,223 | 14,675 | 15,127 | 15,579 | 16,031 |

Source: MKN (2021)

[1] 2020 population based on the 2020 Census Data included in the DWR population tool.

Annual water demand within the service area was assumed to increase in proportion to the population projected in Table 4.19-6.

Water demand projections for the NCSD service area are based on population projections multiplied by the 2020 gpcd of 133 and land use type percentage (Demand = population × 133 gpcd × use type percentage). Table 4.19-7 identifies the projected water demand for the NCSD service area to the year 2045, including annexations under review and water sales to other water agencies.

**Table 4.19-7. Projected Water Demand**

| | Projected Water Demand (AF) | | | | |
|---|---|---|---|---|---|
| **Use Type** | **2025** | **2030** | **2035** | **2040** | **2045** |
| Single-Family | 1,406 | 1,450 | 1,495 | 1,540 | 1,584 |
| Multi-Family | 136 | 140 | 144 | 149 | 153 |
| Commercial | 97 | 100 | 104 | 107 | 110 |
| Recreational | 265 | 273 | 282 | 290 | 299 |
| Agricultural | 18 | 18 | 19 | 20 | 20 |
| Other | 7 | 7 | 7 | 7 | 8 |
| Losses | 190 | 196 | 202 | 208 | 214 |
| *NCSD Subtotal* | *2,118* | *2,168* | *2,253* | *2,320* | *2,388* |
| Annexations Under Review | 176 | 352 | 352 | 352 | 352 |
| *Subtotal* | *2,294* | *2,538* | *2,605* | *2,672* | *2,740* |
| Sales to Other Agencies | 833 | 833 | 833 | 833 | 833 |
| **Total** | **3,127** | **3,371** | **3,438** | **3,505** | **3,573** |

Source: MKN (2021)

[1] Demand includes existing NCSD demand and future infill development (parcels with reserved NCSD capacity, parcels currently served by private wells, and development of vacant parcels).

Based on Table 4.19-7, the average projected water demand between 2025 and 2045 is approximately 3,403 AFY.

The *Dana Reserve Water and Wastewater Evaluation* identifies future demand conditions for water service to parcels within the existing NCSD service area that are not currently served. This includes parcels with reserved district capacity allocation (parcels not currently in the NCSD's system but have potential to be added to the system), parcels served by private wells, vacant parcels, and ADUs associated with that growth (MKN 2022; see EIR Appendix H).

The maximum anticipated infill development scenario assumes that every parcel that has the capability to subdivide will subdivide. This does not affect the potential future demand for existing customers because neither the total area of the parcel nor the usage factor changes. However, this increase in subdivision does increase the total number of parcels available to add an ADU. The maximum anticipated infill development scenario assumes every new parcel able to add an ADU will do so. Total ADU water demand is projected by multiplying all eligible parcels by a demand factor of 0.11 AFY per ADU. The maximum anticipated infill development scenario is a conservative approach but is appropriate to assess future worst-case scenario needs since the NCSD does not control land use or zoning within its service area. This scenario also includes current NCSD water demand, as well as the required deliveries to the WMWC, GSWC, and GSWCCR according to the Water Replenishment Agreement (MKN 2022).

Table 4.19-8 identifies the potential future NCSD service area water demand according to the maximum anticipated infill development scenario.

**Table 4.19-8. Maximum Anticipated Infill Development Scenario Water Demand**

| Description | Projected Water Demand (AFY) |
|---|---|
| ***Current Nipomo Community Services District Customer Usage*** | |
| Existing Nipomo Community Services District Service Area[1] | 2,048 |
| ***Potential District Maximum Anticipated Infill*** | |
| Future Demand Subtotal | 340 |
| **Future Demand Subtotal[2]** | **2,388** |
| ***District Interconnections*** | |
| Golden State Water Company | 208 |
| Golden State Water Company Cypress Ridge | 208 |
| Woodlands Mutual Water Company | 417 |
| **Interconnection Subtotal** | **833** |
| **Total Future Demand with Interconnections (AFY)[2]** | **3,221** |

Source: MKN 2022

[1] Table 4-1, 2020 UWMP.

[2] Table 4-3, 2020 UWMP. Total District projected water demand for year 2045, excluding anticipated demand from the proposed Dana Reserve development (see EIR Appendix H).

As identified in Table 4.19-8, the total projected water demand for the NCSD service area is estimated to be 3,221 AFY.

## Supply and Demand Comparison

The 2020 UWMP includes the available water supply scenarios for normal, single dry, and multiple dry years based on the projected water supply and demand. Table 4.19-9 identifies the projected available water supply and demand for a normal year.

**Table 4.19-9. Projected Normal Year Water Supply and Demand**

| Sources of Supply and Demand | 2025 | 2030 | 2035 | 2040 | 2045 |
|---|---|---|---|---|---|
| Groundwater Supply | 2,533 | 2,533 | 2,533 | 2,533 | 2,533 |
| Imported Water Supply | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| **Total** | **5,533** | **5,533** | **5,533** | **5,533** | **5,533** |
| NCSD Demand (Existing and Infill) | 2,118 | 2,186 | 2,253 | 2,320 | 2,388 |
| Annexations Under Review | 178 | 352 | 352 | 352 | 352 |
| Sales to Other Agencies | 833 | 833 | 833 | 833 | 833 |
| **Total** | **3,127** | **3,371** | **3,438** | **3,505** | **3,573** |
| ***Difference (AF)*** | ***2,406*** | ***2,162*** | ***2,095*** | ***2,028*** | ***1,960*** |

Source: MKN (2021)

Based on Table 4.19-9, there would be a projected average water surplus of approximately 2,130 AFY during normal conditions.

For a single dry year, it was assumed that the NMMA would declare a Stage II drought level, requiring a voluntary groundwater reduction goal of 20%, which would result in 2,027 AFY of available groundwater. Table 4.19-10 identifies the water supply and demand for projected single dry year conditions.

**Table 4.19-10. Projected Single Dry Year Water Supply and Demand**

| Sources of Supply and Demand | 2025 | 2030 | 2035 | 2040 | 2045 |
|---|---|---|---|---|---|
| Groundwater Supply | 2,027 | 2,027 | 2,027 | 2,027 | 2,027 |
| Imported Water Supply | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| **Total** | **5,027** | **5,027** | **5,027** | **5,027** | **5,027** |
| NCSD Demand (Existing and Infill) | 2,118 | 2,186 | 2,253 | 2,320 | 2,388 |
| Annexations Under Review | 178 | 352 | 352 | 352 | 352 |
| Sales to Other Agencies | 833 | 833 | 833 | 833 | 833 |
| **Total** | **3,127** | **3,371** | **3,438** | **3,505** | **3,573** |
| ***Difference (AF)*** | ***1,900*** | ***1,656*** | ***1,589*** | ***1,522*** | ***1,454*** |

Source: MKN (2021)

Based on Table 4.19-10, there would be a projected average water surplus of approximately 1,624 AFY during single dry year conditions.

For 5 consecutive dry years, it was assumed that the NMMA would declare a Stage II drought level for the first year and increase the voluntary groundwater reduction goals in subsequent years up to 60%. Table 4.19-11 identifies the projected supply and demand scenario for multiple dry years.

**Table 4.19-11. Projected Multiple Dry Years Water Supply and Demand**

| Sources of Supply and Demand | 2025 | 2030 | 2035 | 2040 | 2045 |
|---|---|---|---|---|---|
| ***First Year (Stage II)*** | | | | | |
| Groundwater Supply | 2,027 | 2,027 | 2,027 | 2,027 | 2,027 |
| Imported Water Supply | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| **Total** | **5,027** | **5,027** | **5,027** | **5,027** | **5,027** |
| NCSD Demand (Existing and Infill) | 2,118 | 2,186 | 2,253 | 2,320 | 2,388 |
| Annexations Under Review | 178 | 352 | 352 | 352 | 352 |
| Sales to Other Agencies | 833 | 833 | 833 | 833 | 833 |
| **Total** | **3,127** | **3,371** | **3,438** | **3,505** | **3,573** |
| ***Difference (AF)*** | ***1,900*** | ***1,656*** | ***1,589*** | ***1,522*** | ***1,454*** |
| ***Second Year (Stage III)*** | | | | | |
| Groundwater Supply | 1,733 | 1,733 | 1,733 | 1,733 | 1,733 |
| Imported Water Supply | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| **Total** | **4,733** | **4,733** | **4,733** | **4,733** | **4,733** |
| NCSD Demand (Existing and Infill) | 2,118 | 2,186 | 2,253 | 2,320 | 2,388 |
| Annexations Under Review | 178 | 352 | 352 | 352 | 352 |
| Sales to Other Agencies | 833 | 833 | 833 | 833 | 833 |

| Sources of Supply and Demand | 2025 | 2030 | 2035 | 2040 | 2045 |
|---|---|---|---|---|---|
| **Total** | **3,127** | **3,371** | **3,438** | **3,505** | **3,573** |
| ***Difference (AF)*** | ***1,606*** | ***1,362*** | ***1,295*** | ***1,228*** | ***1,160*** |
| ***Third Year (Stage IV)*** | | | | | |
| Groundwater Supply | 1,267 | 1,267 | 1,267 | 1,267 | 1,267 |
| Imported Water Supply | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| **Total** | **4,267** | **4,267** | **4,267** | **4,267** | **4,267** |
| NCSD Demand (Existing and Infill) | 2,118 | 2,186 | 2,253 | 2,320 | 2,388 |
| Annexations Under Review | 178 | 352 | 352 | 352 | 352 |
| Sales to Other Agencies | 833 | 833 | 833 | 833 | 833 |
| **Total** | **3,127** | **3,371** | **3,438** | **3,505** | **3,573** |
| ***Difference (AF)*** | ***1,140*** | ***896*** | ***829*** | ***762*** | ***694*** |
| ***Fourth Year (Stage V)*** | | | | | |
| Groundwater Supply | 1,013 | 1,013 | 1,013 | 1,013 | 1,013 |
| Imported Water Supply | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| **Total** | **4,013** | **4,013** | **4,013** | **4,013** | **4,013** |
| NCSD Demand (Existing and Infill) | 2,118 | 2,186 | 2,253 | 2,320 | 2,388 |
| Annexations Under Review | 178 | 352 | 352 | 352 | 352 |
| Sales to Other Agencies | 833 | 833 | 833 | 833 | 833 |
| **Total** | **3,127** | **3,371** | **3,438** | **3,505** | **3,573** |
| ***Difference (AF)*** | ***886*** | ***642*** | ***575*** | ***508*** | ***440*** |
| ***Fifth Year (Stage V)*** | | | | | |
| Groundwater Supply | 1,013 | 1,013 | 1,013 | 1,013 | 1,013 |
| Imported Water Supply | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| **Total** | **4,013** | **4,013** | **4,013** | **4,013** | **4,013** |
| NCSD Demand (Existing and Infill) | 2,118 | 2,186 | 2,253 | 2,320 | 2,388 |
| Annexations Under Review | 178 | 352 | 352 | 352 | 352 |
| Sales to Other Agencies | 833 | 833 | 833 | 833 | 833 |
| **Total** | **3,127** | **3,371** | **3,438** | **3,505** | **3,573** |
| ***Difference (AF)*** | ***886*** | ***642*** | ***575*** | ***508*** | ***440*** |

Source: MKN (2021)

Based on Table 4.19-11, there would be a projected average water surplus of approximately 610 AFY following the fifth year of multiple dry year conditions, which is also considered the worst-case scenario available groundwater supply. Based on Tables 4.19-9 through 4.19-11, the NCSD would have sufficient water supply to serve existing and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions.

## Drought Risk Assessment

The 2020 UWMP includes a Water Shortage Contingency Plan (WSCP) in accordance with California Water Code Section 10632(a)(3). The WSCP establishes six stages of drought response actions to be implemented by the NCSD in times of shortage depending on the causes, severity, and anticipated

duration of the water supply shortage. Per the NMMA, the Santa Maria Valley Groundwater Basin is in the sixth consecutive year of severe water shortage conditions, which signifies a Stage IV NMMA water shortage response. To complete the 5-year drought risk assessment, it was assumed that the NCSD would have a voluntary groundwater reduction goal of 1,267 AFY (50%), reflecting a Stage IV NMMA water shortage response. Per the Wholesale Agreement delivery schedule for the NSWP, it was assumed that the NCSD would have access to a minimum supplemental water delivery of 1,000 AFY from 2021 to 2024 and 2,500 AFY starting in July 2025. However, if needed, the NCSD can increase deliveries over 1,000 AFY (for years 2021–2024) if required to serve future demands. Table 4.19-12 describes the 5-year drought risk assessment for the NCSD from 2021 to 2025.

**Table 4.19-12. Five-Year Drought Risk Assessment**

| | 2025 | 2030 | 2035 | 2040 | 2045 |
|---|---|---|---|---|---|
| Gross Water Use | 2,062 | 2,076 | 2,090 | 2,104 | -- |
| Gross Water Use (NCSD) | -- | -- | -- | -- | 2,118 |
| Gross Water Use (Annexations Under Review) | -- | -- | -- | -- | 176 |
| Gross Water Use (WMWC and GSWC) | -- | -- | -- | -- | 833 |
| Supply Total (Groundwater) | 1,267 | 1,267 | 2,267 | 1,276 | 1,267 |
| Supply Total (Imported) | 1,000 | 1,000 | 1,000 | 1,000 | 2,500 |
| Surplus/Shortfall w/o WSCP Action | 205 | 191 | 177 | 163 | 640 |
| WSCP (Supply Augmentation Benefit) | 0 | 0 | 0 | 0 | 0 |
| WSCP (Use Reduction Savings Benefit) | 0 | 0 | 0 | 0 | 0 |
| Revised Surplus (shortfall) | 0 | 0 | 0 | 0 | 0 |
| *Resulting % Use Reduction from WSCP Action* | *0* | *0* | *0* | *0* | *0* |

Source: MKN (2021)

#### 4.19.1.1.3 WASTEWATER

### Existing Conditions

The NCSD also provides wastewater services to its service population; however, a portion of the NCSD service area utilizes on-site septic systems (MKN 2021). The NCSD currently operates two wastewater treatment facilities within the NCSD service area: the Southland WWTF and the Blacklake Water Reclamation Facility (WRF). The Southland WWTF collects and treats wastewater from the majority of the NCSD service area and discharges treated effluent back into the basin via percolation ponds. The Blacklake WRF treats wastewater through secondary treatment. The treated effluent from the Blacklake WRF is discharged to the surface water features at Blacklake Golf Course. Water is extracted from the water hazards, as necessary, and discharged to a spray field. Blacklake WRF operates under Reclamation Orders from the Central Coast RWQCB. Additionally, the NCSD currently operates two wastewater collection systems within its service area, including the Blacklake System and the Town System. The Town System collects wastewater in the eastern portion of the NCSD service area from Orchard Road to Cedarwood Street, and within the southern portion of the service area from Juniper Street to Southland Street. The Blacklake System collects wastewater from the Blacklake community north of Willow Road (MKN 2021). Table 4.19-13 identifies the volume of metered wastewater collected within the NCSD service area in 2020.

**Table 4.19-13. Wastewater Collected within the NCSD Service Area in 2020**

| Wastewater Collection Agency | Wastewater Treatment Agency | Treatment Plant Name | Volume of Wastewater Collected from UWMP Service Area in 2020 (AF) |
|---|---|---|---|
| NCSD | NCSD | Southland WWTF | 554 |
| NCSD | NCSD | Blacklake WRF | 52 |
| | **Total Wastewater Collected from Service Area in 2020 (AF)** | | **606** |

Source: MKN (2021)

Based on Table 4.19-13, the NCSD collected and treated 606 AF of wastewater within its service area in 2020 (MKN 2021).

The NCSD is developing the Blacklake Sewer Consolidation Project to regionalize wastewater treatment at a central NCSD facility. As a result, the Blacklake WRF is planned to be decommissioned in 2025. Existing influent wastewater from the Blacklake sewer collection system will be diverted from the Blacklake WRF to the Southland WWTF. This project will require installation of a lift station at the existing Blacklake WRF site and construction of a force main to convey wastewater from the Blacklake system to the Town Sewer system for conveyance and treatment at the Southland WWTF (MKN 2022).

Past influent flow and loading conditions at the Southland WWTF were determined based on flow monitoring conducted for the existing NCSD wastewater collection system between October and November 2020. Flow monitoring methods and results are described in detail in the *Dana Reserve Water and Wastewater Evaluation* (MKN 2022; see EIR Appendix H). Table 4.19-14 summarizes these conditions.

**Table 4.19-14. Past Southland WWTF Influent Flow and Loading**

| Parameter | Value |
|---|---|
| Average Flow During Study Period (Oct/Nov 2020) | 0.50 mgd |
| Average Annual Flow (AAF) | 0.49 mgd |
| Maximum Month Flow (MMF) | 0.51 mgd |
| Peak Day Flow (PDF) | 0.57 mgd |
| Peak Hour Flow (PHF)[1] | 1.3 mgd |

Source: MKN (2022)

Note: mgd = million gallons per day

To estimate total existing average annual wastewater flow within the NCSD service area, the following methods were evaluated:

- Method 1: Return flows applied to 10-year (2011–2020) water production records (Historical demands by parcel, based on billing records, were adjusted using the 10-year production average. These demands by individual parcel were then used to calculate water usage factors per acre based on land use category).
- Method 2: Duty factors from the 2007 Water and Sewer Master Plan Update

Table 4.19-15 summarizes the estimated existing wastewater flows under both methods, including County service areas.

**Table 4.19-15. Estimated Total Existing Wastewater Flows**

| Land Use | No. of Sewered Parcels | Area (acres) | % of Total | 10-year Water Production (gpd) | % of Total | Return Factor (%) | Estimated Sewer Flow with Return Factor (gpd) | Estimated Sewer Flow with MP Sewer Factors (gpd) |
|---|---|---|---|---|---|---|---|---|
| Commercial Retail | 3 | 57 | 7% | 76,154 | 9% | 90% | 68,538 | 61,113 |
| Commercial Service | 9 | 8 | 1% | 3,463 | 0% | 90% | 3,117 | 2,032 |
| Multi-Land Use Category | 1 | 3 | 0% | 359 | 0% | 90% | 323 | 0 |
| Office and Professional | 18 | 5 | 1% | 2,993 | 0% | 90% | 2,693 | 942 |
| Public Facility | 5 | 12 | 1% | 4,139 | 0% | 65% | 2,691 | 5,188 |
| Rural Lands | 1 | 3 | 0% | 271 | 0% | 0% | -- | 0 |
| Recreation | 1 | 122 | 16% | 86,473 | 10% | 0% | -- | 0 |
| Residential Multi-Family | 525 | 72 | 9% | 158,783 | 19% | 90% | 142,905 | 189,711 |
| Residential Suburban | 112 | 39 | 5% | 21,382 | 3% | 50% | 10,691 | 12,817 |
| Residential Single Family | 1,878 | 384 | 49% | 479,332 | 58% | 60% | 287,559 | 354,371 |
| Agriculture | 1 | 79 | 10% | 0 | 0% | 0% | -- | 0 |
| *Subtotal* | *2,554* | *783* | *100%* | *833,349* | *1* | -- | *518,557* | *626,173* |
| | | | | | | **County Service Areas** | **72,662** | **77,074** |
| | | | | | | **Total Estimated Flow** | **591,219** | **703,247** |
| | | | | | | **Measured Flow** | **559,673** | **559,673** |
| | | | | | | **% Difference** | **5%** | **23%** |

Source: MKN (2021)

Note: gpd = gallons per day; MP = 2007 Water and Sewer Master Plan Update

[1] Blacklake WRF will be decommissioned in the future with flows going to Southland WWTP instead. Future flow from the 2017 Blacklake Sewer Master Plan was used.

As shown in Table 4.19-15, the total estimated existing wastewater flow for the NCSD service area, including County service areas, is 591,219 gallons per day (gpd) using estimated sewer flow with return factor generation rates and 703,247 gpd for estimated sewer flow with the 2007 Water and Sewer Master Plan Update sewer factor generation rate (MKN 2022).

## Existing NCSD Wastewater Infrastructure Capacities

As described above, wastewater generated by the existing NCSD service area is conveyed to the Southland WWTF. The Southland WWTF is a secondary wastewater treatment facility equipped with the following infrastructure: two screw centrifugal pumps, two fine influent screens, one grit removal system with classifier, one in-pond extended aeration system (Parkson Biolac®), two secondary clarifiers, 10 percolation ponds, one gravity belt thickener, 12 concrete-lined sludge drying beds for waste sludge dewatering, and a 400-kilo-volt-ampere (kVA) generator to provide backup power when needed. Additionally, the NCSD recently installed a dewatering screw press to assist in the waste sludge dewatering during wet weather (MKN 2022).

The Southland WWTF site was planned to allow phased improvements as demand increases. The Phase I design included design and construction of new sewer main facilities, replacing the previous treatment pond facility to maintain and improve treatment for increasing flows and loading. Phases II and III plan for anticipated increases in flow rate and loading at Southland WWTF. Equipment and processes were designed to be able to meet greater demands with additional equipment, such as additional aeration basins or clarifiers, in a phased approach without requiring removal or replacement of previous improvements. A detailed description of improvements included in Phase I, II, and III is included in the *Dana Reserve Water and Wastewater Evaluation* (MKN 2022; EIR Appendix H).

### CENTRIFUGAL PUMPS

The existing influent lift station at the Southland WWTF consists of two screw centrifugal pumps with 20-horsepower (hp) motors. The pumps alternate operation, with one pump operating and the other remaining on standby. Under these pumping conditions, each screw centrifugal pump has a capacity of 1,700 gpm (2.45 mgd) at 30 feet of total dynamic head (TDH). Additionally, the 2012 Conceptual Design Report (CDR) for the Southland WWTF identifies the future installment of a third pump to handle increased flow in future phases. With two pumps operating and a third on standby, each screw centrifugal pump would have a capacity of 4.83 mgd (MKN 2022).

### INFLUENT SCREENS

The Southland WWTF's existing headworks screen system consists of two shaftless screw screens designed for a peak flow of 4.83 mgd, with a maximum equipment capacity of 5.5 mgd (MKN 2022).

### GRIT REMOVAL

The Southland WWTF's existing grit removal system consists of one vortex-type grit tank with a single self-priming grit pump. One grit tank was installed during the Phase I Improvements, with provisions to add a second in the future. The grit tank was designed for a peak flow of 2.5 mgd (MKN 2022).

### EXTENDED AERATION SYSTEM

The Southland WWTF currently operates one extended aeration basin with a total volume of 1.41 million gallons and a design mixed liquor suspended solids (MLSS) concentration of 3,223 milligrams per liter. The existing basin was designed for a solid retention time (SRT) of 60 to 70 days and a hydraulic retention time (HRT) of 1.63 days. The basin was sized based on a recommended range of biological oxygen demand ($BOD_5$) loading to the aeration basin of 5 to 12 pounds per day per 1,000 cubic feet of basin volume.

### SECONDARY CLARIFIERS

Two existing 55-foot-diameter concrete circular secondary clarifiers are operating at Southland WWTF, each with a design overflow rate (OFR) of 240 gallons per day per square foot ($gpd/ft^2$) at average daily flow and 694 $gpd/ft^2$ at peak hour flow. Each clarifier is designed for a solids loading capacity of 0.95 pounds per square foot per hour ($lbs/ft^2/hr$) at average conditions and 1.67 $lbs/ft^2/hr$ at peak conditions. With one clarifier operating, the existing combined average OFR falls within the recommended range; however, the combined peak OFR exceeds the recommended maximum value by 167 $gpd/ft^2$ and the peak solids loading rate exceeds the maximum value by 1.31 $lb/ft^2/hr$ (MKN 2022). With two clarifiers operating, both the existing combined average OFR and the peak OFR fall under the lower bound of the recommended range. However, this is not anticipated to be an issue as the NCSD is successfully operating two clarifiers under existing conditions. The existing average solids loading rate falls within the recommended range for one clarifier and the peak solids loading rate is less than the maximum with two operating clarifiers. The existing clarifiers have Return Activated Sludge (RAS)

pump stations, consisting of two pumps, each with a capacity of 875 gpm. The existing combined average annual flow is anticipated to be 0.85 mgd, which is greater than the design range of the pumps (MKN 2022).

### SLUDGE THICKENER, SCREW PRESS, AND SLUDGE DRYING BEDS

The Southland WWTF currently conveys between 34,000 and 51,000 gpd of sludge to the existing gravity belt thickener and screw press. The waste sludge, before processing, has a solids concentration between 0.35% and 0.5% total solids. The gravity belt thickener and screw press currently operate between 6 and 7 hours per day for approximately 35 hours per week. The annexation and Blacklake consolidation will increase the average annual flow, organic loads, and solids loads at the Southland WWTF by 44% (MKN 2022).

During normal operation, the screw press receives thickened sludge from the gravity belt thickener, and, thus, operates for the same durations as the thickener. In the event the screw press is taken out of service, the NCSD has sludge-drying beds that are utilized to store thickened sludge from the gravity belt thickener. If the gravity belt thickener is out of service, waste sludge can be routed directly to the screw press.

## NCSD Service Area Wastewater Projections

Future NCSD service area wastewater flow projections include both Blacklake and town service areas since both will be served in the future. To estimate future average annual wastewater flow projections, the same methods used to estimate existing wastewater flows were used, which includes the following:

- Method 1: Return flows applied to 10-year (2011–2020) water production records (Historical demands by parcel, based on billing records, were adjusted using the 10-year production average. These demands by individual parcel were then used to calculate water usage factors per acre based on land use category.)
- Method 2: Duty factors from the 2007 Water and Sewer Master Plan Update

Table 4.19-16 summarizes the estimated future wastewater flows for the existing NCSD service area under both methods, excluding existing demands.

**Table 4.19-16. Estimated Future Wastewater Flows for the NCSD Service Area**

| Land Use | Number of Sewered Parcels | Area (acres) | % of Total | 10-year Water Production (gpd) | % of Total | Return Factor | Estimated Sewer Flow with Return Factor (gpd) | Estimated Sewer Flow with MP Sewer Factors (gpd) |
|---|---|---|---|---|---|---|---|---|
| Commercial Retail | 62 | 71 | 15% | 94,467 | 21% | 90% | 85,021 | 75,810 |
| Commercial Service | 11 | 49 | 10% | 21,170 | 5% | 90% | 19,539 | 12,739 |
| Multi-Land Use Category | 0 | 0 | 0% | 0 | 0% | 90% | 0 | 0 |
| Office and Professional | 14 | 9 | 2% | 5,548 | 1% | 90% | 4,993 | 1,746 |
| Public Facility | 2 | 12 | 2% | 4,114 | 1% | 65% | 2,674 | 5,096 |
| Rural Lands | 0 | 0 | 0% | 0 | 0% | 0% | 0 | 0 |
| Recreation | 0 | 0 | 0% | 0 | 0% | 0% | 0 | 0 |

| Land Use | Number of Sewered Parcels | Area (acres) | % of Total | 10-year Water Production (gpd) | % of Total | Return Factor | Estimated Sewer Flow with Return Factor (gpd) | Estimated Sewer Flow with MP Sewer Factors (gpd) |
|---|---|---|---|---|---|---|---|---|
| Residential Multi-Family | 29 | 38 | 8% | 60,244 | 13% | 90% | 54,221 | 100,939 |
| Residential Suburban | 91 | 132 | 28% | 69,198 | 21% | 50% | 86,578 | 43,542 |
| Residential Single Family | 169 | 153 | 33% | 165,158 | 37% | 60% | 148,644 | 141,490 |
| Agriculture | 0 | 0 | 0% | 0 | 0% | 0% | 0 | 0 |
| *Subtotal* | *378* | *464* | *100%* | *447,439* | *100%* | *--* | *401,669* | *381,362* |
| | | | | | | Blacklake WRF[1] | 58,000 | 58,000 |
| | | | | | | Future ADUs | 26,161 | 26,161 |
| | | | | | | **Total Flows (GPD)** | **485,830** | **465,523** |

Source: MKN (2022)

Note: gpd = gallons per day; MP = 2007 Water and Sewer Master Plan Update

[1] Blacklake WRF will be decommissioned in the future with flows going to the Southland WWTF instead. Future flow from the 2017 Blacklake Sewer Master Plan was used.

As shown in Table 4.19-16, the projected future wastewater flows for the NCSD service area, excluding existing wastewater flows, is 485,830 gpd using estimated sewer flow with return factor generation rates and 465,523 gpd for estimated sewer flow with the 2007 Water and Sewer Master Plan Update sewer factor generation rate (MKN 2022).

#### 4.19.1.1.4 SOLID WASTE DISPOSAL

### San Luis Obispo County Integrated Waste Management Authority

The San Luis Obispo County IWMA is a government entity formed through a Joint Powers Authority and is governed by an eight-person board of elected officials from Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo and one member representing the 11 unincorporated communities.

The San Luis Obispo County IWMA oversees local waste providers throughout the county. South County Sanitary provides residential and commercial garbage and recycling services for Arroyo Grande, Avila Beach, Grover Beach, Nipomo, Oceano, and Pismo Beach (County of San Luis Obispo 2022).

### Cold Canyon Sanitary Landfill

Cold Canyon Sanitary Landfill (Cold Canyon Landfill) is a modern municipal solid waste disposal facility permitted by the California Department of Resources Recycling and Recovery (CalRecycle) and is in full compliance with state and local rules and regulations regarding solid waste disposal. The Cold Canyon Landfill is located approximately 10 miles north of the community of Nipomo and provides disposal services for municipal solid waste, construction/demolition wastes, industrial waste, and special wastes with proper approval (Waste Connections 2020). The Cold Canyon Landfill has a total permitted area of 209 acres and a disposal area of 121 acres. The total allowable capacity is 23,900,000 cubic yards, with a peak acceptance rate of 1,650 tons per day. The Cold Canyon Landfill has a remaining capacity of 13,000,000 cubic yards as of August 31, 2020, and the estimated closure date is December 31, 2040 (CalRecycle 2020).

### *4.19.1.2 Local*

#### 4.19.1.2.1 WATER AND WASTEWATER

The Specific Plan Area is currently located outside of the existing NCSD service area boundary. Domestic water and wastewater services for the proposed project would be provided by the NCSD through an annexation into the NCSD service area. There is existing NCSD water system infrastructure located within Willow Road to the north, Pomeroy Road to the west, and North Frontage Road to the southeast of the Specific Plan Area. Existing NCSD wastewater infrastructure is located within North Frontage Road to the southeast of the Specific Plan Area and is conveyed to the Southland WWTF.

#### 4.19.1.2.2 SOLID WASTE

The Specific Plan Area is currently undeveloped and is not provided solid waste services. The Specific Plan Area is located within the South County Sanitary service area for solid waste collection services. Solid waste would be disposed of at the Cold Canyon Landfill, located approximately 10 miles north of the Specific Plan Area.

## 4.19.2 Regulatory Setting

### *4.19.2.1 Federal*

#### 4.19.2.1.1 CLEAN WATER ACT

The CWA was created with the goal to restore and preserve the chemical, physical, and biological integrity of the nation's waterways by preventing pollution from entering waterways, including wetlands, and assisting publicly owned wastewater treatment facilities to improvement of wastewater treatment. The CWA regulates the water quality of all discharges into waters of the United States including wetlands and perennial and intermittent stream channels.

#### 4.19.2.1.2 SAFE DRINKING WATER ACT

The purpose of the Safe Drinking Water Act (SDWA) is to protect public health by regulating the nation's public drinking water supply. The SDWA authorizes the USEPA to set national health-based standards for drinking water to protect against both naturally occurring and human-made contaminants that may be found in drinking water. Potential contaminants include improperly disposed chemicals, animal wastes, pesticides, human threats, wasted injected underground, and naturally occurring substances. In addition, water that is not properly treated may pose a threat to drinking water. The SDWA applies to all public water systems across the nation. The USEPA, individual states, and water systems work in coordination to ensure that these standards are met. The USEPA identifies potential contaminants, determines an allowable maximum contaminant level, and enforces the set standards.

### *4.19.2.2 State*

#### 4.19.2.2.1 SUBDIVISION MAP ACT

The Subdivision Map Act (California Government Code Title 7, Division 2) describes general provisions, procedures, and requirements for the division of land, including the provision of public services and roadway and utilities improvements.

#### 4.19.2.2.2 SUSTAINABLE GROUNDWATER MANAGEMENT ACT

The SGMA is comprised of a three-bill legislative package, including AB 1739, SB 1168, SB 1319, and subsequent statewide regulations. The SGMA provides a statewide framework for the long-term protection of groundwater resources by requiring local agencies to form Groundwater Sustainability Agencies for high- and medium-priority basins. Those Groundwater Sustainability Agencies are required to develop and implement a Groundwater Sustainability Plan to mitigate overdraft of groundwater resources. The DWR is responsible for assessing existing conditions and prioritizing groundwater basins within the state. There are six high- and medium-priority groundwater basins located partially or entirely within San Luis Obispo County, including the San Luis Obispo Valley, Santa Maria River Valley, Paso Robles, Atascadero, Cuyama Valley, and Los Osos Valley Basins.

#### 4.19.2.2.3 URBAN WATER MANAGEMENT PLANNING ACT

The UWMP Act of 1983 (California Water Code Sections 10610 et seq.) requires that every supplier providing water for municipal purposes to more than 3,000 customers or suppliers supplying more than 3,000 AF of water annually to prepare a UWMP every 5 years. UWMP shall include a description of the service area, existing and planned sources of water available to the supplier, how much water the agency has on a reliable basis, how much it needs for the foreseeable future, what the agency's strategy is for meeting its water needs, the challenges facing the agency, and any other information necessary to provide a general understanding of the agency's plan. In addition, every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its UWMP that includes, but is not limited to, an analysis of water supply reliability over a 20-year planning timeframe, the procedures used in conducting an annual water supply and demand assessment, define standard water shortage levels corresponding to progressive ranges of up to 50% shortages and greater than 50% shortages, and shortage response actions that align with the defined shortage levels.

#### 4.19.2.2.4 CALIFORNIA SENATE BILL 610

SB 610 requires an additional assessment of whether available water supplies are sufficient to serve the demand generated by a proposed project, as well as the reasonably foreseeable cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions.

#### 4.19.2.2.5 CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT

The California Integrated Waste Management Act of 1989 (AB 939) was originally enacted to require cities and counties in the State of California to divert 25% of its waste streams by the year 1995 and 50% by the year 2000. Later legislation mandates the 50% diversion requirement to be achieved each year. Specifically, the act requires counties and cities to adopt a Source Reduction and Recycling Element of their Waste Management Plans to describe actions to be implemented to achieve waste reduction goals (PRC Section 41750). CalRecycle oversees and provides assistance to local governments as they develop and implement plans to meet the mandates of the Integrated Waste Management Act and subsequent legislation.

#### 4.19.2.2.6 CALIFORNIA SOLID WASTE REUSE AND RECYCLING ACCESS ACT

The California Solid Waste Reuse and Recycling Access Act of 1991 (AB 1327) requires each local jurisdiction to adopt an ordinance requiring commercial, industrial, institutional building, marina, or residential buildings having five or more living units to provide an adequate storage area for the collection and removal of recyclable materials. The sizes of these storage areas are to be determined by the

appropriate jurisdictions' ordinance. If no such ordinance exists with the jurisdiction, the CalRecycle model ordinance shall take effect.

#### 4.19.2.2.7 MANDATORY COMMERCIAL RECYCLING PROGRAM

The Mandatory Commercial Recycling Program (AB 341) authorizes CalRecycle to develop and adopt regulations for mandatory commercial recycling. AB 341 requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. In addition, all multi-family homes with more than five units are also required to have a recycling program in place.

#### 4.19.2.2.8 CALIFORNIA SENATE BILL 1374

SB 1374 was implemented to assist jurisdictions with diverting construction and demolition waste material. Per SB 1374, PRC Section 41821 requires public agencies to include a summary of the progress made in diverting construction and demolition waste according to diversion goals included in AB 939. Per SB 1374, PRC Section 41850 authorizes CalRecycle to fine jurisdictions that do not meet the required goals. Additionally, per SB 1734, PRC Section 42912 requires that CalRecycle adopt a model ordinance for diverting 50% to 75% of all construction and demolition waste from landfills.

### *4.19.2.3 Local*

#### 4.19.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

##### Land Use and Circulation Elements

###### *South County Area Plan*

The County of San Luis Obispo Area Plans are included as Part II of the LUCE. The South County Area Plan includes "Programs," which are defined as specific non-mandatory actions or policies recommended by the County's LUE to achieve community or areawide objectives identified in this areawide plan.

###### *Nipomo Community Plan*

The Nipomo Community Plan is included in Part III of the LUCE. The Nipomo Community Plan includes "Programs," which are defined as specific non-mandatory actions or policies recommended by the County's LUE to achieve community or areawide objectives identified in this community plan. The public service programs within the Nipomo Community Plan that apply within or near the Nipomo URL are included in Table 4.19-17 below.

#### 4.19.2.3.2 COUNTY OF SAN LUIS OBISPO 2016 ENERGYWISE PLAN

The County's 2016 EWP identifies goals to reduce GHG emissions throughout the county. Specifically, this plan identifies solid waste reduction goals to reduce methane emissions from solid waste disposal by achieving as close to zero waste as possible through increased diversion rates, methane capture and recovery, and other strategies (County of San Luis Obispo 2016).

#### 4.19.2.3.3 COUNTY OF SAN LUIS OBISPO MUNICIPAL CODE

Section 19.07.042 of the County Code requires that all new development and some existing structures with plumbing fixtures within the Paso Robles Groundwater Basin and Nipomo Mesa Water Conservation Area (NMWCA) shall obtain an offset clearance from the County Planning and Building

Department verifying that new water use has been offset at a 1:1 ratio. Title 22 of the County Code requires that land division projects that exceed the existing nonagricultural water demand within the NMWCA shall be subject to a supplemental water development fee for each dwelling unit or dwelling unit equivalent, at the time of building permit issuance, in the amount then currently imposed by county ordinance.

#### 4.19.2.3.4 2020 NIPOMO COMMUNITY SERVICES DISTRICT URBAN WATER MANAGEMENT PLAN

The 2020 NCSD UWMP provides a WSCP in accordance with California Water Code Section 10632(a)(3). The WSCP establishes six stages of drought response actions to be implemented by the NCSD in times of shortage depending on the causes, severity, and anticipated duration of the water supply shortage. The six stages of drought response include mandatory groundwater production reduction requirements (MKN 2021).

### *4.19.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Utilities and Service Systems*

Table 4.19-17 lists applicable state, regional, and local land use policies and regulations pertaining to utilities and service systems that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.19.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.19-17 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.19.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.19-17. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **General Plan Conservation and Open Space Element** | | |
| **Policy E 5.4 Construction and demolition waste.** Continue to reduce construction and demolition waste in accordance with the County's Construction and Demolition Debris Recycling Ordinance. Support increased diversion rates over time. | The intent of this policy is to reduce construction and demolition waste. | **Potentially Consistent.** During future construction activities, the project would be required to comply with CALGreen Sections 4.408 and 5.408, which require the diversion of at least 75% of the waste generated during construction, which would reduce the amount of short-term solid waste that is transferred to the Cold Canyon Landfill. |
| **Policy WR 1.9 Discourage new water systems.** Enable expansion of public services by community services districts and County service areas to serve contiguous development when water is available. Strongly discourage the formation of new water and sewer systems serving urban development at the fringe and outside of urban or village reserve lines or services lines. Strongly discourage the formation of new mutual or private water companies in groundwater basins with Resource Management | The intent of this policy is to promote infill development and discourage new water uses in groundwater basins with water shortages. | **Potentially Consistent.** Water for the project would be supplied by the NCSD, which receives water from groundwater from the Santa Maria River Valley Groundwater Basin and imported water from the NSWP. The Dana Reserve WSA concluded that the NCSD is projected to have sufficient water supply to serve the existing service area, the proposed project, and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions. Despite these |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| System Levels of Severity I, II, or III, except where needed to resolve health and safety concerns. | | projections, the specific timing of buildout of the DRSP is not currently known and the reliability of future water supply is uncertain due to the potential for prolonged periods of drought and increasing water demands due to population growth. Mitigation has been included that will require future DRSP developers to provide proof of water rights sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. |
| **Policy WR 1.12 Impacts of new development.** Accurately assess and mitigate the impacts of new development on water supply. At a minimum, comply with the provisions of Senate Bills 610 and 221. | The intent of this policy is to assess and mitigate the impacts of new development on water supply. | **Potentially Consistent.** The Dana Reserve WSA concluded that the NCSD is projected to have sufficient water supply to serve the existing service area, the proposed project, and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions. Despite these projections, the specific timing of buildout of the DRSP is not currently known and the reliability of future water supply is uncertain due to the potential for prolonged periods of drought and increasing water demands due to population growth. Mitigation has been included that will require future DRSP developers to provide proof of water rights sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. |
| **Policy WR 1.13 Density increases in rural areas.** Do not approve General Plan amendments or land divisions that increase the density or intensity of non-agricultural uses in rural areas that have a recommended or certified Level of Severity II or II for water supply until a Level of Severity I or better is reached unless there is an overriding public need. | The intent of this policy is to prevent population density growth in areas with water supply shortages. | **Potentially Consistent.** The project includes the development of non-agricultural uses just outside of the Nipomo URL. However, the Dana Reserve WSA concluded that the NCSD is projected to have sufficient water supply to serve the existing service area, the proposed project, and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions. Additionally, mitigation has been included which will require future DRSP developers to provide proof of water rights sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. Based on projected water availability and implementation of identified mitigation, the project would be potentially consistent with this policy. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Framework for Planning (Inland)** | | |
| **Policy 2.** Keep the amount, location and rate of growth allowed by the Land Use Element within the sustainable capacity of resources, public services, and facilities. | The intent of this policy is to sustainably manage County resources. | **Potentially Consistent.** The Dana Reserve WSA concluded that the NCSD is projected to have sufficient water supply to serve the existing service area, the proposed project, and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions. Due to the uncertainty of potential drought years, mitigation has been included to require future DRSP developers to provide proof of water rights sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. |
| **Policy 9.** Give high priority to funding needed infrastructure improvements in a timely manner within existing and strategically planned urban and village areas. | The intent of this policy is to provide funding for necessary infrastructure projects within existing and strategically planned urban and village areas. | **Potentially Consistent.** The project includes implementation of off-site NCSD water and wastewater improvements to serve the existing and future service area. |
| **Policy 10.** The cost of additional services and facilities will be fairly shared among those who most immediately benefit and the entire community. | The intent of this policy is to provide funding for services and facilities. | **Potentially Consistent.** The project includes implementation of off-site NCSD water and wastewater improvements to serve the existing and future service area. |
| **South County Inland Area Plan** | | |
| *Public Facilities, Services, and Resources* | | |
| Secure adequate means of generating revenues that can provide necessary public resources, services, and facilities to better serve the existing population as well as future growth. | The intent of this policy is to generate revenue to provide public resources to serve the existing and future population. | **Potentially Consistent.** The project includes implementation of off-site NCSD water and wastewater improvements to serve the existing and future service area. |
| Projects resulting from general plan amendments and urban expansion shall fund their share of public resources, services and facilities to the limits allowed by law. | The intent of this policy is to provide funding for public services through a general plan amendment. | **Potentially Consistent.** The project includes implementation of off-site NCSD water and wastewater improvements to serve the existing and future service area. |
| Evaluate the financial capability of service providers to accommodate additional growth by reviewing capital improvement plans before urban expansion or major projects are approved. | The intent of this policy is to ensure financial capability of service providers to support urban expansion. | **Potentially Consistent.** The project would implement off-site NCSD water and wastewater improvements identified by the NCSD that would be necessary to serve the existing and future service area. |
| Create a mandatory trash collection program and develop recycling programs for bulk items, green waste and hazardous products, and provide transfer stations for convenient collection to reduce the problem of illegal dumping. | The intent of this policy is to provide a mandatory trash collection program. | **Potentially Consistent.** South County Sanitary would provide residents and businesses in the Specific Plan Area with green waste bins for diversion of organic materials and recycling bins for the diversion of recyclable materials. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| *Water Resources* | | |
| Supplemental Water Development Fee. The Planning Department, in coordination with the Public Works Department and the NCSD, should determine the amount of a fee, as soon as possible, to be paid by new development resulting from new land divisions that would increase non-agricultural water demand within the Nipomo Mesa Water Conservation Area. The fee shall also apply to development of existing lots of record. Those lots that are otherwise contributing to the development of supplemental water would not be required to pay the fee (for example those lot within the Woodlands Village Area). Determination of the fee and adoption of an ordinance requiring payment of the fee should be consistent with the requirements of AB 1600. | The intent of this policy is to determine the amount of a fee to be paid by new development resulting from new land divisions that would increase non-agricultural water demand within the NMWCA. | **Potentially Consistent.** Implementation of the project would be responsible for offsetting its project-specific expenses and fair-share proportionate fees for construction of new and expanded NCSD facilities. The project would not affect the NCSD's ability to maintain conservative, long-term financial management. |
| *Solid Waste Disposal* | | |
| Waste Collection- Nipomo and Village Areas, South County (South). A mandatory waste collection service should be investigated in the Nipomo urban area and the village areas that offer recycling and low-cost service for low-volume users for bulk items, green waste and hazardous products. The Department of Planning and Building and the Health Department should investigate the need to require evidence of a contract for private waste collection before the issuance of building permits in village areas. | The intent of this policy is to implement a mandatory waste collection service in the Nipomo urban area and the village areas. | **Potentially Consistent.** South County Sanitary would provide residents and businesses in the Specific Plan Area with green waste bins for diversion of organic materials and recycling bins for the diversion of recyclable materials. |
| **Nipomo Community Plan** | | |
| *Community Service Programs* | | |
| Special Districts | | |
| **Nipomo Community Services District (NCSD).** The Nipomo Community Services District should assume drainage control, fire protection, parks and recreation, street lighting and street tree maintenance to its responsibilities to provide more comprehensive urban services. | The intent of this policy is to encourage the NCSD to provide more comprehensive urban services. | **Potentially Consistent.** The project would be provided water and wastewater services by the NCSD. The NCSD provides primarily water and wastewater service as well as solid waste service through a franchise hauler. The NCSD does not want responsibility for additional services. |
| Water Resources | | |
| **Water Source Augmentation.** Water providing agencies should work towards programs to provide additional water for the community. Any use of the offshore aquifer should be accompanied by a contingency plan for preventing or correcting seawater intrusion. | The intent of this policy is to provide additional water for the community. | **Potentially Consistent.** The project would receive water from the NCSD, which has a diverse water supply portfolio, including groundwater, surface water, and imported water. The project would not require use of an offshore aquifer. |
| **Supplemental Water Development Fee.** The Planning Department, in coordination with the Public Works Department and the NCSD, should determine the amount of a fee, as soon as possible, to be paid by new development resulting from new land divisions that would increase non-agricultural water demand within the Nipomo Mesa Water Conservation Area. The | The intent of this policy is to determine the amount of a fee to be paid by new development resulting from new land divisions that would increase non-agricultural water demand within the NMWCA. | **Potentially Consistent.** Implementation of the project would be responsible for offsetting its project-specific expenses and fair-share proportionate fees for construction of new and expanded NCSD facilities. The project would not affect the NCSD's ability to maintain conservative, long-term financial management. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| fee shall also apply to development of existing lots of record. Those lots that are otherwise contributing to the development of supplemental water would not be required to pay the fee (for example those lot within the Woodlands Village Area). Determination of the fee and adoption of an ordinance requiring payment of the fee should be consistent with the requirements of AB 1600. | | |
| **Groundwater Management.** South County water purveyors, cities, agencies, and individual users are encouraged to work toward management of the groundwater resource. Agreements and funding should be sought by these entities to prepare a groundwater study that will assist in identifying the appropriate management strategies. | The intent of this policy is to encourage collaborative management of groundwater resources. | **Potentially Consistent.** Implementation of the project would not affect coordination between South County water purveyors, cities, agencies, and individual users to work toward management of groundwater resources. However, mitigation has been included to require future DRSP developers to provide proof of water rights sufficient to meet the estimated water demand of proposed development to ensure there is adequate water supply for the project and to ensure the protection of groundwater and other water resources. |
| Solid Waste Disposal | | |
| **Waste Collection- Nipomo.** A mandatory waste collection service should be investigated in the Nipomo urban area that offers recycling and low-cost service for low-volume users for bulk items, green waste, and hazardous products. | The intent of this policy is to implement a mandatory waste collection service in the Nipomo urban area and the village areas. | **Potentially Consistent.** South County Sanitary would provide residents and businesses in the Specific Plan Area with green waste bins for diversion of organic materials as well as recycling bins for the diversion of recyclable materials. |
| Land Use Programs | | |
| **Underground Utilities.** The County should work towards completion of utility undergrounding programs first within the central business district and then along North and South Frontage Roads. | The intent of this policy is to encourage completion of utility undergrounding programs. | **Potentially Consistent.** Implementation of the project would not affect completion of previously identified utility undergrounding programs. Proposed utility infrastructure within the Specific Plan Area and in off-site improvement areas would be undergrounded. |
| ***San Luis Obispo Local Agency Formation Commission Policies and Procedures*** | | |
| **General Policies** | | |
| The Commission discourages special districts from extending services by agreement without annexation. A municipality or district may provide new or extended services by contract or agreement outside its boundaries only if it requests and receives written approval from LAFCO (CKH 56133). | The intent of this policy is to discourage special districts from extending services by agreement without annexation. | **Potentially Consistent.** If approved by the County, the NCSD would submit an annexation application with SLOLAFCO for annexation of the Specific Plan Area into the NCSD service area boundary. If approved, following annexation, the project would receive water and wastewater services from the NCSD. |
| In any proposal requiring water service, the Commission requires that the agency to which the annexation is proposed should demonstrate the availability of an adequate, reliable and sustainable supply of water. In cases where a phased development is proposed, the agency should demonstrate that adequate service capacity will be provided as needed for each phase. In cases where a proposed annexation will be served by an onsite water source, the | The intent of this policy is to require agencies to demonstrate the availability of an adequate, reliable, and sustainable supply of water. | **Potentially Consistent.** The NCSD has prepared a Water and Sewer Service Evaluation for the DRSP project. Additionally, the Dana Reserve WSA was prepared for the project. Based on these documents, the NCSD is projected to have sufficient water supply to serve the existing service area, the proposed project, and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions. However, due to the uncertainty of potential drought years, |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| proponent should demonstrate its adequacy (CKH 56668 (k)). | | mitigation has been included to require future DRSP developers to provide proof of water rights sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. |
| *Policies for Annexation to Special Districts* | | |
| The district has the capability of meeting the need for services and has submitted studies and information documenting its capabilities. | The intent of this policy is to ensure districts have the capability of meeting needs for services. | **Potentially Consistent.** The NCSD has prepared a Water and Sewer Service Evaluation for the DRSP project. Additionally, the Dana Reserve WSA was prepared for the project. Based on these documents, the NCSD is projected to have sufficient water supply to serve the existing service area, the proposed project, and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions. However, due to the uncertainty of potential drought years, mitigation has been included to require future DRSP developers to provide proof of water rights sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. |
| ***NCSD 2018 Strategic Plan*** | | |
| **Goal 1. Water Supplies.** Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future. | The intent of this policy is to ensure the NCSD has a reliable water supply for existing and future customers. | **Potentially Consistent.** The NCSD is projected to have sufficient water supply to serve the existing service area, the proposed project, and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions. However, due to the uncertainty of potential drought years, mitigation has been included to require future DRSP developers to provide proof of water rights sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. |
| **Goal 2. Facilities that are Reliable, Environmentally Sensible, and Efficient.** Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations. | The intent of this policy is to ensure the NCSD provides and maintains efficient facilities and operations. | **Potentially Consistent.** The project would implement off-site NCSD water system improvements identified by the NCSD that would be necessary to serve the existing and future service area. |
| **Goal 4. Finance.** Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs. | The intent of this policy is to ensure long-term financial management. | **Potentially Consistent.** Implementation of the project would be responsible for offsetting the project-specific expenses and fair-share proportionate fees for construction of new and expanded NCSD facilities. The project would not affect the NCSD's ability to maintain conservative, long-term financial management. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| **Goal 5. Operations.** Maintain a proactive program to ensure readiness of systems and cost-effectiveness of operations. | The intent of this policy is to ensure readiness of systems and cost effectiveness of operations. | **Potentially Consistent.** The project would implement off-site NCSD water and wastewater system improvements identified by the NCSD that would be necessary to serve the existing and future service area. Implementation of the project would not affect the NCSD's ability to maintain other programs and operations. |
| **Goal 8. Additional Community Services.** Staff should focus on meeting the goals and objectives of existing services. Adding new services will be considered on a case-by-case basis and entered into only if funding can be found and existing services are not harmed. | The intent of this policy is to maximize efficiency of existing services and add new services as necessary. | **Potentially Consistent.** The project would implement off-site NCSD water and wastewater system improvements identified by the NCSD that would be necessary to serve the existing and future service area. The project would be provided solid waste services by South County Sanitary. The project would be subject to the payment of Public Facilities Fees to offset demand on other public facilities. |

## 4.19.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on utilities and service systems if the effects exceed the significance criteria described below:

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.

Each of these thresholds is discussed under Section 4.19.5, *Project-Specific Impacts and Mitigation Measures*, below.

## 4.19.4 Impact Assessment and Methodology

The following impact assessment evaluates the potential for the proposed project to require new or relocated utility infrastructure or exceed existing utility infrastructure capacities. Existing conditions and significance thresholds were identified using the *Nipomo Community Plan*, the County LUO, the 2020 NCSD UWMP, the Dana Reserve WSA, and the *Dana Reserve Water and Wastewater Evaluation*. The project's potential to result in significant impacts related to utilities and service systems was evaluated by

determining if growth associated with the project would require new or relocated utility infrastructure or exceed existing infrastructure capacity.

## 4.19.5 Project-Specific Impacts and Mitigation Measures

### WOULD THE PROJECT 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?

### Specific Plan Area

#### *USS Impact 1: The project would require the construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunications facilities. Impacts would be less than significant with mitigation (Class II).*

The project would require expanded utility infrastructure, including potable water, wastewater, stormwater, and other utilities, such as natural gas, electricity, telephone, and cable/data service. The Specific Plan Area is currently not within the NCSD service area boundary; therefore, domestic water and wastewater services for the proposed project would be provided by the NCSD through an annexation into the NCSD service area. Electricity would be provided by PG&E, and natural gas would be provided by SoCalGas. Telecommunication services would be provided by the American Telephone & Telegraph Company (AT&T), Pac-West Telecomm Inc., and Satin Satellite for telephone and data and Charter Communications for cable television.

#### WATER

The potable water system for the proposed project would be comprised of a 12-inch main line extension from North Frontage Road, located in the southeast corner of the Specific Plan Area, to Willow Road and would include an internally looped system of 12-inch public water main line. These water lines would be routed within proposed public roads and would include fire hydrants located adjacent to roadways (Figure 4.19-2). Domestic water services for individual developments within the Specific Plan Area would utilize NCSD standard water services and meters. Individual service connections would connect to the proposed 12-inch domestic main lines.

#### WASTEWATER

Project-generated wastewater would be conveyed to existing NCSD infrastructure within North Frontage Road at Juniper Street and treated at the Southland WWTF. The project would require a new 12-inch gravity line within North Frontage Road and a sewer force main and lift station to provide connection to the proposed development areas. In addition to the extension of existing infrastructure, the project includes the construction of two new sewer lift stations that would be located on two separate dedicated lots in the western portion of the Specific Plan Area near Hetrick Avenue and Pomeroy Road (Figure 4.19-3).

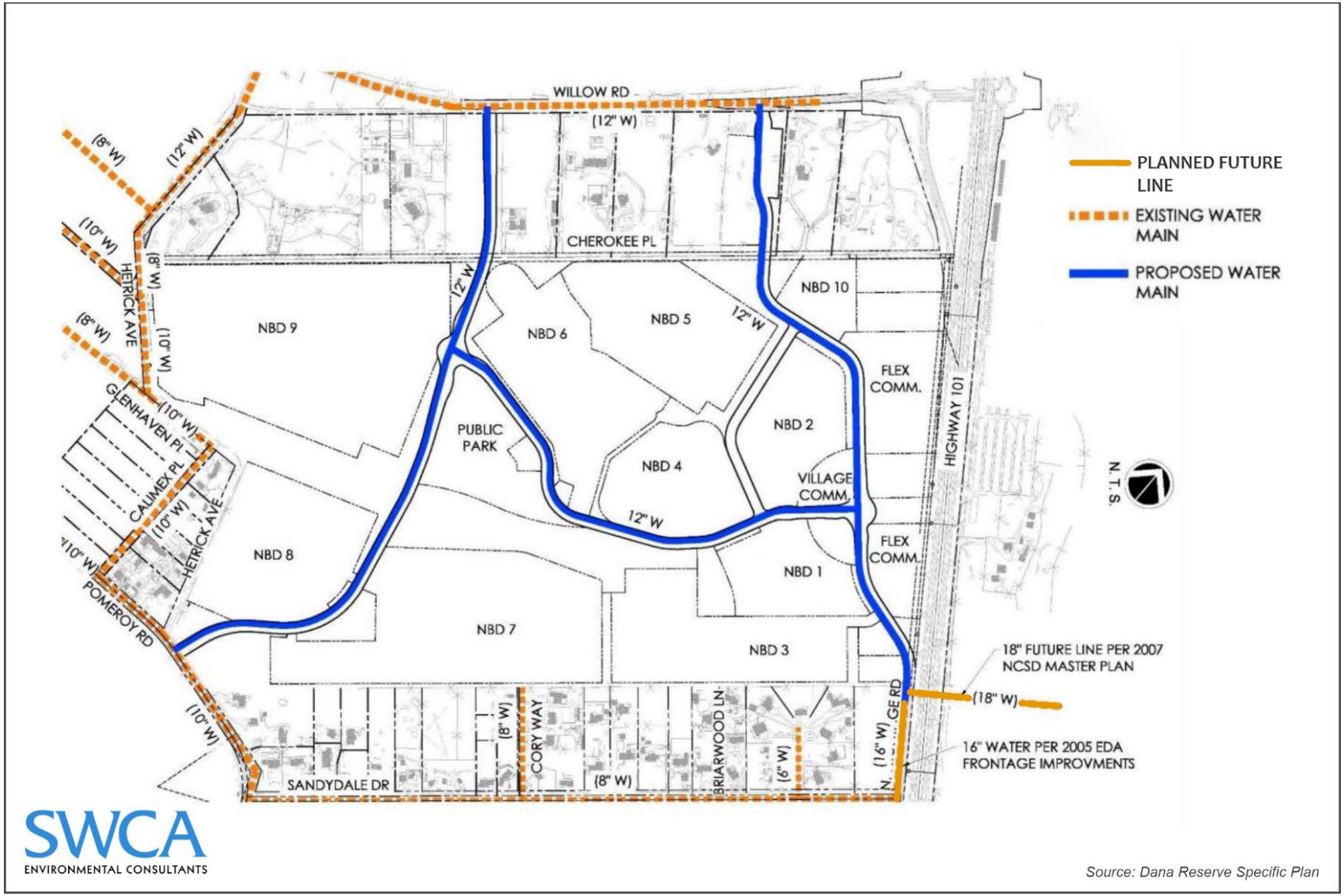


**Figure 4.19-2. Proposed water backbone infrastructure.**

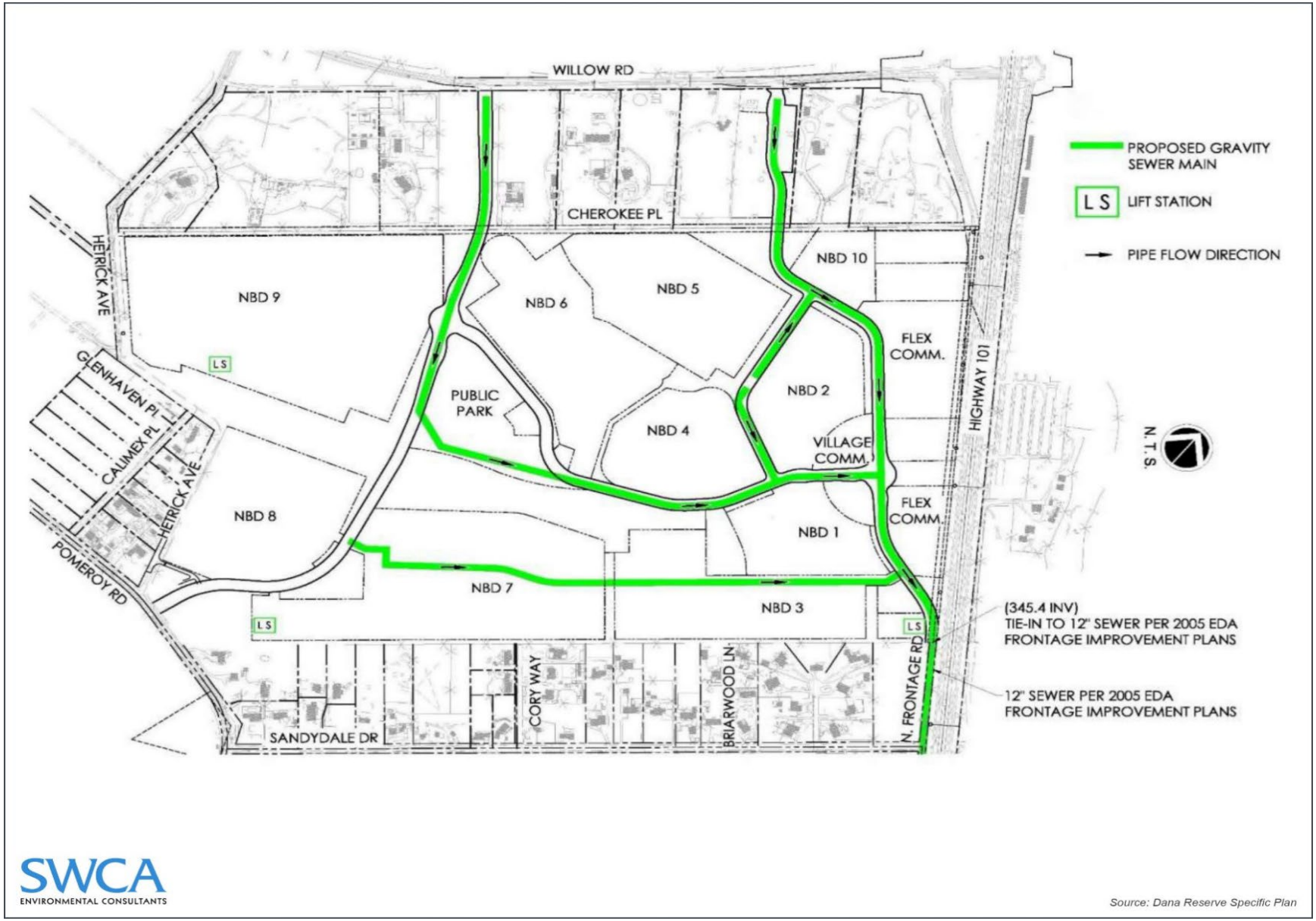


**Figure 4.19-3. Proposed wastewater backbone infrastructure.**

## STORMWATER

The project includes construction of four 8-foot maximum ponded depth stormwater basins located at the northeast, southwest, and west/northwest corners of the Specific Plan Area. In addition, multiple shallow, 2-foot maximum ponded depth stormwater basins are proposed throughout the central and eastern portions of the Specific Plan Area (Figure 4.19-4). All stormwater basins would be designed to meet County Public Improvement Standards and additional structures (e.g., overflow structures, culverts, weirs, etc.) would be designed to meet County and Central Coast RWQCB requirements. Future development of individual neighborhoods and commercial areas would be required to design and implement its own stormwater infrastructure. Stormwater treatment options for the Specific Plan Area are included in Appendix A of this EIR.

## ELECTRICITY AND NATURAL GAS

Existing PG&E overhead electrical lines extend along Cherokee Place, Pomeroy Road, and along the eastern edge of the Specific Plan Area. New electric service lines would be undergrounded and placed in or adjacent to the ROW of the proposed commercial and residential roadways. There are no existing gas mains located within the Specific Plan Area; therefore, construction of new gas mains would be required. Proposed gas mains would be installed within primary backbone roadways to serve new development areas.

## CONSTRUCTION

Construction and installation of proposed new and expanded utility infrastructure would be conducted during initial site preparation activities to allow for future residential and commercial development within the Specific Plan Area. As discussed in individual resource sections throughout this EIR, proposed construction activities associated with buildout of the Specific Plan Area have the potential to result in temporary environmental impacts related to air quality, biological resources, cultural and tribal cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, and noise.

Initial site preparation activities, which include the installation of utility infrastructure, would require preparation and implementation of an ESCP and SWPPP with construction BMPs for short- and long-term erosion control in accordance with the County LUO Sections 22.52.120 and 22.52.130. Construction crews would be required to comply with CCR Title 22, which regulates the use, storage, and transport of hazardous materials. In addition, construction crews would be subject to HSC Division 20, Chapter 6.95, which requires the preparation and implementation of a Hazardous Material Release Response Plan and the preparation of a Hazardous Materials Inventory for materials used and stored at the site. Construction activities would be limited to daytime hours between 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends per the County LUO Section 22.10.120. Construction activities would also be required to comply with IFC Section 3312, which requires water for fire suppression to be available on-site to reduce the potential for short-term construction activities to ignite a wildfire within the project area.

The project would be required to implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1 during construction of utility infrastructure to avoid or reduce potential adverse environmental impacts to a less-than-significant level. Potential impacts related to proposed construction activities would be *less than significant with mitigation*.

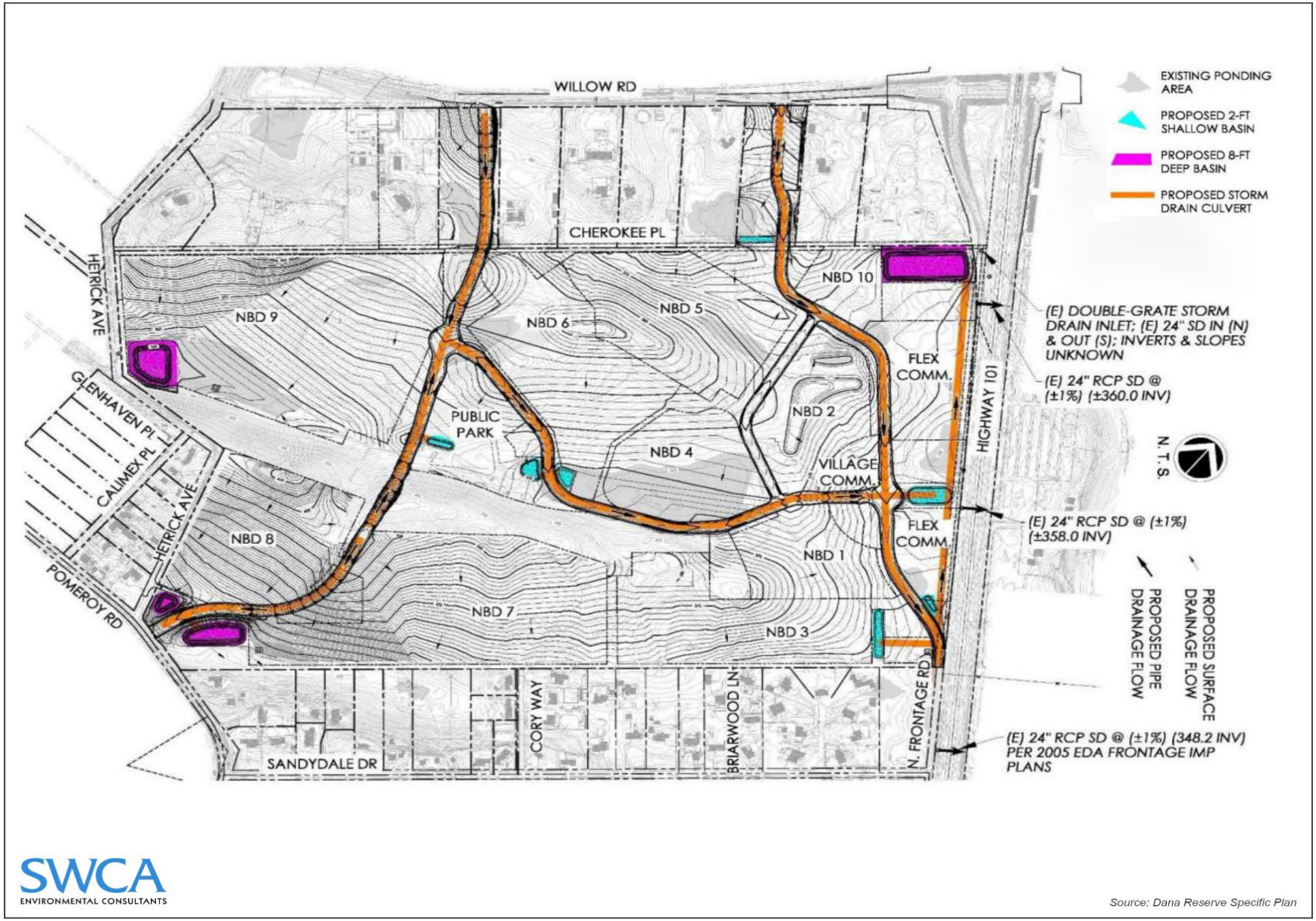


**Figure 4.19-4. Proposed stormwater management facilities.**

## OPERATION

Following installation of proposed utility infrastructure to serve the Specific Plan Area, water and sewer infrastructure would be maintained by the NCSD, electricity infrastructure would be maintained by PG&E, and natural gas infrastructure would be maintained by SoCalGas. A master HOA and individual HOAs would be established within the Specific Plan Area and would be responsible for maintenance of stormwater infrastructure. Installation of utility infrastructure would be required to comply with applicable County Public Works Department, CBC, and PRC requirements to reduce long-term hazards related to improper installation. Proposed utility infrastructure would be undergrounded and located within proposed roadways, with the exception of an additional water storage tank, which would be developed within the existing Joshua Road Pump Station and the additional water storage tanks to be located near the East Tefft Street and North Dana Foothill Road intersection, which is currently undergoing separate environmental review.

Aboveground features within the Specific Plan Area would be limited to service meters within developed areas and would not constitute a change to the existing visual character of the Specific Plan Area as described in Section 4.1, *Aesthetics*. The NCSD would install Advanced Metering Infrastructure (AMI) for water meters which would reduce vehicle trips for meter reading. Additionally, undergrounded utility infrastructure would reduce the risk of accidental wildfire ignition. Maintenance and repair trips would occur on an as-needed basis and are not anticipated to generate a substantial number of vehicle trips that could result in adverse criteria air pollutant or GHG emissions. In addition, maintenance and repair trips would be conducted by existing agency employees or HOA members within the community and are not anticipated to result in substantial population growth that could further increase demand on public or utility services. Electricity and natural gas would be provided by PG&E and SoCalGas, which utilize clean energy sources to meet GHG-reduction goals implemented by the state and the County. Construction for necessary repairs would be subject to state and local regulations for use, transportation, and disposal of hazardous materials, including fuel, paints, sealants, or other construction-related hazardous materials. Additionally, operation and maintenance of proposed stormwater infrastructure within individual neighborhoods would ensure maintenance of existing drainages, prevent flooding, and support groundwater recharge within the Specific Plan Area. Therefore, operation of new and expanded utility infrastructure would not result in long-term impacts related to aesthetics, agricultural resources, air quality, biological resources, cultural and tribal cultural resources, energy use, GHG emissions, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation, utilities and service systems, and wildfire, and operational impacts would be *less than significant*.

| **USS Impact 1 (Class II)** |
|---|
| The project would require the construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunications facilities. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4, CR/mm-1.1 through CR/mm-1.4, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1 .* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, BIO/mm-14.1, BIO/mm-15.1, BIO/mm-18.1 through BIO/mm-18.4,* |

| **USS Impact 1 (Class II)** |
|---|
| *CR/mm-1.1 through CR/mm-1.4, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1 , residual impacts would be less than significant (Class II).* |

## Off-Site Improvements

### *USS Impact 2: The project would require the construction of new and expanded off-site water and wastewater system improvements. Impacts would be less than significant with mitigation (Class II).*

The proposed project includes construction of a variety of off-site transportation, water, and wastewater system improvements, including the following off-site NCSD water system improvements:

1. Extension of a 16-inch ductile iron pipe (DIP) from the East Tefft Street and North Oakglen Avenue intersection to the north end of Oakglen Avenue, to be installed within the existing paved roadway;
2. Extension of a 16-inch DIP from the north end of North Oakglen Avenue, under US 101, to Sandydale Drive, to be installed within existing paved roadway and ROW areas;
3. Extension of a 12-inch polyvinyl chloride (PVC) pipe from the North Frontage Road and Sandydale Drive intersection to the southeastern corner of the Specific Plan Area, to be installed within existing public ROW area;
4. Extension of a 12-inch PVC pipe from the proposed Willow Road and proposed Collector A intersection approximately 450 feet to the end of the existing water line in Willow Road;
5. Replacement/upsizing of existing 10-inch DIP to 16-inch DIP from the East Tefft Street and North Oakglen Avenue intersection to the NCSD's existing Foothill water tank site at the North Dana Foothill Road and East Tefft Street intersection;
6. Installation of 2 million gallons of additional water tank storage at the NCSD's existing Foothill water tank site at the North Dana Foothill Road and East Tefft Street intersection; and
7. Installation of a second water storage tank at the NCSD's existing Joshua Road pump station, which would be located within the footprint of the existing pump station facility.

The proposed project includes construction of the following off-site NCSD wastewater system improvements:

1. Extension of a 12-inch-diameter sewer main pipe within North Frontage Road between the Specific Plan area and Juniper Street, to be installed within existing paved roadway and existing public ROW areas;
2. Installation of a sewer lift station to accommodate DRSP flows located near the southeast corner of the Specific Plan area;
3. Upsizing of a sanitary sewer pipe from the North Frontage Road/Juniper Street intersection and the South Frontage Road/Division Street intersection, to be installed within existing paved roadway (this project is currently underway by the NCSD); and
4. Improvements/upgrades at the existing NCSD Southland WWTF, including the following improvements, which would be located within the existing facility:
    a. Installation of influent lift pump #3;
    b. Installation of grit removal system #2;

c. Installation of aeration basin #2, including blowers and diffusers;
d. Installation of clarifier #3;
e. Installation of gravity belt thickener #2; and
f. Installation of screw press #2.

These improvements have not been designed and their precise location is not currently known. However, all water and wastewater system improvements are expected to occur within existing paved roadways, existing public ROW areas, and/or existing NCSD facilities. Construction and installation of off-site NCSD water and wastewater improvements has the potential to result in temporary environmental impacts related to aesthetics, agricultural resources, air quality, biological resources, cultural and tribal cultural resources, energy use, GHG emissions, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation, utilities and service systems, and wildfire. Construction crews would be required to comply with CCR Title 22, which regulates the use, storage, and transport of hazardous materials. In addition, construction crews would be subject to HSC Division 20, Chapter 6.95, which requires the preparation and implementation of a Hazardous Material Release Response Plan and the preparation of a Hazardous Materials Inventory for materials used and stored at the site. Construction activities would be limited to daytime hours between 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends per the County LUO Section 22.10.120. Construction activities would also be required to comply with IFC Section 3312, which requires water for fire suppression to be available on-site to reduce the potential for short-term construction activities to ignite a wildfire within the project area.

Implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-11.1, BIO/mm-13.1, BIO/mm-16.1, BIO/mm-17.1 through BIO/mm-17.3, BIO/mm-19.1, CR/mm-1.1 through CR/mm-1.4, HAZ/mm-7.1, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1 during construction of utility infrastructure would avoid or reduce potential adverse environmental impacts to a less-than-significant level.

Operational impacts related to proposed off-site NCSD water and wastewater improvements would be similar in nature to operation of utility infrastructure within the Specific Plan Area and is not anticipated to result in long-term environmental impacts related to aesthetics, agricultural resources, air quality, biological resources, cultural and tribal cultural resources, energy use, GHG emissions, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation, utilities and service systems, and wildfire. Installation of utility infrastructure would be required to comply with applicable County Public Works, California Building Code, and Public Resources Code requirements to reduce hazards related to improper installation. Proposed utility infrastructure would primarily be undergrounded and located within existing roadways, which would protect the existing visual character within the community and would reduce the risk of accidental wildfire ignition. Proposed installation of an additional water tank at the Joshua Road pump station would occur within the footprint of the existing facility and the additional water storage tanks to be located at the Foothill tank site are currently undergoing separate environmental review. Maintenance and repair trips would occur on an as-needed basis and are not anticipated to generate a substantial number of vehicle trips that could result in adverse criteria air pollutant or GHG emissions. The NCSD would install AMI for water meters which would reduce vehicle trips for meter reading. In addition, maintenance and repair trips would be conducted by existing NCSD employees and are not anticipated to result in substantial population growth that could further increase demand on public or utility services. Construction for any repairs would be subject to state and local regulations for use, transportation, and disposal of hazardous materials, including fuel, paints, sealants, or other construction-

related hazardous materials. Therefore, long-term impacts related to installation of off-site NCSD improvements would be *less than significant with mitigation*.

| **USS Impact 2 (Class II)** |
|---|
| The project would require the construction of new and expanded off-site water and wastewater system improvements. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-11.1, BIO/mm-13.1, BIO/mm-16.1, BIO/mm-17.1 through BIO/mm-17.3, BIO/mm-19.1, CR/mm-1.1 through CR/mm-1.4, HAZ/mm-7.1, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures AQ/mm-3.1, AQ/mm-3.2, AQ/mm-7.1, BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-11.1, BIO/mm-13.1, BIO/mm-16.1, BIO/mm-17.1 through BIO/mm-17.3, BIO/mm-19.1, CR/mm-1.1 through CR/mm-1.4, HAZ/mm-7.1, GEO/mm-8.1 through GEO/mm-8.3, and N/mm-1.1, residual impacts would be less than significant (Class II).* |

## WOULD THE PROJECT HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT AND REASONABLY FORESEEABLE FUTURE DEVELOPMENT DURING NORMAL, DRY, AND MULTIPLE DRY YEARS?

### Specific Plan Area

### *USS Impact 3: The project may not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts would be less than significant with mitigation (Class II).*

Water for the proposed project is anticipated to be provided by the NCSD through an annexation into the NCSD service area. The NCSD water supply sources include groundwater and imported water from the NSWP (MKN 2021). Based on the Dana Reserve WSA, and as identified in Tables 4.19-9 through 4.19-11, the NCSD is anticipated to have sufficient water supply to serve existing and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions (Rick G Sweet and RRM Design Group 2021; MKN 2021; see EIR Appendix H). Table 4.19-18 summarizes the NCSD water surplus for normal, single dry, and multiple dry year conditions through the year 2045.

**Table 4.19-18. NCSD Water Surplus for Normal, Single Dry Year, and Multiple Dry Years Conditions**

| Condition | 2025 | 2030 | 2035 | 2040 | 2045 |
|---|---|---|---|---|---|
| Normal | 2,406 AFY | 2,162 AFY | 2,095 AFY | 2,028 AFY | 1,960 AFY |
| Single Dry | 1,900 AFY | 1,656 AFY | 1,589 AFY | 1,522 AFY | 1,454 AFY |
| Multiple Dry[1] | 886 AFY | 642 AFY | 575 AFY | 508 AFY | 440 AFY |

Source: MKN (2021)

[1] The multiple dry year water surplus reflects the worst-case scenario of 60% reduction in groundwater production following the fifth year of drought conditions.

Buildout of the Specific Plan Area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, 152 ADUs, and approximately 203,000 square feet of land dedicated to commercial and light industrial development. Full buildout of the Specific Plan Area is anticipated to generate a total population of 4,554 residents and 272 new employees (4,826 people). In addition, buildout of the Specific Plan Area includes development of a new 11-acre public park and 8.5 to 12 acres of neighborhood parks. Although the exact timeline for buildout of the DRSP is not known at this time, buildout and associated growth is estimated to occur over a span of 6 years beginning in 2024 (see Table 2-11 in Chapter 2, *Project Description*).

Based on the population growth associated with buildout of the DRSP, there would be an increase in demand on the NCSD water supply. The Dana Reserve WSA estimates the proposed project would increase water demand by approximately 387 AFY (Rick G Sweet and RRM Design Group 2021). Based on the Dana Reserve Water and Wastewater Evaluation, the project is estimated to increase water demand by approximately 370 AFY (MKN 2022). Table 4.19-19 identifies the projected water demand that would be generated by the Specific Plan Area at full buildout, according to the Dana Reserve Water and Wastewater Evaluation.

**Table 4.19-19. DRSP Projected Water Demand**

| Type of Usage | Number of Units or Acres | Water Use Factor[3] | Potable Water Demand (AFY) | Daily Demand[2] (gpd) |
|---|---|---|---|---|
| ***Residential*** | | | | |
| Condominiums | 173 units | 0.13 AFY/unit | 22.14 | -- |
| Townhomes | 210 units | 0.14 AFY/unit | 30.24 | -- |
| Cluster | 124 units | 0.21 AFY/unit | 25.79 | -- |
| 4,000–5,999 sf | 463 units | 0.21 AFY/unit | 96.30 | -- |
| 6,000–7,000+ sf | 225 units | 0.34 AFY/unit | 75.61 | -- |
| Affordable | 75 units | 0.14 AFY/unit | 10.84 | -- |
| | | *Subtotal* | *261.13* | *232,900* |
| ***Commercial[1]*** | | | | |
| Village Commercial | 4.4 acres | 0.17 AFY/1,00 sf | 8.69 | -- |
| Flex Commercial | 14.5 acres | 0.17 AFY/1,00 sf | 28.63 | -- |
| | | *Subtotal* | *37.32* | *33,319* |
| ***Landscape*** | | | | |
| Village and Commercial Area[4] | 6.3 acres | 1.0 AFY/ac | 6.30 | |
| Public Recreation | 10.0 acres | 1.0 AFY/ac | 10.0 | -- |
| Neighborhood Parks | 15.0 acres | 1.0 AFY/ac | 15.0 | -- |
| Streetscape/Parkways | 6.5 acres | 1.0 AFY/ac | 6.50 | -- |
| | | *Subtotal* | *37.80* | *28,121* |
| | | **Project Total** | **336.25** | **300,185** |
| | **Project Total (with 10% contingency)** | | **369.88** | **330,207** |

Source: MKN (2022)

Notes: sf = square feet; ac = acre

[1] Assumes 0.15 gpd/sf and 33% useable site area for buildings.

[2] Conversion factor: 1 AFY equals 892.742 gpd.

[3] Water usage factors used by the developer in the table above are derived from the following sources: 2016 NCSD UWMP, the City of Santa Barbara, and the County of San Luis Obispo.

[4] Assumed 33% of the total commercial acreage is available for landscape.

[5] Updated Table 5.1 provided in email dated September 23, 2020, from Robert Camacho, RRM Design Group.

Based on the multiple dry year condition, which reflects the worst-case water supply scenario, the NCSD is anticipated to have a water surplus of 642 AFY at the time of full buildout of the Specific Plan Area in 2030. Additionally, the NCSD is anticipated to have a water surplus between 440 and 575 AFY in subsequent years until 2045 (MKN 2021). Therefore, the NCSD is projected to have sufficient water supply to serve the additional demand of 370 AFY generated by the proposed project.

The Dana Reserve Water and Wastewater Evaluation identifies the total demands for existing and future conditions within the NCSD system, including anticipated demands from the proposed project. Table 4.19-20 compares the projected water demand with the future delivery capacity from the NSWP and groundwater allocation.

**Table 4.19-20. Water Supply Allocation and Demand**

| Source | Existing Conditions with Deliveries to Purveyors (AFY) | Maximum Anticipated Infill Development (AFY) |
|---|---|---|
| Average NCSD Demand[1] | 2,048 | 2,048 |
| Potential NCSD Maximum Anticipated Infill | -- | 340 |
| Dana Reserve Demand | 352 | 352 |
| WMWC Demand[2] | 417 | 417 |
| GSWC Demand[2] | 208 | 208 |
| GSWCCR Demand[2] | 208 | 208 |
| **Total Demand** | **3,233** | **3,573** |
| 2025 NSWP Allocation | 2,500 | 2,500 |
| NCSD Voluntary Groundwater Reduction Goal[3] | 1,267 | 1,267 |
| **Total Future Water Supply** | **3,767** | **3,767** |
| **Supply Surplus/(Deficit)** | **534** | **194** |
| NSWP New Development Allocation[4] | 500 | 500 |
| **Maximum Future Water Supply** | **4,267** | **4,267** |

Source: MKN (2022)

[1] Table 4-1, 2020 UWMP.

[2] 2025 purveyor wholesale estimate, Table 4-3, 2020 UWMP.

[3] The NCSD current voluntary groundwater reduction goal based on 50% reduction from average production in the fiscal years 2009 to 2010 through 2013 to 2014 as required by the Final Judgment, or 50% of 2,533 AFY.

[4] While this additional allocation is available to the NCSD for delivery under the Wholesale Agreement, it should only be taken as a last resort. After the NCSD requests 3,000 AFY, the NCSD must maintain that delivery. It is believed the NCSD does not have enough demand to warrant additional water delivery past 2,500 AFY.

Based on Table 4.19-20, the NCSD water supply would exceed the projected demand by 534 AFY under existing conditions and by 194 AFY under the maximum anticipated infill development scenario. Additionally, if the NCSD elects to take the New Development Allocation of 500 AFY, the remaining supply surplus would increase. Therefore, the NCSD is anticipated to have adequate water supply to provide potable water to the proposed project at full buildout and projected growth within the NCSD service area.

The project applicant has considered the construction of a new recycled water line to provide recycled water for irrigation of parks and streetscapes within the Specific Plan Area. The NCSD does not currently provide recycled water, except as part of its discharge facilities at the Blacklake WRF to the Blacklake Golf Course, so the provision of recycled water in the future as part of this project or any other project is only conceptual at this time. However, should the project move forward with a recycled water component, the new recycled water line would be installed off-site and would extend from the Southland WWTF north toward the Specific Plan Area and cross under the US 101 at Southland Street. In addition to providing recycled water for the Specific Plan Area, the new recycled water line could provide recycled water for irrigation of the Nipomo High School sports fields and Nipomo Regional Park. According to the Dana Reserve WSA, approximately 37.8 AFY of recycled water could be provided to the Specific Plan Area, approximately 43 AFY of recycled water could be provided to Nipomo High School, and approximately 92 AFY of recycled water could be provided to Nipomo Regional Park. If approved in the future, installation of the proposed recycled water line would reduce demand on the NCSD water supply, which would increase the amount of potable water available for other reasonably foreseeable future development projects within the NCSD service area (Rick G Sweet and RRM Design Group 2021).

Even assuming no recycled water would be available to serve the project, the Dana Reserve WSA concluded that the NCSD is projected to have sufficient water supply to serve the existing service area, the proposed project, and reasonably foreseeable future demands during normal, single dry, and multiple dry year conditions. Despite these projections, the specific timing of buildout of the DRSP is not currently known and the reliability of future water supply is uncertain due to the potential for prolonged periods of drought and increasing water demands due to population growth. Mitigation has been included that will require future DRSP developers to provide proof of water availability sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. Therefore, impacts related to water supply would be *less than significant with mitigation*.

| **USS Impact 3 (Class II)** | |
|---|---|
| The project may not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. | |
| ***Mitigation Measures*** | |
| *USS/mm-3.1* | *Prior to issuance of development permits for any project phase, the project developer shall be required to provide proof of water supply sufficient to meet the estimated water demand for proposed development based on the demand projections included in the Dana Reserve WSA. The proof of water supply shall include an affirmative concurrence from the NCSD that they have adequate water supply to serve the development and shall be subject to review and approval by the County prior to issuance of any development permits.* |
| ***Residual Impacts*** | |
| *With implementation of Mitigation Measure USS/mm-3.1, residual impacts related to water supply would be less than significant with mitigation (Class II).* | |

## Off-Site Improvements

### *USS Impact 4: Off-site improvements would not result in an increase in demand on water supply. Impacts would be less than significant (Class III).*

Proposed off-site transportation and NCSD water and wastewater system improvements would not result in an increase in demand on water supply. Proposed improvements are necessary to expand the capacity

of existing NCSD facilities to serve the proposed buildout of the Specific Plan Area. Expanded water and wastewater infrastructure may allow for development of other residential or commercial projects within the NCSD service area; however, the capacity of existing NCSD facilities is not currently serving as a constraint to growth and the proposed infrastructure improvements are being planned and sized for planned future growth. Proposed improvements would not be adequate to serve substantial additional development projects in the region. Therefore, proposed off-site NCSD improvements are not anticipated to generate a substantial population increase that would further increase demand on the existing water supply and potential impacts would be *less than significant*.

| **USS Impact 4 (Class III)** |
|---|
| Off-site improvements would not result in an increase in demand on water supply. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to water supply would be less than significant (Class III).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

#### *USS Impact 5: The NCSD could have adequate capacity to treat wastewater generated by the project. Impacts would be less than significant (Class III).*

Wastewater services for the proposed project area would be provided by the NCSD through an annexation into the NCSD service area, which currently operates two wastewater treatment facilities, including the Southland WWTF and the Blacklake WRF. Wastewater from the Specific Plan Area would be conveyed to the Southland WWTF for treatment. The Southland WWTF collects and treats wastewater from the majority of the NCSD service area and discharges treated effluent back into the groundwater basin via percolation ponds (MKN 2021). Based on Table 4.19-13, in 2020, the NCSD collected and treated 606 AF of wastewater between the Southland WWTF and the Blacklake WRF. Of the total 606 AF of collected and treated wastewater, 554 AF of wastewater was conveyed to and treated at the Southland WWTF (MKN 2021). Existing Southland WWTF infrastructure has an existing peak hour flow design capacity of 2.45 mgd and a past influent peak hour flow of 1.3 mgd (MKN 2022).

Buildout of the Specific Plan Area would generate a population of approximately 4,554 residents through development of 831 new residential single-family units, 458 new residential multi-family units, and 152 ADUs. Buildout would also generate approximately 272 employees through development of approximately 203,000 square feet of commercial and light industrial uses. The project also includes future development of a new 11-acre public park and 8.5 to 12 acres of smaller neighborhood parks within the Specific Plan Area. The exact timeline for buildout of the DRSP is not known at this time; however, buildout and associated growth is estimated to occur over a span of 6 years beginning in 2024 (see Table 2-11 in Chapter 2, *Project Description*). Population growth within the Specific Plan Area would result in an increase in wastewater flows and demand on existing NCSD wastewater infrastructure. Based on the Dana Reserve WSA, buildout of the Specific Plan Area is estimated to generate

approximately 240.5 AFY of wastewater flows (Rick G Sweet and RRM Design Group 2021). Based on the Dana Reserve Water and Wastewater Evaluation, the project is estimated to generate approximately 204,152 gpd (approximately 0.2 mgd) of average daily wastewater flows. Based on peak flow conditions, the project would generate approximately 510,381 gpd (approximately 0.5 mgd) of daily peak flows (MKN 2022). Table 4.19-21 identifies the projected wastewater generation rates at full buildout of the Specific Plan Area, according to the Dana Reserve Water and Wastewater Evaluation.

**Table 4.19-21. DRSP Projected Wastewater Demand**

| Type of Usage | Number of Units or Acres | Wastewater Generation Factor[3, 4] (gpd) | Annual Demand (AFY) | Daily Demand[2] (gpd) |
|---|---|---|---|---|
| ***Residential*** | | | | |
| Condominiums | 173 units | 103/unit | 19.93 | -- |
| Townhomes | 210 units | 116/unit | 27.21 | -- |
| Cluster | 124 units | 167/unit | 23.21 | -- |
| 4,000-5,999 sf | 463 units | 130/unit | 67.41 | -- |
| 6,000-7,000+ sf | 225 units | 180/unit | 45.36 | -- |
| Affordable | 75 units | 116/unit | 9.72 | -- |
| | | *Subtotal* | *192.84*[5] | *172,245* |
| ***Commercial***[1] | | | | |
| Village Commercial | 4.4 acres | 100/k-sf | 7.16 | -- |
| Flex Commercial | 14.5 acres | 100/k-sf | 23.58 | -- |
| | | *Subtotal* | *30.74* | *27,443* |
| ***Landscape*** | | | | |
| Public Recreation | 10.0 acres | 0.50 af-ft/yr-acre | 5.00 | -- |
| Neighborhood Parks | 15.0 acres | -- | -- | -- |
| Streetscape/Parkways | 6.5 acres | -- | -- | -- |
| | | *Subtotal* | *5.00* | *4,464* |
| | | **Project Total Average Daily Flow** | **228.86** | **204,152** |
| | | **Project Peak Flow (assumes 2.5 Peaking Factor)** | **571.70** | **510,381** |

Source: MKN (2022)

Notes: sf = square feet; ac = acre; 100/k-sf = 100 gallons per day wastewater generated per 1,000 sf of commercial building; af-ft/yr-acre = 0.5 acre-feet per year wastewater generated per acre of public recreation

[1] Assumes 33% useable site area for buildings.

[2] Conversion factor: 1 AFY equals 892.742 gpd.

[3] Wastewater flow generation factors for Single Family are a percentage of average water demand: 60% for 6,000+, 70% for 4,000 to 6,000, 90% for all others.

[4] Wastewater flow generation factors for Commercial: City of San Luis Obispo, Infrastructure Renewal Strategy (December 2015).

[5] Subtotal for Residential land use was identified as 192.94 in the draft table but calculated as 192.84.

[6] Updated Table 5.2 provided in email dated September 23, 2020, from Robert Camacho, RRM Design Group.

Additionally, Table 4.19-22 summarizes existing NCSD wastewater flows, future NCSD wastewater projections, future ADU wastewater contributions, and Dana Reserve wastewater projections.

**Table 4.19-22. Existing and Future Wastewater Flows**

| Flows | Average Annual Flow (mgd) | Maximum Month Flow (mgd) | Peak Flow Day (mgd) | Peak Hour Flow (mgd) |
|---|---|---|---|---|
| Existing District and County Service Area Flows | 0.59 | 0.60 | 0.67 | 1.5 |
| Future Blacklake Service Area Flows | 0.058 | 0.078 | 0.13 | 0.23 |
| Future District Service Area Flows | 0.40 | 0.41 | 0.46 | 1.0 |
| ADU Contributions | 0.026 | 0.027 | 0.030 | 0.068 |
| Dana Reserve Projections | 0.20 | 0.21 | 0.23 | 0.53 |
| **Total Future Flows** | **1.28** | **1.33** | **1.53** | **3.41** |

Source: MKN (2022)

[1] Blacklake Maximum Month Flow (MMF), Peak Day Flow (PDF), and Peak Hour Flow (PHF) estimated using peaking factors of 1.34, 2.30, and 4.0 respectively from the 2017 Blacklake Sewer Master Plan.

As summarized in Table 4.19-22, the projected peak hour flow is 3.41 mgd (MKN 2022). The existing Southland WWTF has an existing peak hour flow design capacity of 2.45 mgd; therefore, projected peak hour flows for the NCSD service area would exceed the existing design capacity of the Southland WWTF.

According to the Dana Reserve Water and Wastewater Evaluation, the NCSD identifies the future installment of a third screw centrifugal pump at the Southland WWTF to handle increased flow in future phases. Installation of a third pump would allow two pumps to operate at one time, with the third pump on standby. With installation of the third pump, the peak hour flow design capacity would be increased to 4.83 mgd, which would be capable of supporting projected wastewater flows of 3.41 mgd identified in Table 4.19-22 (MKN 2022). The project includes off-site NCSD wastewater system improvements, including the installation of a third screw centrifugal pump, which would provide adequate capacity to treat the increase of peak hour wastewater flows. Other proposed off-site NCSD wastewater improvements would be conducted to further improve existing sewer main capacities and Southland WWTF processes. Based on the proposed off-site NCSD wastewater system improvements included in the proposed project, NCSD would have adequate capacity to treat future wastewater flows from the proposed project and projected growth within the NCSD service area; therefore, impacts would be *less than significant*.

| **USS Impact 5 (Class III)** |
|---|
| The NCSD could have adequate capacity to treat wastewater generated by the project. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to adequate wastewater capacity would be considered less than significant (Class III).* |

## Off-Site Improvements

### *USS Impact 6: Off-site improvements would not result in an increase in demand on wastewater services. Impacts would be less than significant (Class III).*

Proposed off-site transportation and NCSD water and wastewater system improvements would not result in an increase in wastewater flows that could increase demand on existing infrastructure. Proposed improvements are necessary to expand the capacity of existing NCSD facilities to serve the proposed buildout of the Specific Plan Area. Expanded water and wastewater infrastructure may allow for development of other residential or commercial projects within the NCSD service area; however, due to the capacity of existing NCSD facilities, it is unlikely that proposed infrastructure improvements would be adequate to serve additional large-scale development projects. Therefore, proposed off-site NCSD improvements are not anticipated to generate a substantial population increase that would further increase demand on existing sewer infrastructure and potential impacts would be *less than significant*.

| **USS Impact 6 (Class III)** |
|---|
| Off-site improvements would not result in an increase in demand on wastewater services. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to adequate wastewater capacity would be considered less than significant (Class III).* |

## WOULD THE PROJECT 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?

## Specific Plan Area

### *USS Impact 7: The project could generate solid waste in excess of the capacity of local infrastructure or otherwise impair state or local solid waste reduction goals. Impacts would be less than significant (Class III).*

Short- and long-term solid waste generated by the project would be serviced by South County Sanitary and would be disposed of at the Cold Canyon Landfill. South County Sanitary is a local waste service provider under the San Luis Obispo County IWMA, which provides waste services to Arroyo Grande, Avila Beach, Grover Beach, Nipomo, Oceano, and Pismo Beach.

Cold Canyon Landfill has a maximum permitted capacity of 23,900,000 cubic yards and an estimated closure date of December 31, 2040. As of August 31, 2020, there was 13,000,000 cubic yards of remaining capacity. Cold Canyon Landfill is equipped to accept a maximum of 1,650 tons of municipal solid waste per day. Based on inspection of the facility on November 4, 2021, Cold Canyon Landfill is operating according to state standards, and no violations or areas of concern were noted (CalRecycle 2021).

Proposed construction activities for buildout of the Specific Plan Area would result in an increase in short-term construction waste during the estimated 6-year buildout period, which would be disposed of at

Cold Canyon Landfill. Typical construction waste includes concrete, bricks, cements, metals, tar, soils, paints, adhesives, and sealants. As described in Section 4.9, *Hazards and Hazardous Materials*, proposed construction activities would not result in hazardous waste that could result in significant upset to the community if released. Additionally, hazardous waste disposal would be required to comply with CCR Title 22. Cold Canyon Landfill accepts household hazardous wastes, construction/demolition wastes, and industrial wastes with proper approval (Cold Canyon Landfill 2020). During future construction activities, the project would be required to comply with CALGreen Sections 4.408 and 5.408, which require the diversion of at least 75% of the waste generated during construction, which would reduce the amount of short-term solid waste that is transferred to the Cold Canyon Landfill. Therefore, construction activities are not anticipated to result in a significant impact associated with solid waste.

Buildout of the Specific Plan Area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, 152 ADUs, and approximately 203,000 square feet of land dedicated to commercial and light industrial development. Although the exact timeline for buildout of the DRSP is not known at this time, buildout is estimated to occur over a span of 6 years beginning in 2024 (see Table 2-11 in Chapter 2, *Project Description*). Based on the CalRecycle Estimated Solid Waste Generation Rates, approximately 13,470.07 pounds of solid waste per day would be generated at full buildout of the Specific Plan Area, as shown in Table 4.19-23.

**Table 4.19-23. Estimated DRSP Solid Waste Generation**

| Land Use Type | Proposed Development | Generation Rate | Total Amount of Generated Solid Waste (lbs/day) |
|---|---|---|---|
| Single-Family Residential | 833 units | 9.8 lbs/unit/day | 8,163.4 |
| Multi-Family Residential | 458 units | 5.31 lbs/unit/day | 2,431.98 |
| Commercial | 273 employees | 10.53 lbs/employee/day | 2,874.69 |
| **Total** | | **13,470.07 lbs/day** | |

Source: CalRecycle (2019)

Note: lbs = pounds

Following full buildout of the Specific Plan Area, approximately 13,470.07 pounds (6.73 tons) of solid waste would be generated per day, which would be collected by South County Sanitary and disposed of at the Cold Canyon Landfill. Currently, Cold Canyon Landfill can accept approximately 1,650 tons of solid waste per day (CalRecycle 2020).

Although the project would result in an increase in solid waste, which would increase demand on South County Sanitary and Cold Canyon Landfill, the San Luis Obispo County IWMA provides recycling and green waste disposal programs that would divert a portion of solid waste that is sent to landfills in the county, including Cold Canyon Landfill. In accordance with the requirements of SB 1383 for organic waste disposal, South County Sanitary would provide residents and businesses in the Specific Plan Area with green waste bins for diversion of organic materials. In addition, South County Sanitary would provide the Specific Plan Area with recycling bins for the diversion of recyclable materials. Per AB 341, multi-family homes and commercial businesses would be required to implement a recycling program and participate in local recycling collection services. Therefore, the increase in solid waste generated by full buildout of the Specific Plan Area would not exceed existing capacity of local infrastructure, and impacts would be *less than significant*.

| **USS Impact 7 (Class III)** |
|---|
| The project could generate solid waste in excess of the capacity of local infrastructure or otherwise impair state or local solid waste reduction goals. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to an increase in solid waste would be considered less than significant, and mitigation is not necessary (Class III).* |

## Off-Site Improvements

### *USS Impact 8: Off-site improvements could generate solid waste in excess of the capacity of local infrastructure or otherwise impair state or local solid waste reduction goals. Impacts would be less than significant (Class III).*

Construction of proposed off-site transportation and NCSD water and wastewater improvements would result in a limited amount of short-term construction wastes, including, but not limited to, cements, metals, paints, and sealants, which would be disposed of at Cold Canyon Landfill. Solid waste generated by construction of off-site improvements would be required to divert 75% of construction waste in accordance with CALGreen requirements, which would further reduce the amount of construction waste sent to Cold Canyon Landfill. Operation of proposed NCSD infrastructure would generate small quantities of waste from as-needed maintenance and repair trips, which would also be disposed of at Cold Canyon Landfill. Construction and operation of off-site water and wastewater improvements would generate limited quantities of solid waste and would not exceed the capacity of local infrastructure; therefore, potential impacts would be *less than significant*.

| **USS Impact 8 (Class III)** |
|---|
| Off-site improvements could generate solid waste in excess of the capacity of local infrastructure or otherwise impair state or local solid waste reduction goals. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Potential impacts related to an increase in solid waste would be considered less than significant, and mitigation is not necessary (Class III).* |

## WOULD THE PROJECT COMPLY WITH FEDERAL, STATE, AND LOCAL MANAGEMENT AND REDUCTION STATUTES AND REGULATIONS RELATED TO SOLID WASTE?

### Specific Plan Area

#### *USS Impact 9: The project would comply with federal, state, and local solid waste reduction goals. Impacts would be less than significant (Class III).*

The purpose of the County's Solid Waste Program is to protect public health and the environment from improper storage, disposal, and hauling of solid waste. The County EHS enforces this goal through inspection, permitting, complaint investigations, public education, and industry assistance (County of San Luis Obispo 2022). The San Luis Obispo County IWMA is a public agency that provides and oversees local waste services to incorporated cities and unincorporated communities in the county. The San Luis Obispo County IWMA provides several public programs to reduce solid waste and encourage recycling and composting in order to meet state and local waste reduction goals.

During construction of the Specific Plan Area, the project would be required to comply with CALGreen Sections 4.408 and 5.408, which require the diversion of at least 75% of the construction waste generated during construction. Compliance would be verified through submittal of a waste management plan. Additionally, construction-related waste disposal would be required to comply with CCR Title 22 for disposal of hazardous materials.

All future residences and businesses within the Specific Plan Area would be required to comply with state and local waste reduction requirements. The County's 2016 EWP identifies goals to reduce methane emissions from solid waste disposal by achieving as close to zero waste as possible through increased diversion rates, methane capture and recovery, and other strategies (County of San Luis Obispo 2016). SB 1383 requires reduction of organic waste within landfills to reduce statewide GHG emissions. AB 341 requires recycling to be available to multi-family dwelling units and requires that businesses that generate 4 cubic yards (6,742 pounds) or more of solid waste per week implement recycling programs.

To meet the requirements of SB 1383, the San Luis Obispo County IWMA requires local waste providers to provide single-family residential homes with a compost/green waste bin. Owners of businesses and multi-family residential homes, including apartment complexes and condominiums with five or more units, are required to provide green waste services by participating in organics collections provided by local waste services or self-hauling organic waste to an approved facility, providing indoor recycling and compost bins, and providing public education. To meet the requirements of AB 341, the San Luis Obispo County IWMA provides recycling services with all garbage services in the county. Therefore, the project would comply with solid waste reduction goals included in SB 1383 and AB 341.

Per SB 1383, businesses that generate solid food waste would be required to comply with edible food recovery requirements to recover the maximum amount of edible food that would otherwise go to landfills. Compliance would be monitored through record keeping. Businesses are categorized as either Tier One or Tier Two. Tier One business, including supermarkets, grocery stores, food service distributors, and wholesale food markets, would be required to comply with these requirements by January 1, 2022. Tier Two businesses, including restaurants, hotels, health facilities, state agencies, local education agencies, and large venues and events, would be required to comply with these requirements by January 1, 2024. Since proposed buildout of the DRSP is estimated to begin in 2024, any commercial businesses that are developed within the DRSP and that fall into these categories would be required to comply with edible food recovery requirements.

Based on existing composting and recycling services provided by the San Luis Obispo County IWMA, the project would comply with the applicable state and local waste reduction goals. Therefore, based on required compliance with state and local construction, residential, and commercial solid waste reduction requirements potential impacts would be *less than significant*.

| **USS Impact 9 (Class III)** |
|---|
| The project would comply with federal, state, and local solid waste reduction goals. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to compliance with waste reduction goals would be less than significant (Class III).* |

### Off-Site Improvements

#### *USS Impact 10: Off-site improvements would comply with federal, state, and local solid waste reduction goals. Impacts would be less than significant (Class III).*

Construction and operation of off-site transportation and NCSD water and wastewater improvements would generate a limited amount of construction and operational solid waste. Solid waste generated by construction of off-site improvements would be required to divert 75% of construction waste in accordance with CALGreen requirements. In addition, operational components of proposed NCSD improvements would not result in organic waste that would be subject to SB 1383 reduction requirements. Any recyclable solid wastes would be subject to local recycling and/or reuse requirements. Based on required compliance with state and local waste reduction requirements, potential impacts would be *less than significant*.

| **USS Impact 10 (Class III)** |
|---|
| Off-site improvements would comply with federal, state, and local solid waste reduction goals. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Residual impacts related to compliance with waste reduction goals would be less than significant (Class III).* |

## 4.19.6 Cumulative Impacts

#### *USS Impact 11: The project could result in a cumulatively considerable impact to utilities and service systems. Cumulative impacts would be less than significant with mitigation (Class II).*

A cumulative development scenario for the project is provided in Chapter 3, *Environmental Setting*.

### WATER

As discussed in USS Impact 2, there would be sufficient NCSD water supply available to serve existing service area demands, project water demands, and reasonably foreseeable future development demands during normal, single dry, and multiple dry year conditions to the year 2045 (MKN 2021). Other reasonably foreseeable future projects would be subject to environmental review to determine individual water demands and following buildout of the Specific Plan Area and the associated increase on water demand, the NCSD would continue to have a water surplus even during worst-case scenario multiple dry year conditions. Despite these projections, the specific timing of buildout of the DRSP is not currently known and the reliability of future water supply is uncertain due to the potential for prolonged periods of drought and increasing water demands due to population growth. Mitigation has been included that will require future DRSP developers to provide proof of water availability sufficient to meet the estimated water demand of proposed development based on the demand projections included in the Dana Reserve WSA prior to issuance of development permits for any project development phase. As later phases of development would not be allowed to proceed without reverification that adequate water exists at the time development is proposed, the project would mitigate its potential to contribute to a cumulatively considerable impact on water resources. Therefore, potential project impacts would be potentially cumulatively considerable, and cumulative impacts related to water supply would be *less than significant with mitigation*.

### WASTEWATER

According to the Dana Reserve Water and Wastewater Evaluation, with installation of the third screw centrifugal pump, the peak hour flow design capacity of the Southland WWTF would be increased to 4.83 mgd, which would be capable of supporting projected wastewater flows from the proposed project and projected growth within the NCSD service area (MKN 2022). Other reasonably foreseeable future projects would be subject to environmental review to determine individual wastewater demands; however, based on installation of off-site wastewater system improvements, it is anticipated that there would be adequate capacity to treat future wastewater flows. Therefore, impacts would be less than cumulatively considerable and *less than significant*.

### SOLID WASTE

Solid waste services within the community of Nipomo would be provided by South County Sanitary and solid waste would be disposed of at the Cold Canyon Landfill. The proposed project would generate solid waste during construction and operation; however, project-specific impacts would be less than significant based on required compliance with state and local solid waste reduction requirements, including CALGreen Sections 4.408 and 5.408, AB 1383, and AB 341. Other reasonably foreseeable future projects would be subject to environmental review to determine individual impacts related to solid waste generation. Based on required compliance with existing state and local solid waste reduction requirements, other reasonably foreseeable future projects are anticipated to comply with existing waste reduction goals. Therefore, impacts would be less than cumulatively considerable and *less than significant*.

| **USS Impact 11 (Class II)** |
|---|
| The project could result in a cumulatively considerable impact to utilities and service systems. |
| ***Mitigation Measures*** |
| *Implement Mitigation Measure USS/mm-3.1.* |

| **USS Impact 11 (Class II)** |
| --- |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measure USS/mm-3.1, residual cumulative impacts would be considered less than significant (Class II).* |

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# 4.20 WILDFIRE

The following setting and impact discussion is based, in part, on the *Dana Reserve Fire Protection Plan* (Resolute Associates 2021; EIR Appendix K), which includes an in-depth assessment of wildfire risks at the site and surrounding area and identifies wildfire prevention methods to minimize wildfire risks.

## 4.20.1 Existing Conditions

California experienced its most destructive and deadliest fires in 2018. Statewide, there were 1.8 million acres burned, 23,000 structures destroyed, 98 civilian lives lost, and six firefighter deaths. In San Luis Obispo County, there were 218 wildfires totaling 3,115 acres burned, 60 structure fires, and 65 vehicle fires (County of San Luis Obispo 2019a). Climate change has resulted in more variable and potentially extreme weather conditions that are drying vegetation at a faster rate and causing fire-adapted plant species to ignite (Resolute Associates 2021). In 2021, there were approximately 8,786 reported wildfires and approximately 2,568,941 acres burned in the state (CAL FIRE 2021c).

### *4.20.1.1 Nipomo Wildland Urban Interface*

Urban fire hazards may be influenced by a variety of factors, including building location and construction characteristics, access constraints, the storage of flammable and hazardous materials, inadequate supply of fire suppression water, and response time for fire protection personnel. Fire-related hazards in rural areas are generally the result of development within hillsides or other densely vegetated areas. Development that occurs in wildlands and wildland-urban interface (WUI) areas would be exposed to wildfire hazard (County of San Luis Obispo 1999). The Specific Plan Area is located within a WUI area. According to the County's MJHMP, the NCSD has experienced five wildfire incidents from 1900 to 2018, including the Flintkote fire in 1957 that burned approximately 380 acres, the Willow Road fire in 1970 that burned approximately 392 acres, the Willow Road fire in 1976 that burned approximately 937 acres, the Slu-730 fire in 1987 that burned approximately 7,733 acres, and the Mesa fire in 1993 that burned approximately 345 acres (County of San Luis Obispo 2020).

CAL FIRE has assigned FHSZs to lands within the state using a science-based and field-tested model that assigns a hazard score based on factors that influence fire behavior. These factors include fire history, existing and potential fuel (natural vegetation), predicted flame length, blowing embers, terrain, and typical fire weather for the area. Urban and wildland areas are treated differently in the model (CAL FIRE 2021a). Based on the number of parcels located within moderate and high fire FHSZs, it is estimated that 1,117 people and 478 parcels could be at risk of wildfire-related hazards. Of the 478 parcels at risk, four parcels are located in a moderate FHSZ, including two mobile/manufactured home parcels and two residential parcels. The remaining parcels are located in a high FHSZ and include two agricultural parcels, nine government/utility parcels, nine other/exempt/miscellaneous parcels, 410 residential parcels, five multi-family residential parcels, 26 mobile/manufactured home parcels, and 13 vacant parcels (County of San Luis Obispo 2020).

### *4.20.1.2 Specific Plan Area Wildfire Setting*

There are three factors that influence wildfire behavior: weather, topography, and fuel. Typically, windy and dry weather create optimal conditions to facilitate the spread of wildfire by providing oxygen to fuel the fire and increasing the intensity of the fire (WorldAtlas 2018a). Weather in Nipomo is influenced by its proximity to the Pacific Ocean and is considered a coastal valley climate. While record temperatures in the Nipomo area are over 100ºF, seasonal highs are around 80ºF and seasonal lows are around 43ºF. Nipomo has an average annual precipitation of approximately 17 inches and a historic average humidity in the low 60s. Outside of winter storms, wind conditions in Nipomo peak in both springtime and early

autumn, from the northwest to west–northwest. The average wind speed in Nipomo is approximately 10.4 mph and maximum wind speeds generally do not exceed 23 mph. Based on the CAL FIRE FHSZ viewer, the Specific Plan Area is located within a State Responsibility Area (SRA) in a high FHSZ (Figure 4.20-1).

Topography plays a role in determining the potential rate at which a wildfire can spread. Typically, in mountainous or hilly areas, wildfires tend to spread more quickly uphill compared to downhill (WorldAtlas 2018a). The Specific Plan Area consists of three parcels that total approximately 288 acres. The main project parcel (APN 091-301-073) is 274.4 acres in size and the remaining two parcels (APN 091-301-030 and APN 091-301-031), which connect to the northern portion of the main parcel, are approximately 7.7 acres and 7.2 acres in size, respectively. The main parcel (APN 091-301-073) is undeveloped with the exception of unpaved ranch roads traversing the site. There are dense oak woodlands and other trees and shrubs throughout the main parcel. APN 091-301-031 is undeveloped and supports grasslands and small, scattered trees, and APN 091-301-030 has existing development, including agricultural structures and unpaved roads, and is characterized by dense oak tree coverage over the entire parcel. Elevations at the Specific Plan Area range from approximately 355 to 400 feet amsl. The Specific Plan Area supports topography that consists of relatively flat areas and gently rolling hills.

The Specific Plan Area is surrounded by rural residential uses, Willow Road, and Cherokee Place to the north; residential development in the community of Nipomo to the south; residential development and Hetrick Avenue to the west; and US 101 to the east. Topography surrounding the project area is consistent with the Specific Plan Area and is relatively flat with gently rolling hills. There is steeply sloping land located approximately 2.5 miles east of the Specific Plan Area. Land located to the east and to the south of the Specific Plan Area is located within a local responsibility area (LRA) and is not designated a FHSZ by CAL FIRE. Land to the north and to the west of the Specific Plan Area is within an SRA in a high FHSZ (see Figure 4.20-1).

Ideal wildfire fuel includes vegetation with lower moisture content, such as grass, dead logs, and branches. Typically, living trees provide poor wildfire fuel due to the high moisture content, which slows the burning process (Resolute Associates 2021). Wildfire is less likely to spread in areas with dense forests due to canopy and shade contributing to lower temperatures and higher humidity. However, in the event of a wildfire, the density of vegetation cover can also encourage the spread of wildfire by providing fuel (WorldAtlas 2018a). The Specific Plan Area is mostly undeveloped and supports dense oak, chaparral, and grassland vegetation. A wildfire threat analysis was conducted for the Specific Plan Area based on average and extreme fire conditions. Average fire weather conditions are described as conditions at the site over 90% of the time (e.g., average wind speed, weather, humidity) and extreme weather conditions are described as conditions at the site over 10% of the time (e.g., storm conditions). Average and extreme fire weather conditions that are used in the wildfire threat analysis include wind speed and the percentage of fine dead fuel moisture, which is described as the response to the changes in humidity in the air. The average and extreme fire weather conditions were determined by analyzing weather data from 1992 to 2019 collected at the Arroyo Grande Remote Automatic Weather Station, located 8 miles northwest of the Specific Plan Area. Average fine dead fuel moisture conditions are 6%, which is fully capable of supporting wildfire conditions. The extreme conditions are 3%, which significantly increases the ability for wildfire to ignite. Average wind speed conditions are 4 mph. The maximum gust recorded was 39 mph on October 19, 2004 (Resolute Associates 2021). Based on these factors, fire behavior simulations were prepared for the Specific Plan Area using FlamMap, version 6.0, which is a fire behavior mapping and analysis software application developed by the U.S. Forest Service and the Missoula Fire Sciences Laboratory to compute potential fire behavior characteristics over an entire landscape. Table 4.20-1 summarizes the average and extreme wildfire conditions simulation results.

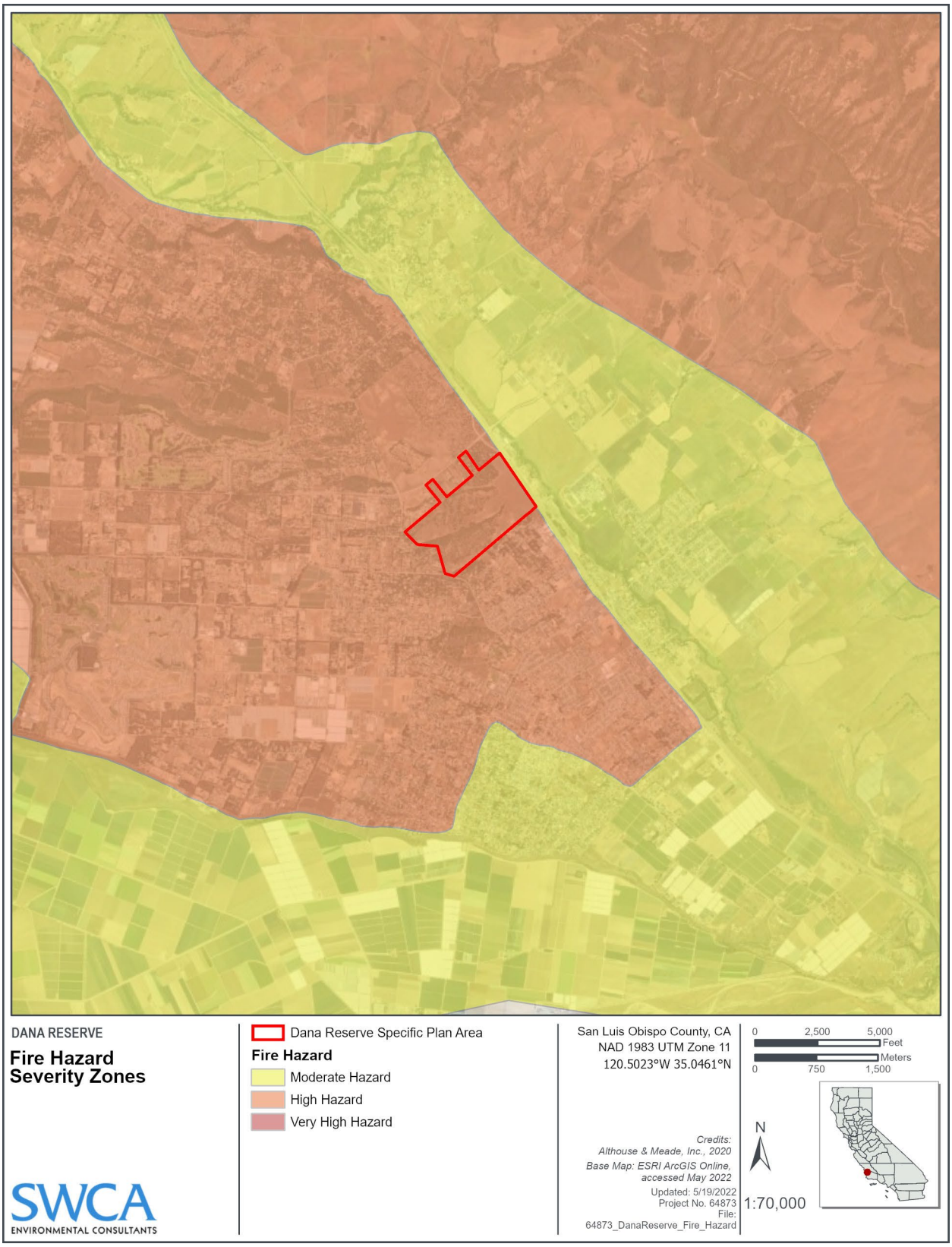


**Figure 4.20-1. Fire hazard severity zone map.**

**Table 4.20-1. Average and Extreme Wildfire Conditions for the Specific Plan Area**

| Conditions | Wind Speed[1] | Fine Dead Fuel Moisture | Flame Length Results |
|---|---|---|---|
| Average | 4 mph NW | 6% | 4 feet: Fire can generally be attacked at the head or flanks by persons using hand tools. Handline should hold the line. |
| Extreme (Above 90th Percentile) | 39 mph SE | 3% | 8 to 11 feet: Fires may present serious control problems such as torching out, crowning, and spotting. Control efforts at the fire head would probably be ineffective. |

Source: Resolute Associates LLC, 2021

[1] NW = northwest; SE = southeast

For average conditions, the potential fire-burning conditions in the Specific Plan Area are considered low to moderate with flame lengths ranging up to 4 feet; these conditions can be extinguished using direct fire suppression tactics. For extreme conditions, flame lengths may increase to 8 to 11 feet; these conditions typically cannot be extinguished using direct fire suppression tactics (Resolute Associates 2021).

### *4.20.1.3 Off-Site Improvements Wildfire Setting*

All proposed off-site transportation and NCSD water and wastewater infrastructure improvements would occur in nearly level, developed areas along existing roadways in the community of Nipomo (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). Off-site improvements are located within an SRA in high and moderate FHSZs (see Figure 4.20-1; CALFIRE 2021a).

### *4.20.1.4 Fire Protection*

Under the laws of the State of California, only the state and incorporated cities are obligated to provide fire protection services. The state provides wildland and watershed fire protection within SRAs, but does not provide structure protection, rescue and emergency service, or hazardous materials response. Counties provide fire services at their discretion and service levels vary from county to county. The County chose to protect residents and property within its jurisdiction by creating County Fire in partnership with CAL FIRE. The partnering and consolidation between County Fire and CAL FIRE are documented through contractual agreements that direct CAL FIRE/County Fire to provide fire protection and emergency response services and shared funding for the provision of such services.

In the unincorporated community of Nipomo, fire protection and emergency medical services are provided by CAL FIRE Station 20, located on North Oakglen Avenue, east of US 101 in Nipomo, approximately 1.6 miles southeast of the project site (County of San Luis Obispo 2014). Nipomo is also served by CAL FIRE Mesa Station 22 (Station 22) located on Highway 1 on the west side of the mesa, approximately 4.7 miles west (County of San Luis Obispo 2014). Station 20 is one of the busiest fire stations in the county and serves a large and varied response area. Generally, firefighters from Station 20 respond to incidents in the Nipomo core village, along an approximately 12-mile segment of US 101 from the Santa Maria River bridge north to the city of Arroyo Grande, and east through the SR 166 corridor. In addition to a large and varied response area, the Station 20 service population has experienced an increase in growth over the past 5 years (CAL FIRE 2021a). The Nipomo area is also served by CAL FIRE Station 22, which has experienced a substantial increase in calls for service over the past 3 years due to an increase in new development and population in the Nipomo Mesa area.

According to the County's LUO, the goal response time for County Fire is 7 minutes for urban areas and 8 minutes for suburban areas at least 90% of the time (Resolute Associates 2021). These goal response times include the time it takes for dispatch to process the call and for firefighters to board the engine, which is 3 minutes. Therefore, travel time to a project area should be between 3 and 4 minutes to meet the

goals established in the LUO. Currently, travel time to the project site is approximately 7 minutes from Station 20 and approximately 6 minutes from Station 22, which would exceed the goal response time established in the LUO (Resolute Associates 2021).

## 4.20.2 Regulatory Setting

### *4.20.2.1 Federal*

#### 4.20.2.1.1 CODE OF FEDERAL REGULATIONS

Under 29 CFR Sections 1910.38 and 1910.39, an employer must have an Emergency Action Plan and Fire Prevention Plan that are accessible to employees within a workplace. Such plans shall include information regarding emergency reporting, evacuation and exit routes, roles and responsibilities in the event of an emergency, accounting for employees following an emergency evacuation, and the need for performing rescue or medical duties. An employer is required by 29 CFR 1910.119 to have accessible information regarding hazardous chemicals, employee training regarding the use of dangerous equipment with hazardous materials, and to perform a process hazard analysis to reduce increased risk of fire caused by hazardous materials use. In addition, 29 CFR 1910.155 Subpart L requires employers to provide and maintain functional fire safety equipment.

### *4.20.2.2 State*

#### 4.20.2.2.1 2019 CALIFORNIA FIRE CODE

The purpose of the 2019 California Fire Code (CFC) is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings. The CFC also incorporates requirements to provide safety and assistance to fire fighters and emergency responders during emergency operations.

The CFC applies to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building, structure, and any appurtenances connected or attached to building structures throughout the state. The CFC establishes regulations related to safeguarding buildings and structures, including the following:

1. The hazard of fire and explosion arising from the storage, handling, or use of structures, materials, or devices.
2. Conditions hazardous to life, property, or public welfare in the use or occupancy of buildings, structures or premises.
3. Fire hazards in the buildings or structures or on premises from use of, occupancy of, or operation.
4. Matters related to the construction, extension, repair, alteration, or removal of fire suppression or alarm systems.
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

Chapter 49 of the CFC provides minimum standards to increase the ability of a building to resist the intrusion of flame or burning embers being protected by a vegetation fire and contributes to a systematic reduction of losses through the use of performance and perspective requirements.

#### 4.20.2.2.2 CALIFORNIA BUILDING CODE

Chapter 7A of the CBC applies to building materials, systems, and/or assemblies used in the exterior design and construction of new building located within a WUI Fire Area. The purpose of this chapter of the CBC is to establish minimum standards for the protection of life and property by increasing the ability of a building located in any FHSZ within an SRA or any WUI Fire Area to resist the intrusion of flames or burning embers projected by a vegetation fire.

#### 4.20.2.2.3 CALIFORNIA RESIDENTIAL CODE

California Residential Code Section R337 establishes minimum standards for the protection of life and property by increasing the ability of a building located in any FHSZ within an SRA or any WUI Fire Area to resist the intrusion of flames or burning embers projected by a vegetation fire. New buildings located in any FHSZ or WUI fire area are required to comply with provisions of this chapter.

#### 4.20.2.2.4 CALIFORNIA PUBLIC RESOURCES CODE

PRC Section 4290 establishes the minimum wildfire protection standards related to defensible space in conjunction with building, construction, and development within an SRA. These regulations apply to all residential, commercial, and industrial buildings within SRAs and lands designated as high and very high FHSZs. PRC Section 4291 requires that a person who owns, leases, controls, operates, or maintains a building or structure in or adjacent to WUI Fire Areas or other areas susceptible to wildfire must maintain 100 feet of defensible space and maintain fire fuels.

### *4.20.2.3 Local*

#### 4.20.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

##### Safety Element

The County's Safety Element includes policies and implementation measures for reducing risk related to natural or other potential disasters within the county. The Safety Element has two basic principles: to be ready for disaster and to manage development to reduce risk. The Safety Element provides goals, policies, and programs to reduce the risk of loss due to potential natural hazards, including wildfire hazards, within the county, with the purpose of providing standards for reducing the risk of exposure to hazards.

#### 4.20.2.3.2 SAN LUIS OBISPO COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

The San Luis Obispo County MJHMP has a goal of providing practical, meaningful, attainable, and cost-effective mitigation solutions to reduce vulnerability to the identified hazards and ultimately reduce both human and financial losses from hazard events (County of San Luis Obispo 2019b).

#### 4.20.2.3.3 SAN LUIS OBISPO COUNTY EMERGENCY OPERATIONS PLAN

The County's Emergency Operations Plan (EOP) 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; identifies key continuity of government operations; and describes the overall logistical support process for planned operations.

#### 4.20.2.3.4 SAN LUIS OBISPO COUNTY STRATEGIC COMMUNITY WILDFIRE PROTECTION PLAN

The *San Luis Obispo County Strategic Community Wildfire Protection Plan* (Strategic CWPP) is a cohesive document that was created with the intent of supporting the vision, goals, and objectives of the California Fire Plan. The Strategic CWPP identifies the county's physical and social characteristics, identifies and evaluates landscape-scale fire hazard variables, utilizes Priority Landscape data sets for evaluating wildfire risk, identifies measures for reducing structural ignitability, and identifies potential fuel reduction projects and techniques for minimizing wildfire risk (County of San Luis Obispo 2019c). The goal of the Strategic CWPP is to provide a planning-level framework for hazardous fuel assessment and reduction within the county to protect structures and assets and to reduce the potential for wildfire to occur. Specific goals of the Strategic CWPP include the following:

1. Improving the availability and use of information regarding hazard and risk assessment;
2. Providing guidance for land use planning efforts;
3. Promoting a shared vision among communities and multiple fire jurisdictions;
4. Establishing fire resistance in communities;
5. Prioritizing protection of communities and other high-priority watersheds;
6. Promoting collaboration between government agencies and a broad representation of stakeholders;
7. Improving fire suppression and prevention capabilities;
8. Promoting post-fire recovery efforts; and
9. Maintaining accountability through performance-based monitoring.

In addition, the Strategic CWPP was developed with the cooperation of key stakeholders and prioritizes protection of communities, natural resources, and the lives of the public and firefighters. These priorities are represented in the following tactical principles:

1. Increase the safety to residents and firefighters during wildland fires;
2. Reduce the costs and losses associated with wildland fires;
3. Support implementation of WUI building standards through coordination and cooperation with local government planning departments;
4. Support the implementation and maintenance of defensible space around structures;
5. Support project work and planning efforts that encourage the development and/or maintenance of safe ingress and egress routes for emergency incidents;
6. Promote cooperation between fire agencies in the county to minimize wildland fire damage through strategic fuel treatment projects;
7. Utilize fire prevention efforts to reduce ignitions within the county;
8. Conduct post-incident analysis to evaluate success in achieving the 95% threshold of keeping fires less than 10 acres in size; and
9. Promote public education efforts about wildland fire through the support of the San Luis Obispo County Community Fire Safe Council (SLOCCFSC) and Firewise community activities.

#### 4.20.2.3.5 COUNTY OF SAN LUIS OBISPO COUNTY CODE

Title 16 of the County Code identifies requirements for fire prevention throughout the County. The 2019 CFC, including Chapter 4, Section 103. Section 503, and Appendices B, BB, C, CC, F, and H, have been adopted by reference into Title 16 of the County Code. Title 16 includes requirements for storage of flammable materials and explosives, roadways, driveways, sprinkler systems, addressing, water tanks, and access.

#### 4.20.2.3.6 SAN LUIS OBISPO COUNTY FIRE SERVICES MUTUAL AID PLAN

Due to the location and size of San Luis Obispo County, it is necessary to provide cooperative assistance to departments, agencies, and jurisdictions through automatic or mutual aid. The San Luis Obispo County Fire Services Mutual Aid Plan was created with the following purpose:

- Upon demand, provide the cost-effective use of the emergency resources of all jurisdictions
- Achieve a balance over the long run between providing and receiving entities
- Eliminate complex financial and legal agreements
- Address all mutual aid responses and station coverage assignments required of the fire service, including, but not limited to, fire, rescue, hazardous materials, earthquake, natural and human-made disasters, and mass casualty incidents

### *4.20.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Wildfire*

Table 4.20-2 lists applicable state, regional, and local land use policies and regulations pertaining to wildfire that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.20.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.20-2 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.20.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.20-2. Preliminary Policy Consistency Evaluation**

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| ***County of San Luis Obispo General Plan*** | | |
| **Safety Element** | | |
| **Policy S-2 Emergency Preparedness.** Continue to improve preparedness programs that educate and organize people to respond appropriately to disasters. They include education and awareness programs for individuals, families, institutions, businesses, government agencies and other organizations. | The intent of this policy is to improve emergency preparedness programs. | **Potentially Consistent.** The project would be consistent with applicable emergency response and evacuation plans with implementation of identified mitigation. Mitigation Measure WF/mm-1.1 has been identified to require HOA coordination with County Fire to identify temporary refuge areas and develop a method of public outreach to provide information regarding emergency |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
|---|---|---|
| | | planning and alerting within the Specific Plan Area. |
| **Policy S-3 Coordination.** Improve coordination among City, County, and State programs, and among others working to reduce the risks of disasters. This should also include improved coordination with the news media. This will result in more effective preparedness, response, and recovery from disasters. | The intent of this policy is to improve emergency response coordination between local jurisdictions and governmental agencies. | **Potentially Consistent.** Implementation of the project would not affect coordination between cities, the County, and the state. Mitigation Measure WF/mm-1.1 has been identified to require HOA coordination with County Fire to identify temporary refuge areas and develop a method of public outreach to provide information regarding emergency planning and alerting within the Specific Plan Area. With implementation of identified mitigation measures, the project would be potentially consistent with this policy. |
| **Policy S-13 Pre-Fire Management**. New development should be carefully located, with special attention given to fuel management in higher fire risk areas. Large, undeveloped areas should be preserved so they can be fuel managed. New development in fire hazard areas should be configured to minimize the potential for added danger.<br>**Standard S-30** Site homes near one another to the extent practicable to reduce the need for multiple response teams during fires. Require that the subdivision design be reviewed by fire safety personnel. Require the clustering of lots or buildings in high and very high fire hazard areas as appropriate. New developments in high and very high fire hazard areas should maintain open areas large enough to allow for control burns and other vegetation management programs. | The intent of this policy is to minimize potential risks associated with wildfire hazards. | **Potentially Consistent.** The project has the potential to exacerbate wildfire risks due to development within a high FHSZ. Mitigation Measure WF/mm-2.1 has been identified to ensure maintenance of open space areas on-site to reduce risk of wildfire ignition. |
| **Policy S-14 Facilities, Equipment, and Personnel.** Ensure that adequate facilities, equipment and personnel are available to meet the demands of fire fighting in San Luis Obispo County based on the level of service set forth in the fire agency's master plan. | The intent of this policy is to maintain adequate service levels for firefighting in the county. | **Potentially Consistent.** As described in Section 4.15, *Public Services*, the project would result in an increased need for fire protection services, which would be offset through payment of Public Facilities Fees and implementation of identified mitigation that requires the provision of land for future development of a new fire station. |
| **Policy S-16 Loss Prevention.** Improve structures and other values at risk to reduce the impact of fire. Regulations should be developed to improve the defensible area surrounding habitation. | The intent of this policy is to reduce the impact of fire on communities. | **Potentially Consistent.** The project has the potential to exacerbate wildfire risks due to development within a high FHSZ. Future development would be subject to design standards included in the CFC, the CBC, and PRC Section 4290 and applicable CAL FIRE and County regulations to reduce wildfire risk associated with development in a high FHSZ. Additionally, Mitigation Measure WF/mm-2.1 has been identified to ensure maintenance of open space areas on-site to reduce risk of wildfire ignition. |
| **Policy BR 2.7 Fire suppression and sensitive plants and habitats.** Balance the need for fire suppression and/or vegetation (fuel) management with the need to protect sensitive biological resources. Where possible, design land divisions and development so that fuel-breaks, vegetation, or fuel modification areas that are needed to reduce fire hazards do not disrupt special-status | The intent of this policy is to protect sensitive biological resources during fuel management activities. | **Potentially Consistent.** Mitigation Measure WF/mm-2.1 includes vegetation management in accordance with the Dana Reserve Oak Mitigation Plan on open space areas on-site to reduce risk of wildfire ignition and protect sensitive biological resources. |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| plant communities or critical habitat for special status animal species. Fuel-breaks and vegetation or fuel modification areas shall be located on the development side of required setbacks from sensitive features and shall be in addition to the required setbacks. | | |
| ***San Luis Obispo County Multi-Jurisdictional Hazard Mitigation Plan*** | | |
| **Goal 2.** Mitigate hazard impacts to existing and future development. | The intent of this policy is to mitigate potential hazards to existing and future development. | **Potentially Consistent.** The project has the potential to exacerbate wildfire risks due to development within a high FHSZ. Future development would be subject to design standards included in the CFC, the CBC, and PRC Section 4290 and applicable CAL FIRE, and County regulations to reduce wildfire risk associated with development in a high FHSZ. Additionally, Mitigation Measure WF/mm-2.1 has been identified to ensure maintenance of open space areas on-site to reduce risk of wildfire ignition near proposed land uses. |
| **Objective 2.1.** Limit new development in hazard areas, and as permissible, build to standards that will prevent or reduce damage. | The intent of this policy is to mitigate potential hazards to new development. | **Potentially Consistent.** The project has the potential to exacerbate wildfire risks due to development within a high FHSZ. Future development would be subject to design standards included in the CFC, the CBC, and PRC Section 4290 and applicable CAL FIRE, and County regulations to reduce wildfire risk associated with development in a high FHSZ. Additionally, Mitigation Measure WF/mm-2.1 has been identified to ensure maintenance of open space areas on-site to reduce risk of wildfire ignition near proposed land uses. |
| **Goal 3.** Build and support local capacity to address, and commitment to minimize, San Luis Obispo County's vulnerability to potential hazards through collaboration with the incorporated cities and special districts. | The intent of this policy is to improve emergency preparedness through collaboration with incorporated cities and special districts. | **Potentially Consistent.** As described in Section 4.15, *Public Services*, the project would result in an increased need for fire protection services, which would be offset through payment of Public Facilities Fees and implementation of identified mitigation that requires the provision of land for future development of a new fire station. |
| **Objective 3.1.** Improve existing capabilities to manage emergency situations. | The intent of this policy is to improve emergency response following emergency situations. | **Potentially Consistent.** As described in Section 4.15, *Public Services*, the project would result in an increased need for fire and police protection services, which would be offset through payment of Public Facilities Fees. Increased demand on fire protection services would be offset through implementation of identified mitigation that requires the provision of land for future development of a new fire station. The project would also improve circulation and emergency access/evacuation by providing two through-connections through the Specific Plan area to Willow Road. |
| **Goal 4.** Minimize the level of injury and loss of life and damage to existing and future critical facilities, property and infrastructure due to natural hazards. | The intent of this policy is to minimize risk as a result of natural hazards. | **Potentially Consistent.** The project has the potential to exacerbate wildfire risks due to development within a high FHSZ. Future development would be subject to design standards included in the CFC, the CBC, and PRC Section 4290 and applicable CAL FIRE, |

| Goals, Policies, Plans, Programs and Standards | Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts | Preliminary Consistency Determination |
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| | | and County regulations to reduce wildfire risk associated with development in a high FHSZ. Additionally, Mitigation Measure WF/mm-2.1 has been identified to ensure maintenance of open space areas on-site to reduce risk of wildfire ignition. |
| **Objective 4.1.** Enhance the ability of community assets so as to minimize damages sustained from potential hazards. | The intent of this policy is to enhance existing programs to minimize damages sustained from potential hazards. | **Potentially Consistent.** The project includes the construction of two collector roads intended to improve existing emergency response and evacuation conditions within the project region. In addition, construction of these collector roads would ensure buildout of the project does not adversely affect emergency response and evacuation efforts. Mitigation has been included to set aside land for construction of a future fire department to improve emergency response ability in the regions. Further, the project would be subject to the payment of Public Facilities Fees to offset demand on fire and police protection services. |
| **Objective 4.2.** Develop a comprehensive approach to reducing the level of damage and losses due to hazards through utilizing resilient community and critical infrastructure design, management, code enforcement, GIS mapping, improved policies, procedures, training evacuation planning, and planning processes. | The intent of this policy is to reduce the level of damage and losses due to hazards. | **Potentially Consistent.** Proposed occupiable buildings and structures would be subject to requirements of the most recent CBC to reduce risk accordingly. In addition, mitigation has been included to further reduce risk through structural and other design requirements. |

## 4.20.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on wildfire if the effects exceed the significance criteria described below:

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.

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.

Each of these thresholds is discussed under Section 4.20.5, *Project-Specific Impacts and Mitigation Measures*, below.

# 4.20.4 Impact Assessment and Methodology

The following impact assessment is based, in part, on the *Dana Reserve Fire Protection Plan* (Resolute Associates 2021), which includes an in-depth assessment of wildfire risks for the Specific Plan Area and surrounding area.

# 4.20.5 Project-Specific Impacts and Mitigation Measures

## WOULD THE PROJECT SUBSTANTIALLY IMPAIR AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?

### Specific Plan Area

#### *WF Impact 1: The project could impair an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant with mitigation (Class II).*

Emergency response and evacuation plans that have been adopted by the County include the County's Safety Element, San Luis Obispo County MJHMP, EOP, and Strategic CWPP. Applicable policies and implementation measures included in these emergency and evacuation plans are described below.

The Specific Plan Area is 288 acres in size and is comprised of three parcels located adjacent to the US 101 southbound lane in the community of Nipomo. Existing site access is provided via Hetrick Avenue from the west and Cherokee Place from the north. The northern parcels (APNs 091-301-030 and 091-301-031) would be used to provide road extensions to allow for additional access to the Specific Plan Area from Willow Road. APN 091-325-022 would be used to provide an extension of North Frontage Road to allow for connection to the Specific Plan Area. Two additional emergency access points are proposed within Neighborhood 9, adjacent to Hetrick Avenue, and Neighborhood 7, as a continuation of Cory Way (see Figure 2-15 in Chapter 2, *Project Description*). These emergency access points would be designed and constructed as pedestrian, bicycle, and equestrian facilities but would be fully compliant with CAL FIRE and County Public Works Department requirements for emergency access (Resolute Associates 2021). In addition, all other proposed roadways, road improvements, and access points would be required to comply with PRC Section 4290 and CAL FIRE and County Public Works Department requirements to allow for proper emergency access to the site. Development plans are subject to review and approval by fire safety personnel per the County's Safety Element to ensure that adequate emergency access and other safety features are included in the final project design.

All existing and proposed access points would provide both ingress and egress for residents, guests, and emergency responders. Full buildout of the Specific Plan Area would result in the construction of 831 new residential single-family units, 458 new residential multi-family units, 152 ADUs, and commercial and light industrial development. The project is anticipated to generate a full buildout population of 4,554 residents and 272 employees and generate 18,662 additional daily trips (CCTC 2021). In the event of an evacuation, proposed internal and existing public roads would be used to reach US 101, located directly east of the site. Proposed individual neighborhoods within the Specific Plan Area would have two proposed ingress and egress points and all dead-end roads would have required turnarounds (Resolute Associates 2021).

The County's EOP identifies the importance of public education and notification prior to and during an emergency situation. In addition, the Strategic CWPP identifies a need to promote public education efforts about wildland fire. Individual neighborhood HOAs and the master Dana Reserve HOA would be responsible for providing information to residents regarding family emergency planning (including

evacuation areas), emergency alerting, emergency supply kits, and care for animals in an emergency (Resolute Associates 2021). Mitigation Measure WF/mm-1.1 requires the master Dana Reserve HOA to commit to annual public outreach in coordination with the County to provide residents with information about emergency planning and alerting within the Specific Plan Area. Implementation of Mitigation Measure WF/mm-1.1 would ensure consistency with the County's EOP and Strategic CWPP.

Based on the scale of proposed development, it is likely that, in the event of an evacuation, the rate of egress from the Specific Plan Area would be reduced; however, all proposed access points, roads, and evacuation routes would be constructed and identified in accordance with CAL FIRE and County Public Works Department requirements to ensure safety along evacuation routes and compliance with all applicable emergency response and emergency evacuation plans.

During project construction, there would be a limited number of all-weather access roads available to allow fire and ambulance access to construction areas. Construction activities would be required to comply with International Fire Code (IFC) Section 3312 and applicable PRC sections to prevent ignition and spread of a wildfire during construction activities. In addition, proposed construction activities may require traffic controls along nearby roadways and may slow traffic due to heavy vehicles and machinery traveling along nearby roadways. However, any traffic controls and vehicle and equipment movement would be temporary in nature and would not result in long-term impacts. Therefore, construction of the project would not impede any emergency response or evacuation plans.

The project would provide adequate emergency ingress and egress, emergency access, and accessibility to water for fire suppression, and would comply with all appropriate fire prevention methods. Implementation of Mitigation Measure WF/mm-1.1 would ensure consistency with the County's Safety Element, San Luis Obispo County MJHMP, EOP, and Strategic CWPP; therefore, potential impacts would be *less than significant with mitigation*.

| **WF Impact 1 (Class II)** | |
|---|---|
| The project could impair an adopted emergency response plan or emergency evacuation plan. | |
| ***Mitigation Measures*** | |
| *Implement Mitigation Measure PS/mm-1.1.* | |
| *WF/mm-1.1* | *Prior to occupancy of any Dana Reserve Specific Plan neighborhoods, the master Dana Reserve Homeowner's Association shall coordinate with individual Dana Reserve Specific Plan neighborhood Homeowner's Associations and County of San Luis Obispo Fire Department to identify temporary refuge areas throughout the community. Temporary refuge areas shall be documented and available for residents and guests within the Specific Plan Area. Refuge areas may include the following:*<br>*1. Parking lots in commercial and multi-family residence areas*<br>*2. Neighborhoods parks*<br>*3. Public parks*<br>*4. Neighborhood pocket parks*<br>*The master Homeowner's Association shall also coordinate with individual Dana Reserve Specific Plan neighborhood Homeowner's Associations and County of San Luis Obispo Fire Department to develop a method of public outreach to provide information regarding emergency planning and alerting within the Specific Plan Area. Information to be provided to the public shall include, but not be limited to, the following:*<br>*1. Location of established refuge areas*<br>*2. Emergency entry and exit points within the community* |

| **WF Impact 1 (Class II)** |
|---|
| *3. Nearest emergency entry and exit points to each specific neighborhood*<br>*4. Family emergency planning*<br>*5. Types of emergency alerting and methods to receive emergency notifications*<br>*6. Emergency supply kit necessities*<br>*7. Care options for pets and other animals in an emergency*<br>*Public outreach shall be conducted annually and include any updated emergency planning information, as necessary. Compliance shall be documented with the County of San Luis Obispo.* |
| ***Residual Impacts*** |
| *With implementation of Mitigation Measures PS/mm-1.1 and WF/mm-1.1, residual impacts related to consistency with an emergency response or evacuation plan would be less than significant (Class II). See Section 4.15, Public Services, PS Impact 1 for residual impacts related to PS/mm-1.1.* |

## Off-Site Improvements

### *WF Impact 2: Off-site improvements could impair an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant (Class III).*

The project includes off-site construction for installation of proposed NCSD water and sewer infrastructure and transportation improvements. Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way). Proposed NCSD water infrastructure improvements are proposed at the intersection of North Dana Foothill Road and West Tefft Street, along West Tefft Street and North Oakglen Avenue, under US 101, and at two of the four proposed access points into the Specific Plan Area (see Figure 2-5 in Chapter 2, *Project Description*. NCSD sewer improvements would occur along North Frontage Road from the Southland WWTF to the Specific Plan Area (see Figures 2-6 and 2-7 in Chapter 2, *Project Description*).

Improvements conducted at proposed access points to the Specific Plan Area would result in temporary impairment of emergency access to the site; however, other access routes would remain open to allow for emergency ingress and egress. Construction and installation of other proposed off-site water and sewer improvements would likely require traffic controls, including partial lane closures. Proposed improvement projects are anticipated to occur incrementally, which would reduce the amount of potential traffic congestion caused by lane closures or other traffic controls. Traffic controls would be temporary in nature and would include detour routes as necessary to allow for emergency and other access to surrounding areas.

Proposed infrastructure improvements would not result in aboveground features that could physically impede any established emergency response or evacuation routes. New infrastructure and improvements would be maintained by existing NCSD employees and would not result in population growth that could create additional vehicle trips along evacuation routes. Infrastructure improvements would be required to comply with all applicable CBC, CFC, PRC, and County Code requirements to reduce fire risk associated with construction of utilities. Therefore, potential short- and long-term impacts associated with implementation of expanded NCSD infrastructure and transportation improvements are not anticipated to impede an emergency response or evacuation plan, and impacts would be *less than significant*.

| **WF Impact 2 (Class III)** |
|---|
| Off-site improvements could impair an adopted emergency response plan or emergency evacuation plan. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing state and local requirements, residual impacts would be less than significant (Class III).* |

## WOULD THE PROJECT, 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?

### Specific Plan Area

#### *WF Impact 3: The project could exacerbate wildfire risks due to development within a high fire hazard severity zone. Impacts would be less than significant with mitigation (Class II).*

There are three factors that influence wildfire behavior: weather, topography, and fuel (Resolute Associates 2021). The Specific Plan Area and surrounding areas include relatively flat topography with areas of rolling hills. The Specific Plan Area is mostly undeveloped and supports dense oak, chaparral, and grassland vegetation. Based on existing conditions, the Specific Plan Area and surrounding areas have been designated as a high FHSZ by CAL FIRE (CAL FIRE 2021a). Development within a high FHSZ has the potential to expose project occupants to wildfire hazards, including pollutant concentrations.

#### CONSTRUCTION

Future buildout of the Specific Plan Area would require temporary construction activities that may increase fire risk in the Specific Plan Area due to the use of combustible materials. The project would be required to comply with IFC Section 3312, which requires a temporary or permanent water system for fire protection to be available prior to the arrival of combustible materials on-site. In addition, the construction phase of the project would be required to comply with all applicable PRC requirements, including requirements for spark arresters, clearance around welding operations, smoking restrictions, and extinguishers on-site (Resolute Associates 2021). Compliance with the IFC and PRC requirements intended to reduce the potential to ignite a wildfire on-site would ensure temporary construction-related wildfire impacts would be *less than significant*.

#### COMMERCIAL AND RESIDENTIAL BUILDINGS

Full buildout of the project would result in 238.2 acres of single-family residential development, multi-family residential development, commercial development, and other site improvements. Due to the project's location in a high FHSZ, future residential development would be required to comply with requirements identified in Chapter 7A of the CBC and Chapter R337 of the California Residential Code for roofs and roof edges, exterior walls and siding, eaves and porch ceilings, vents, windows and exterior

doors, exterior decking and stairs, underfloor and appendages, and residential sprinklers (Resolute Associates 2021). Requirements of the CBC and California Residential Code were created to reduce wildfire risk associated with development in high FHSZs; therefore, compliance with the CBC and California Residential Code would reduce the potential for wildfire risk associated with proposed residential development.

Future commercial development would be required to comply with Title 16 of the County Code, which requires installation of automatic fire sprinklers, fire alarm systems, and portable fire extinguishers in all commercial buildings over 1,000 square feet. As required by the County Fire Marshal, a fire protection engineer would review all commercial fire protection system designs. In addition, all new commercial buildings would be required to comply with the building material requirements identified in Chapter 7A of the CBC (Resolute Associates 2021). Compliance with Title 16 of the County Code and the CBC would reduce potential wildfire risk associated with commercial development within a high FHSZ.

All future development and site improvements would be required to comply with requirements included in the CBC, CFC, and Title 16 of the County Code for emergency vehicle access, addressing, water supply, defensible space, fire protection systems, and the use of fire-resistant building materials. All commercial properties and gates would be required to install a KNOX Box in a location approved by County Fire to allow for emergency fire access to the site. All new homes and businesses must have clear address identification in a visible location and multi-family complexes must include directory signage. Landscaping in public areas of the Specific Plan Area must be designed to include fire-resistant plants that are strategically placed to resist the spread of fire to nearby homes and hardscaping should use limited combustible materials in or near structures. The project would be required to supply adequate domestic and fire water storage and delivery system (Resolute Associates 2021). In compliance with PRC Section 4291, the project would be required to create 100 feet of defensible space around all structures to protect against embers that may result from a wildfire. Based on required compliance with the CBC, CFC, PRC, and Title 16 of the County Code, future development of residential and commercial buildings within the Specific Plan Area would not exacerbate wildfire risk because all buildings and improvements would be developed with fire-resistant building materials and would allow for adequate emergency access and fire suppression requirements. Therefore, potential impacts would be *less than significant*.

## OPEN SPACE

Buildout of the Specific Plan Area would result in 49.8 acres of open space area. Proposed open space areas are characterized by rolling hills and consist of approximately 20.2 acres of coast live oak woodland, approximately 6.2 acres of chamise-black sage chaparral, and approximately 23.2 acres of grassland. Wildfire can quickly burn through grasses, chaparral, and oak woodland understory (Resolute Associates 2021). The project includes several pedestrian, bicycle, and equestrian trails that either traverse open space areas or travel along the perimeter. In addition, approximately 100 parcels would be arranged along the perimeter of the open space areas. Some backyards are located directly adjacent to open space and others are separated from the open space by a road or trail. Due to the location of residential units near open space areas, there is potential for human activities, including arson, cigarette butts, fireworks, campfires, or operating vehicles or machinery to result in wildfire (WorldAtlas 2021b). This risk would be further amplified if oak woodlands and other vegetation within the proposed open space areas were left unmanaged. Following full buildout of the Specific Plan Area, each neighborhood within the community would have an HOA with a master HOA in place that would be responsible for maintenance of the open space areas (Resolute Associates 2021). Mitigation Measure WF/mm-3.1 would require the master Dana Reserve HOA to adopt CC&Rs that include requirements for the maintenance and protection of the open space areas, including restrictions on uses and vegetation management. In addition, the project would be required to comply with PRC Section 4291 for defensible space creation to protect buildings from embers associated with wildfires. Implementation of Mitigation Measure WF/mm-3.1 and compliance with PRC Section 4291 would reduce the potential for wildfire to occur within

proposed open space areas that could exacerbate risk to proposed residential and commercial development; therefore, impacts would be *less than significant with mitigation*.

| **WF Impact 3 (Class II)** | |
|---|---|
| The project could exacerbate wildfire risks due to development within a high fire hazard severity zone. | |
| ***Mitigation Measures*** | |
| *WF/mm-3.1* | *Prior to project occupancy, the master Homeowner's Association shall adopt Covenants, Conditions, and Restrictions that include requirements for the maintenance and protection of the open space areas that ensure that these spaces are maintained in perpetuity. Prior to adoption by the master Homeowner's Association, Covenants, Conditions, and Restrictions shall be created in coordination with the County to ensure feasibility of open space management practices. The Covenants, Conditions, and Restrictions shall be enforced by the master Homeowner's Association throughout the lifetime of the project. Language regarding protection and management of open space areas as it pertains to wildfire may include, but shall not be limited to:*<br>1. *Smoking, use of cooking equipment, or any other ignition source is prohibited in the open space areas.*<br>2. *Safety precautions are required when using equipment capable of creating a spark; this includes spark arrestors.*<br>3. *All fireworks or other devices that could cause an ignition of a fire are prohibited throughout the Dana Reserve.*<br>4. *Overnight camping is prohibited.*<br>5. *Motorized vehicles are not permitted in the open space areas. (except emergency vehicles, vehicles permitted by the Homeowner's Association to conduct official business, and single-rider motorized vehicles adapted for recreational use by people with disabilities).*<br>6. *Discharging or carrying firearms, crossbows, fireworks, or projectile weapons of any kind is not permitted (except law enforcement officials) in the Dana Reserve.*<br>7. *The Homeowner's Association will maintain fire prevention signage in fire-prone areas near or on trails.*<br>8. *The Homeowner's Association will conduct vegetation management in the open spaces, in the retention basins, on trails, and near U.S. Route101 that prevent or reduce the ability for a wildfire to spread to other properties in proximity. Methods used will provide for the protection of the open space environment.*<br>9. *Fencing or barriers adjoining the open space areas, whether owned privately or by the Homeowner's Association, will be constructed of a fire-resistive material so that it will not convey or contribute to the spread of fire from or to the open space areas (exception may include an open-type fence, such as a split-rail fence). Combustible fence material will not be used within 5 feet of structures.*<br>10. *Vegetation management will be consistent with Dana Reserve's County of San Luis Obispo-approved oak woodland habitat management plan.*<br>11. *The Homeowner's Association is authorized to enter into contracts and agreements for vegetation management in and near the open space areas that includes hand, mechanical, animal, prescribe fire, herbicide, and other methods consistent with accepted vegetation management practices.*<br>12. *The Homeowner's Association is authorized to increase assessment and fines necessary to protect and maintain the open space areas. This may include funds for the hiring of staff and contracts.*<br>13. *The Homeowner's Association is authorized to enter into agreements with agencies, land conservancies, and other organizations who also have a mutual concern for the protection of the open space areas.* |

| **WF Impact 3 (Class II)** |
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| ***Residual Impacts*** |
| *With implementation of Mitigation Measure WF/mm-3.1, residual impacts related to wildfire risk would be less than significant (Class II). Fuel-reduction practices to maintain open space areas would be required to be conducted in a manner that would avoid or minimize impacts to biological resources that may result from implementation of fuel reduction techniques; therefore, residual impacts to biological resources are not anticipated.* |

## Off-Site Improvements

### *WF Impact 4: The project could exacerbate wildfire risks due to development within a high fire hazard severity zone. Impacts would be less than significant with mitigation (Class II).*

Proposed off-site improvements would be conducted within a high and moderate FHSZ (see Figure 4.20-1; CAL FIRE 2021a). Although construction and installation of some proposed off-site improvements would occur within a high FHSZ, proposed NCSD water and sewer improvements do not include development of occupiable buildings or structures that could expose occupants to wildfire hazards. Additionally, proposed infrastructure would be required to comply with all CBC, CFC, PRC, and County Code requirements for proper installation to avoid unnecessary risk of wildfire caused by equipment malfunction or ongoing maintenance and repair trips. Therefore, installation of proposed off-site NCSD improvements would not expose occupants to pollutant concentrations or the uncontrolled spread of wildfire and potential impacts would be *less than significant*.

| **WF Impact 4 (Class III)** |
|---|
| The project could exacerbate wildfire risks due to development within a high fire hazard severity zone. |
| ***Mitigation Measures*** |
| *No mitigation is necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing state and local requirements, residual impacts would be less than significant (Class III).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

#### *WF Impact 5: The project would require installation of internal roads, public utility easements, and utility infrastructure that may exacerbate fire risk. Impacts would be less than significant (Class III).*

Buildout of the project would result in the development and installation of internal roads, public utility easements, and utility infrastructure throughout the 288-acre Specific Plan Area. Potable water and wastewater would be provided through NCSD infrastructure within North Frontage, Willow, and Pomeroy Roads and would also require an extension of water and wastewater infrastructure routed throughout the Specific Plan Area. There are existing PG&E overhead service lines along Cherokee Place, Pomeroy Road, and the eastern edge of the Specific Plan Area. New service lines would be undergrounded in or adjacent to the ROW of the proposed commercial and residential roadways. There are no existing gas mains located within the Specific Plan Area; therefore, new gas mains would be constructed as part of the primary backbone roadways to serve new development areas. Construction activities associated with installation of the proposed utility and other associated infrastructure would be required to comply with IFC Section 3312 and PRC sections intended to reduce the potential for short-term construction activities to ignite a wildfire within the project area.

Water for fire suppression would be supplied by a proposed internally looped 8-inch public water main located within public roads within the Specific Plan Area (Resolute Associates 2021). Proposed fire hydrants would be located adjacent to roadways no more than 500 feet apart, except on dead-end streets, which would be no greater than 400 feet apart. The maximum distance from any point on the street frontage to a hydrant would be 250 feet. For commercial or light industrial areas, the maximum spacing would be no greater than 250 feet. As proposed, the fire hydrant system would comply with Appendix C of the CFC. Fire-flow requirements would be required to comply with Appendix B of the CFC to allow for adequate water accessibility for fire protection services. Compliance with the CFC would ensure there is adequate available water for fire suppression throughout the life of the project to reduce risk associated with wildfire.

All internal roads and driveways would be required to comply with Title 16 of the County Code and CAL FIRE and County Public Works Department roadway requirements to ensure proper installation to avoid the need for frequent maintenance or repairs and to allow for adequate emergency access throughout the Specific Plan Area. Proposed water, wastewater, gas, and electric lines would be placed underground, which would reduce the risk of wildfire by avoiding the potential for sparks from power, or other utility, lines to ignite a fire within the Specific Plan Area. In addition, all public utility easements and utility infrastructure would be required to comply with the CBC and CFC for proper installation to avoid the need for frequent repair and maintenance trips that may exacerbate fire risk. In the event that any future construction activities are required for maintenance or repair of utility or other associated infrastructure, those projects would also be required to comply with IFC Section 3312 and applicable PRC sections to reduce potential wildfire risk.

Proposed installation of internal roads, public utility easements, and utility infrastructure throughout the 288-acre Specific Plan Area would be required to comply with the CFC, the CBC, and Title 16 of the County Code and applicable CAL FIRE and County Public Works Department requirements to ensure

proper installation and/or expansion of associated infrastructure to avoid frequent maintenance or repair trips that may exacerbate fire risk and to reduce hazards associated with improper installation, including wildfire risk. In addition, proposed undergrounding of utility infrastructure would be conducive to the long-term reduction of wildfire risk associated with utility infrastructure by avoiding the potential for wildfire ignition. Therefore, installation of associated infrastructure would not exacerbate fire risk or result in temporary or ongoing impacts to the environment and impacts would be *less than significant*.

| **WF Impact 5 (Class III)** |
|---|
| The project would require installation of internal roads, public utility easements, and utility infrastructure that may exacerbate fire risk. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing state and local regulations, residual impacts would be less than significant (Class III).* |

## Off-Site Improvements

### *WF Impact 6: Off-site improvements could exacerbate fire risk. Impacts would be less than significant (Class III).*

The project includes off-site construction for installation of proposed off-site transportation and NCSD water and sewer infrastructure improvements. Proposed off-site transportation improvements would occur at the location of proposed internal roadway connections to existing roads outside of the Specific Plan Area (Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way; see Figure 2-4 in Chapter 2, *Project Description*). Proposed NCSD water infrastructure improvements are proposed at the North Dana Foothill Road and West Tefft Street intersection, along West Tefft Street and North Oakglen Avenue, under US 101, and at two of the four proposed access points into the Specific Plan Area (see Figure 2-5 in Chapter 2, *Project Description*). NCSD sewer improvements would occur along North Frontage Road from the Southland WWTF to the Specific Plan Area (see Figures 2-6 and 2-7 in Chapter 2, *Project Description*). Proposed off-site NCSD utility infrastructure would be placed underground, which would significantly reduce risk of wildfire ignition caused by sparks or malfunction of associated equipment. In addition, construction and installation of proposed off-site improvements would be required to comply with all CBC, CFC, PRC, and County Code requirements for proper installation of off-site utility infrastructure to further reduce wildfire hazards associated with improper installation. Proper installation of proposed infrastructure would avoid the risk of wildfire by limiting unnecessary maintenance and repair trips to off-site improvement areas that may result in sparks that could lead to wildfire ignition. Based on required compliance with the CBC, CFC, PRC, and County Code, potential impacts related to off-site NCSD improvements would be *less than significant*.

| **WF Impact 6 (Class III)** |
|---|
| Off-site improvements could exacerbate fire risk. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |

| **WF Impact 6 (Class III)** |
|---|
| ***Residual Impacts*** |
| *Based on required compliance with existing state and local regulations, residual impacts would be less than significant (Class III).* |

## WOULD THE PROJECT 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?

### Specific Plan Area

#### *WF Impact 7: The project could expose people or structures to risk associated with downslope or downstream flooding or landslides. Impacts would be less than significant (Class III).*

As described in Section 4.10, *Hydrology and Water Quality,* the Specific Plan Area is not located within a flood hazard zone and would not be susceptible to flooding. As described in Section 4.8, *Geology and Soils,* the Specific Plan Area and surrounding areas have a low risk of landslide, and the generally flat topography of the project area further reduces landslide potential. Based on existing conditions at the Specific Plan Area, downslope or downstream flooding and landslides are not anticipated to occur at the Specific Plan Area in the event of a wildfire. Future buildout of residential, commercial, and other buildings and structures within the Specific Plan Area would be required to comply with foundational and other building requirements identified in the CBC, which would further reduce the potential to expose people or structures to any post-fire ground instability. Therefore, based on existing conditions at the Specific Plan Area and required compliance with the CBC, development within a high FHSZ is not anticipated to expose people or structures to risk associated with downslope or downstream flooding or landslides and impacts would be *less than significant*.

| **WF Impact 7 (Class III)** |
|---|
| The project could expose people or structures to risk associated with downslope or downstream flooding or landslides. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing state and local regulations and standard building practices, residual impacts would be less than significant (Class III).* |

### Off-Site Improvements

#### *WF Impact 8: The project could expose people or structures to risk associated with downslope or downstream flooding or landslides. Impacts would be less than significant (Class III).*

As described above, the Specific Plan Area and surrounding areas are not located in an area susceptible to landslides. However, proposed NCSD off-site water infrastructure improvements along West Tefft Street would be located in an identified flood hazard zone (FEMA 2012). Proposed improvements within the identified flood hazard zone along West Tefft Street would be limited to replacement of an existing underground waterline. Therefore, installation of the replacement waterline would not result in aboveground buildings or structures that could expose people or structures to significant risks associated with downslope or downstream flooding. All other improvements would be located in an area with a minimal chance of flooding (FEMA 2012). Therefore, based on the scope of proposed improvements and existing conditions, installation of off-site utility infrastructure improvements is not anticipated to expose people or structures to risk associated with downslope or downstream flooding or landslides, and impacts would be *less than significant.*

| **WF Impact 8 (Class III)** |
|---|
| The project could expose people or structures to risk associated with downslope or downstream flooding or landslides. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Based on required compliance with existing state and local regulations, residual impacts would be less than significant (Class III).* |

## 4.20.6 Cumulative Impacts

#### *WF Impact 9: The project would not result in a cumulatively considerable impact related to wildfire. Impacts would be less than significant (Class III).*

Existing and foreseeable future development projects within the project region are identified in Chapter 3, *Environmental Setting*. Based on future buildout the Specific Plan Area, and the potential buildout of other foreseeable development projects in the county, it is anticipated that there would be an increase in vehicles traveling on local roadways, which could slow public egress in the event of an evacuation. In addition, reasonably foreseeable future development projects in the area would also contribute to increased congestion and reduced rates of egress in the event of an evacuation. The proposed project would provide public and emergency entry and exit points throughout the Specific Plan Area in accordance with PRC, CAL FIRE, and County Public Works Department requirements for adequate emergency access. Development plans are subject to review and approval by fire safety personnel per the County's Safety Element to ensure that adequate emergency access and other safety features are included in the final project design. In addition, Mitigation Measure WF/mm-1.1 has been included for the proposed project to facilitate public outreach to inform residents of the DRSP of potential threats, different evacuation points, refugee areas, and alert notifications to provide an efficient emergency response. The project would provide adequate facilities for emergency ingress and egress and, as

discussed below, the project would be compliant with fire safety and building requirements to reduce wildfire risk, which is consistent with the County's Safety Element, San Luis Obispo County MJHMP, EOP, and Strategic CWPP. Reasonably foreseeable future projects would also be required to provide adequate emergency access for emergency and public ingress and egress and would be subject to environmental review to ensure consistency with applicable emergency response and evacuation plans.

Future construction of the proposed project and reasonably foreseeable projects located within a high or very high FHSZ has the potential to increase risk of wildfire due to equipment and machinery use that could result in ignition. However, construction of this project and all reasonably foreseeable projects would be subject to IFC Section 3312 and all applicable PRC sections to minimize the potential to ignite and/or exacerbate a wildfire. Therefore, based on required compliance with existing regulations, potential construction-related impacts would be less that cumulatively considerable.

The proposed project and all other reasonably foreseeable future development projects in the area would be required to comply with the CBC, CFC, California Residential Code, PRC, and Title 16 of the County Code to reduce potential risk associated with development in a high FHSZ. Proposed and foreseeable future development of roadways and other improvements would be required to comply with CAL FIRE and County Public Works Department requirements and with CFC, CBC, and Title 16 of the County Code sections for emergency vehicle access, addressing, water supply, defensible space, fire protection systems, and the use of fire-resistant building materials. In addition, Mitigation Measure WF/mm-2.1 has been included to reduce risk associated with human activities and vegetation management of proposed open space areas within the Specific Plan Area. Therefore, based on required compliance with existing CBC, CFC, County Code, and PRC requirements and implementation of Mitigation Measure WF/mm-2.1, implementation of the proposed project would not exacerbate wildfire risks.

Proposed infrastructure for the off-site NCSD water and sewer system improvements would not result in aboveground features that could physically impede any established roadways or other facilities needed for emergency response or evacuation. New infrastructure and improvements would be maintained by existing NCSD employees and would not result in population growth that could create additional vehicle trips along evacuation routes. Infrastructure improvements would be required to comply with all applicable CBC, CFC, PRC, and County Code requirements to reduce wildfire risk associated with construction of utilities.

All other reasonably foreseeable projects would be subject to environmental review and would also be required to comply with all applicable CBC, CFC, California Residential Code, PRC, and Title 16 of the County Code sections for future residential and/or commercial development and additional CAL FIRE and County Public Works Department requirements for the development of roadways and other improvements. Therefore, the proposed project and other reasonably foreseeable projects would not result in cumulative impacts related to wildfire and associated hazards. Impacts related to wildfire would be *less than cumulatively considerable* and *less than significant*.

| **WF Impact 9 (Class III)** |
|---|
| The project would not result in a cumulatively considerable impact related to wildfire. |
| ***Mitigation Measures*** |
| *Mitigation is not necessary.* |
| ***Residual Impacts*** |
| *Cumulative impacts would be avoided through compliance with identified project-specific mitigation; no additional mitigation is needed to avoid or minimize potential cumulative impacts. Therefore, residual impacts would be less than cumulatively considerable and less than significant (Class III).* |

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# CHAPTER 5. ALTERNATIVES ANALYSIS

## 5.1 INTRODUCTION

California Environmental Quality Act (CEQA) Section 15126.6(a) requires an Environmental Impact Report (EIR) to "describe a reasonable range of alternatives to a project, or to the location of a project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." This chapter discusses a range of alternatives to the proposed Dana Reserve Specific Plan (DRSP; project), including modified locations, alternative designs, and a No Project Alternative. The State CEQA Guidelines provide direction for the discussion of alternatives to the proposed project, including the following guidance for the discussion of alternatives to the proposed project:

- "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." (Section 15126.6(a))
- "Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." (Section 15126.6(b))
- "The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison." (Section 15126.6(d))
- "The specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." (Section 15126.6(e))
- "If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." (Section 15126.6(e)(2))
- "The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project." (Section 15126.6(f))
- "Only [alternative] locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." (Section 15126.6(f)(2)(A))

Given the CEQA mandates listed above, this section: (1) describes the range of reasonable alternatives to the project, including the No Project Alternative; (2) examines and evaluates resource issue areas where significant adverse environmental effects have been identified and compares the impacts of the alternatives to those of the proposed project; and (3) identifies the Environmentally Superior Alternative.

# 5.2 ALTERNATIVES SELECTION

In accordance with the CEQA Guidelines, appropriate alternatives for EIR analysis are those that meet most of the basic project objectives and avoid or substantially lessen any of the significant environmental effects of the proposed project. Consequently, this section reviews the objectives that were identified for the proposed project and any significant unavoidable environmental effects.

## 5.2.1 Project Objectives

As described in Chapter 2, *Project Description*, the primary project objectives identified for the DRSP include:

1. To provide a mix of land uses that offers a range of amenities accessible to residents and community members.
2. To respect Old Town Nipomo, by providing a small, neighborhood-oriented village commercial area designed to complement, rather than compete with, Old Town Nipomo.
3. To provide a public neighborhood park and pocket parks and open space areas within each residential neighborhood, linking the neighborhoods together through a network of trails and open spaces.
4. To incorporate the rural history of the community through architectural design.
5. To provide a diversity of housing types and opportunities for home ownership and rental, including affordable homes consistent with the goals and policies of the Housing Element of the *County of San Luis Obispo General Plan*, the County of San Luis Obispo (County) Inclusionary Housing Ordinance, and regional housing needs.
6. To create new employment and job training opportunities for the community and the broader south San Luis Obispo County area.
7. To enhance circulation within the Specific Plan Area and existing community by continuing the existing public roadway network through the DRSP property to connect to Willow Road, providing a new Park and Ride lot to encourage carpooling, and creating new public transportation points of connection to facilitate public transit use and reduce single-occupant automobile use.
8. To integrate a network of walking, bicycling, and equestrian facilities to connect on-site residential neighborhoods and the broader community.
9. To maintain the large, centrally located oak woodland area as a site feature and to minimize impacts to special-status plants and animals on-site.
10. To meet the County Building Code requirements for energy efficiencies and water savings.
11. To reduce uncertainty in planning for and secure the orderly development of the Specific Plan Area.
12. To provide effective and efficient development of public facilities, infrastructure, and services appropriate for the Specific Plan Area.
13. To meet the requirements of the Nipomo Community Services District (NCSD) District Code to ensure that the necessary DRSP water and wastewater infrastructure is constructed to serve the project without adverse impacts on the NCSD's ability to serve existing and future users.

## 5.2.2 Significant Impacts Resulting from the Proposed Project

Alternatives to be considered under CEQA are those that would avoid or substantially lessen one or more of the significant environmental effects identified during evaluation of the proposed project. Many of the adverse environmental impacts described in Chapter 4, *Environmental Impacts Analysis*, were judged to be less than significant or less than significant with the incorporation of identified mitigation. The following impacts were found to be significant and unavoidable even with the implementation of mitigation measures:

### *5.2.2.1 Air Quality*

- **AQ Impact 1: The project would conflict with an applicable air quality plan, resulting in a significant impact.** Implementation of the proposed project would further divide the jobs-to-housing balance within the project area and would be inconsistent with regional vehicle miles traveled (VMT)-reduction efforts. No mitigation measures have been identified that would reduce these impacts to below applicable thresholds. Due to the increase in regional VMT and inconsistency with the jobs-to-housing balance, impacts would be *significant and unavoidable* (Class I).
- **AQ Impact 3: The project would result in a cumulatively considerable net increase of criteria pollutants in exceedance of established San Luis Air Pollution Control District (SLOAPCD) daily emissions thresholds, resulting in a significant impact.** During operation, maximum daily operational air pollutant emissions would exceed SLOAPCD's operational significance thresholds. Annual emissions of reactive organic gases (ROG) and nitrogen oxides (NOx) would also exceed SLOAPCD's recommended operational significance thresholds. Mitigation Measure AQ/mm-3.3 has been included to require implementation of SLOAPCD recommended mitigation measures as well as additional measures to reduce long-term operational air quality pollutant emissions. With implementation of Mitigation Measure AQ/mm-3.3, operational annual emissions would be reduced to below SLOAPCD's significance threshold; however, daily operational emissions would continue to exceed SLOAPCD's significance threshold. Therefore, impacts related to the generation of criteria pollutants in exceedance of established daily emissions thresholds would be *significant and unavoidable* (Class I).
- **AQ Impact 9: The project would conflict with an applicable air quality plan and would result in a cumulatively considerable net increase of criteria pollutants in exceedance of established SLOAPCD daily emissions thresholds, resulting in a significant cumulative impact.** Reasonably foreseeable future projects within the vicinity of the DRSP area have the potential to further exceed established VMT-reduction and jobs-to-housing balance requirements that would conflict with applicable air quality plans and further exceed operational SLOAPCD criteria air pollutant thresholds. Reasonably foreseeable future projects would be subject to separate environmental review to determine potential impacts to air quality; however due to project-specific significant impacts, cumulative impacts would be *significant and unavoidable* (Class I).

### *5.2.2.2 Biological Resources*

- **BIO Impact 1: The project could directly or indirectly impact special-status plant and wildlife species, resulting in a significant impact.** Project activities, including tree removal, grading, demolition, utility installation, paving, etc., could result in impacts to special-status species and their habitat. Mitigation Measure BIO/mm-1.1 through BIO/mm-1.6 have been

included to reduce impacts to special-status species; however, feasible mitigation may not be possible for all species; therefore, impacts would be *significant and unavoidable* (Class I).

- **BIO Impact 4: The project could directly and indirectly impact California Rare Plant Rank (CRPR) 4 and Watch List plant species, including California spineflower, sand buck brush, and sand almond, resulting in a significant impact.** Mitigation has been included to reduce potential impacts; however, there is a lack of information about the cultural requirements to successfully propagate California spineflower at a large scale and Sand almond propagation is very difficult. Therefore, impacts would be *significant and unavoidable* (Class I).
- **BIO Impact 14: The project will directly impact Burton Mesa chaparral, resulting in a significant impact.** The project would result in the loss of 35 acres of Burton Mesa chaparral habitat on-site. Based on limited and infeasible on-site conservation methods, the project would be predominantly limited to off-site conservation of Burton Mesa chaparral to offset significant impacts. However, due to the limited range of this vegetation type and the limited availability of off-site mitigation parcels, implementation of this mitigation may not be feasible. Therefore, potential impacts would be *significant and unavoidable* (Class I).
- **BIO Impact 15: The project will directly impact coast live oak woodland, resulting in a significant impact.** The project would result in the loss of approximately 75 acres of coast live oak woodland habitat on-site. In order to maintain the diversity of oak woodlands in the County, per *County of San Luis Obispo General Plan Conservation Open Space Element* (COSE) Policy BR 3.3.1, mitigation for coast live oak woodlands should occur adjacent to the conservation/restoration of Burton Mesa chaparral on sites with sandy soil conditions suitable to support the special-status plant species that occur in the project area. This would effectively maintain and/or recreate the habitat matrix that supports the unique assemblage of species that would be lost as a result of the proposed project. However, implementation of this mitigation may not be feasible. Therefore, potential impacts would be *significant and unavoidable* (Class I).
- **BIO Impact 18: The project will result in direct and indirect impacts to coast live oak woodland, coast live oak forest, and individual oak trees, resulting in a significant impact.** Mitigation has been included to reduce potential impacts to Coast live oak woodland; however, the project would still result in a significant net loss of oak trees and oak woodland within the county and mitigation may not be able to maintain the integrity of the Burton Mesa chaparral community being lost. Based on these considerations, the proposed impacts to oaks and oak woodlands are still considered *significant and unavoidable* (Class I).
- **BIO Impact 20: The project would have cumulatively considerable impacts related to biological resources, resulting in a significant cumulative impact.** Other reasonably foreseeable future projects may contribute to the loss of oak woodland or other sensitive biological resources. Reasonably foreseeable future projects would be subject to separate environmental review to determine potential impacts to biological resources; however due to project-specific significant impacts, cumulative impacts would be *significant and unavoidable* (Class I).

#### *5.2.2.3 Greenhouse Gas Emissions*

- **GHG Impact 3: The project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, resulting in a significant impact.** The project would generate VMT above existing per capita thresholds, which would conflict with the San Luis Obispo Council of Governments (SLOCOG) *2019 Regional Transportation Plan and Sustainable Communities Strategy* (RTP/SCS) intended to reduce greenhouse has (GHG) emissions through VMT-reduction strategies. Mitigation has been

included to reduce VMT and associated emissions; however, VMT would still exceed established thresholds. Therefore, this impact would remain *significant and unavoidable* (Class I).

- **GHG Impact 5: The project would result in a cumulatively considerable impact to greenhouse gas emissions, resulting in a significant cumulative impact.** Individual future projects would be subject to separate environmental review to determine potential impacts related to GHG emissions. However, due to project-specific significant impacts, cumulative impacts would be *significant and unavoidable* (Class I).

#### *5.2.2.4 Land Use and Planning*

- **LUP Impact 3: The project would adversely affect the local jobs-to-housing ratio within the project area and would be inconsistent with Land Use Planning Policy L-3 of the *San Luis Obispo County Clean Air Plan* (CAP), resulting in a significant impact.** The project would result in the creation of 1,441 dwelling units and approximately 272 new jobs, which would increase the gap between jobs and housing in the community of Nipomo in conflict with Land Use Planning Policy L-3 of the San Luis Obispo County CAP. This jobs-to-housing imbalance could result in a number of environmental impacts, including increased VMT, energy consumption, GHG emissions, and related indirect impacts. Based on an evaluation of the project objectives, no feasible mitigation has been identified that would reduce this significant impact. Therefore, potential impacts associated with increasing the jobs/housing gap would be *significant and unavoidable* (Class I).
- **LUP Impact 5: The project would result in the net loss of CRPR 4 and Watch List plant species, native oak woodland, and sensitive habitats; therefore, the project would be potentially inconsistent with goals and policies of the County of San Luis Obispo General Plan Conservation Open Space Element pertaining to preservation of biological resources and Policy 3.8 of the Parks and Recreation Element, resulting in a significant impact.** The project would be potentially inconsistent with County COSE Goal BR 1, Policy 1.2, BR Policy 1.4, BR Policy 1.9, Policy BR 2.6, Goal BR 3, Policy BR 3.1, Policy BR 3.2, Policy BR 3.3, and several Implementation Strategies set forth in the County COSE. Mitigation measures have been identified in Section 4.4, *Biological Resources*, to reduce, minimize, and compensate for the project's impacts to sensitive biological resources. However, not all impacts to biological resources would be able to be mitigated to a less-than-significant level and would still have the potential to be inconsistent and/or conflict with policies identified in the County COSE and Recreation Element. The project's inconsistency with these goals, policies, and implementation strategies identified in the County COSE and Recreation Element would be *significant and unavoidable* (Class I).
- **LUP Impact 10: The project would result in cumulative impacts associated with inconsistency with goals and policies identified within the County of San Luis Obispo General Plan Conservation and Open Space Element, Framework for Planning (Inland), LUO, and South County Area Plan regarding preservation and no net loss of sensitive biological resources and preservation of rural visual character, resulting in a significant impact.** The physical effects resulting from these conflicts are cumulative in nature. Other projects would contribute to the countywide jobs-to-housing imbalance in the community of Nipomo and habitat, changes in the rural visual character, and species loss throughout the county. No feasible mitigation measures have been identified to address this potentially significant impact. Therefore, the project's cumulative impacts associated with conflicts with land use plans and policies would be *significant and unavoidable* (Class I).

#### *5.2.2.5 Population and Housing*

- **PH Impact 1: The project would induce substantial unplanned population growth in the Nipomo area, resulting in a significant impact.** Buildout of the DRSP would result in substantial population growth within the Inland South County Planning Area that is not specifically projected or planned for in local or regional County planning documents and would result in the exceedance of projected population growth for the unincorporated community of Nipomo. Based on an evaluation of the project objectives, no feasible mitigation has been identified that would reduce this significant impact. Therefore, potential impacts associated with substantial unplanned population growth would be *significant and unavoidable* (Class I).
- **PH Impact 5: The project would result in a cumulatively considerable impact related to substantial and unplanned population growth, resulting in a significant cumulative impact.** Potential impacts associated with substantial unplanned population growth are cumulative by nature, in that they are evaluated within the greater context of the region rather than impacts on the DRSP area or local community of Nipomo. Therefore, the project's cumulative impacts associated with substantial unplanned population growth would be *significant and unavoidable* (Class I).

#### *5.2.2.6 Transportation*

- **TR Impact 3: Buildout of the Specific Plan Area would exceed the County VMT thresholds and therefore would not be consistent with State CEQA Guidelines Section 15064.3(b). VMT per employee would be incrementally reduced compared to existing conditions; however, the project-related increase in residential VMT per capita and overall VMT would exceed the County VMT thresholds, resulting in a significant impact.** Mitigation has been included to reduce VMT; however, VMT generated by the project would still exceed established thresholds. Therefore, this impact would remain *significant and unavoidable* (Class I).
- **TR Impact 9: The project would result in a cumulatively considerable impact to transportation and traffic, resulting in a significant cumulative impact.** Individual future projects would be subject to separate environmental review to determine potential impacts related to transportation. However, due to project-specific significant impacts, cumulative impacts would be *significant and unavoidable* (Class I).

#### *5.2.2.7 Growth Inducing Impacts*

- **GI Impact 1: The project would result in substantial growth inducement associated with the proposed project's population as well as the potential to induce additional spatial, economic, or population growth in a geographic area.** No feasible mitigation has been identified; therefore, this impact would remain *significant and unavoidable* (Class I).

This alternatives analysis specifically focuses on alternatives that would avoid or substantially lessen the significant and unavoidable impacts identified above.

### 5.2.3 Alternatives Development and Analysis Process

In defining the feasibility of alternatives, the State CEQA Guidelines state: "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the

alternative site." If an alternative was found to be infeasible, as defined above, then it was dropped from further consideration in this analysis.

In addition, State CEQA Guidelines Section 15126.6 states that alternatives should " . . . attain most of the basic objectives of the project . . ." As further explained by the California Supreme Court:

> "[A]n EIR should not exclude an alternative from detailed consideration merely because it 'would impede to some degree the attainment of the project objectives.' But an EIR need not study in detail an alternative that is infeasible or that the lead agency has reasonably determined cannot achieve the project's underlying fundamental purpose . . .
>
> Although a lead agency may not give a project's purpose an artificially narrow definition, a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal." (In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings, 43 Cal.4th 1143, 1165-1166 [2008]).

The alternatives selected for further analysis have been evaluated against the proposed DRSP project to provide a comparison of environmental effects and to identify the environmentally superior alternative. Note that the significance of impacts associated with the proposed project, and the determination of impacts presented in this section for comparative purposes, are based on the respective identified changes in conditions relative to the environmental baseline (as described in Chapter 4, *Environmental Impacts Analysis*).

The County has the discretion to approve (or disapprove) whatever alternative or combination of alternatives it deems most appropriate, provided that the environmental impacts of the proposed project can be mitigated, or to the extent that they cannot, provided that the County adopts a Statement of Overriding Considerations, per Section 15093 of the State CEQA Guidelines.

The alternatives analysis includes a preliminary alternatives screening process and alternative project evaluation process, as described below.

## 5.2.4 Preliminary Alternatives Screening Process

The alternatives analysis begins with a screening and evaluation of a list of preliminary alternatives to determine which alternatives will be selected for further analysis in the EIR. In order to maximize the range of alternatives considered and provide flexibility during project approval, the EIR evaluated a total of eight variations of the proposed project aimed at reducing the significant and unavoidable impacts to air quality, biological resources, GHG emissions, land use and planning, population and housing, and transportation associated with the proposed DRSP project.

Each of the identified alternatives was preliminarily assessed to determine which of the alternatives met the requirements of a viable alternative under CEQA by considering whether the alternative: (1) would be feasible; (2) would avoid or substantially lessen any of the significant effects of the project; and (3) could feasibly attain most of the basic objectives of the project. Those alternatives that met these three criteria were carried forward for more detailed review in the EIR.

## 5.2.5 Alternative Project Evaluation Process

The environmental impacts of the alternatives carried forward for review in the EIR, including the No Project Alternative, were then compared against the impacts of the proposed project for each environmental issue area discussed in Chapter 4, *Environmental Impacts Analysis*, of this EIR. A

significance determination was made about each alternative for each issue area, and a basis for that determination has been provided. The determination of comparative impacts utilizes the following criteria:

- **No Impact:** The significance criteria do not apply, or no impact would result.
- **Similar:** Impacts would be identical or would be of the same general extent and severity as the impacts associated with the proposed project; therefore, the significance determination would be the same.
- **Increased:** New potentially significant impacts or a substantial increase in the severity of the impacts associated with the proposed project would occur; therefore, the significance determination would be greater.
- **Decreased:** Potentially significant impacts would be avoided or a substantial reduction in the severity of the impacts associated with the proposed project would occur; therefore, the significance determination would be reduced.

As a result of this evaluation and comparison of potentially significant environmental impacts, an Environmentally Superior Alternative has been identified.

# 5.3 ALTERNATIVES CONSIDERED BUT DISCARDED

State CEQA Guidelines Section 15126.6(c) requires that an EIR disclose potential alternatives that were considered and eliminated along with a brief explanation of the reason for elimination. Factors used to eliminate alternatives from detailed consideration include: (1) failure to meet most of the basic project objectives, (2) infeasibility, and/or (3) inability to avoid significant environmental impacts.

The following four alternatives were considered but eliminated from further analysis.

## 5.3.1 Burton Mesa Chaparral Avoidance Alternative

Under this potential alternative, proposed development would be limited to the eastern portion of the project site by reducing the density of proposed single-family residential dwellings, multi-family residential dwellings, and proposed commercial development. In addition, Collector B and pedestrian, bicycle, and equestrian facilities would not be constructed on the western portion of the Specific Plan Area. This alternative would include the dedication of 61.7 acres of land for single- and multi-family residential development, 20.7 acres of land for commercial development, 4.9 acres of land for recreational uses, and 205.6 acres of land for open space across the remaining portion of the 288-acre project site. In order to meet housing production goals while minimizing the footprint of development to avoid oak woodland, Burton Mesa chaparral, and other native habitats, this alternative would facilitate the future development of 815 residential units, including 704 four-story multi-family units and 111 two-story single-family units. This alternative would also have the potential to facilitate the development of accessory dwelling units (ADUs). Therefore, the Burton Mesa chaparral avoidance alternative would facilitate buildout within the eastern portion of the project site, resulting in a higher density of commercial and residential development along U.S. Route (US) 101. In addition, Collector A would be constructed through the eastern portion of the Specific Plan Area and an adjacent northern parcel (Assessor's Parcel Number [APN] 091-301-029) to connect to Willow Road. APN 091-301-029 is immediately adjacent to and west of the proposed parcel connecting Collector A to Willow Road within the proposed project area (APN 091-301-030) and contains fewer oaks and less oak woodland habitat. A second collector road would not be constructed (Figure 5-1).

While the Burton Mesa chaparral avoidance alternative would substantially avoid and reduce impacts to biological resources; reduce air pollutant and GHG emissions, VMT, and unplanned population growth; and improve project consistency with applicable plans and policies, this alternative would not reduce significant impacts related to aesthetic resources. This alternative would result in the development of high-density residential dwellings up to 48 feet in height within the viewshed of US 101 and surrounding neighborhoods. The higher-density development would result in building sizes that are not currently found in the community of Nipomo (e.g., four-story, multi-family buildings). All single-family units would be located adjacent to the existing rural residential neighborhoods along Sandydale Drive and would be two stories to accommodate a substantially reduced project footprint. As a result, significant impacts related to aesthetics would continue to result in an adverse change to the existing visual character of the project area.

Under this alternative, the project would not provide a diversity of housing types, including affordable homes, and would not connect on-site residential neighborhoods to the community through development of pedestrian, bicycle, and equestrian trails via Collector B and an on-site trail system in the majority of the Specific Plan Area. Therefore, the Burton Mesa chaparral avoidance alternative would not meet most of the basic project objectives. This alternative may also be infeasible from a cost perspective. Based on the substantially reduced project footprint, increased density, and more compact design, the Burton Mesa chaparral avoidance alternative would accommodate an increased number of multi-family units and a decrease in single-family units compared to the proposed project. Single-family units would be reduced from 831 to 111 and multi-family units would be increased from 458 units to 704 units. Not only does this not meet the basic project objective of providing a range of housing types, including affordable housing, workforce housing, and affordable by design housing, based on market studies conducted by the project applicant, the Nipomo area does not have adequate demand for the number of multi-family units. Further, the reduced number of units and utility connections makes expansion of NCSD infrastructure to serve the site more expensive per unit, increasing the challenges of providing affordable housing within the Specific Plan Area. Since this alternative does not meet the basic project objectives, is likely infeasible, and has the potential to generate new potentially significant impacts, this alternative was eliminated, consistent with State CEQA Guidelines Section 15126.6(c).

### 5.3.2 Residential Rural Development

This alternative would result in a future buildout scenario that is consistent with the existing Residential Rural (RR) land use designation for the project site, similar to surrounding residential areas. Under this alternative, the 22.3 acres of land within the eastern portion of the project site would be dedicated to village and flex commercial development, 49.8 acres of land would be dedicated to open space, and 11 acres of land would be dedicated to public parks, which is consistent with the proposed project. However, the 173 acres of land dedicated to single- and multi-family residential development would remain within the Residential Rural (RR) land use category. Based on the Subdivision Design Standards for the Residential Rural Category (LUO Section 22.22.060), the minimum parcel size for the project site would be 5 acres. Assuming a minimum parcel size of 5 acres, this alternative would facilitate the construction of approximately 34 single-family residential units, in addition to a proportionate number of ADUs. This alternative would also include the construction of two collector roads and pedestrian, bicycle, and equestrian trails; however, the feasibility of these improvements is uncertain based on the limited nature of proposed residential development and the high cost to construct.

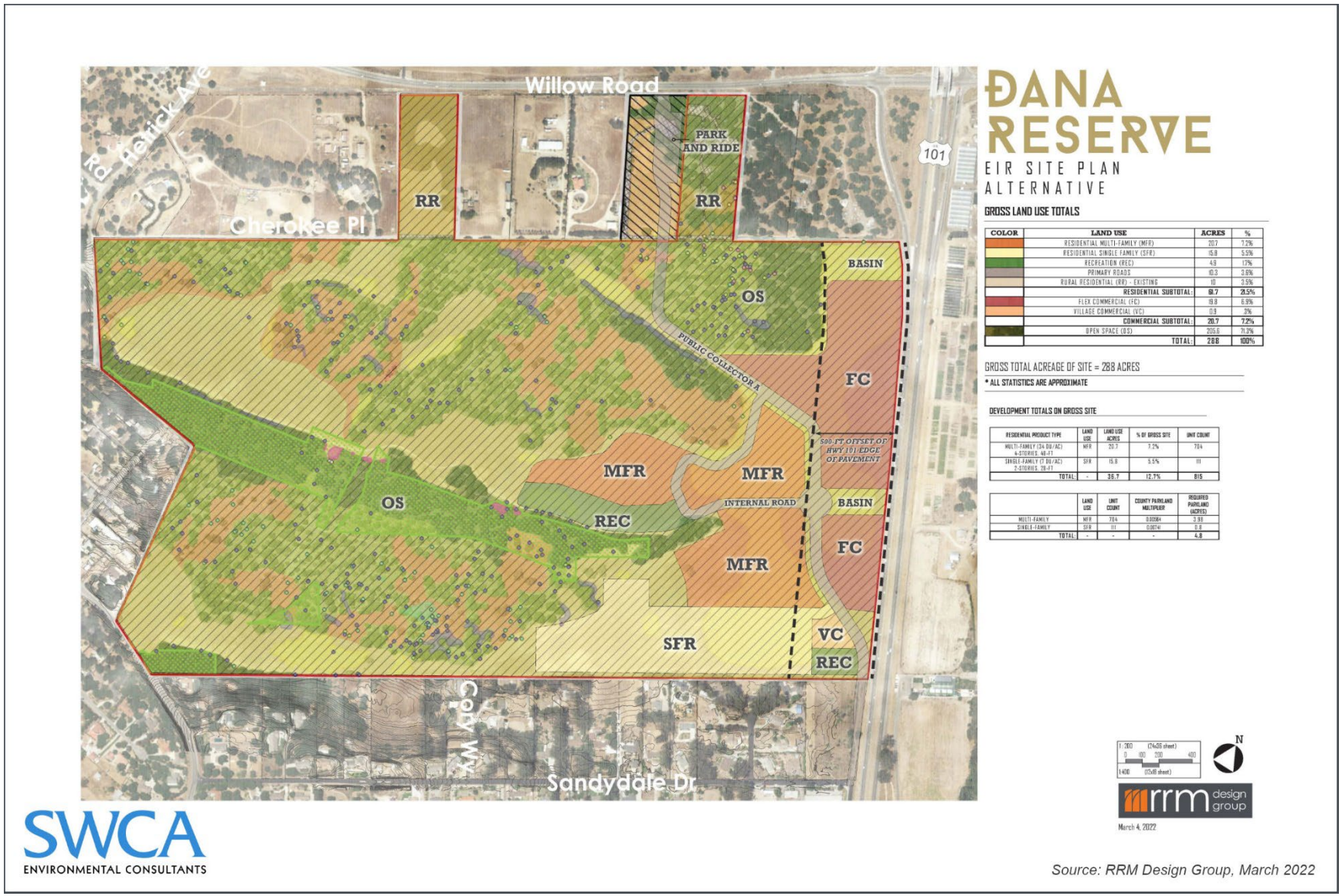



**Figure 5-1. Burton Mesa chaparral avoidance alternative.**

While this alternative would result in residential development in a manner that would be more consistent with the scale of adjacent residential land uses and would reduce air pollutant emissions, GHG emissions, VMT, and unplanned population growth, this alternative would not meet the basic project objectives related to providing a diversity of housing types, including affordable homes. Although reduced, this alternative would continue to result in the loss of oak woodland, Burton Mesa chaparral, and other natural habitats. In addition, due to the limited population growth, this alternative may preclude annexation into the NCSD service area due to the costs of expansion of NCSD facilities, which would be inconsistent with the basic project objectives related to the provision of NCSD and other infrastructure improvements. As a result, the project could be required to utilize on-site wells and install on-site septic systems to meet the project's water and sewer demands. Since no analysis of necessary off-site improvements to serve this level of development and their associated costs has been prepared, it is currently not known whether annexation would continue to be feasible under this alternative. If the project did not utilize the NCSD's water supply, which is comprised of ground, surface, and imported water, and would only utilize groundwater from on-site wells, the potential to deplete the groundwater supply within the Santa Maria River Groundwater Basin would be increased. In addition, due to the installation of on-site septic systems throughout the project site, there would be greater potential for groundwater contamination.

Based on the above considerations, the rural residential development alternative would have the potential to increase potential impacts related to utilities and service systems, would not reduce all of the project's significant impacts, and would not meet the basic project objectives. The feasibility of constructing infrastructure improvements to facilitate this level of development (collector roads, water and wastewater infrastructure) is also uncertain. Therefore, this alternative was eliminated from further discussion in accordance with State CEQA Guidelines Section 15126.6(c).

### 5.3.3 Exclusively Commercial/Retail Development

Under this alternative, the 288-acre project site would not be developed with residential uses and would instead be developed with flex commercial and village commercial uses over 238.2 acres of the project site. This alternative would include 49.8 acres of land for open space, construction of Collectors A and B, and development of pedestrian, bicycle, and equestrian trails; however, this alternative would not facilitate construction of residential dwellings or recreational facilities. While the exclusively retail development alternative would reduce air pollutant emissions, GHG emissions, VMT, and population growth, this alternative would not meet the basic project objectives and would be inconsistent with the County's General Plan. This alternative would not meet project objectives and County objectives (as defined in the County's Memorandum of Understanding with the applicant) related to providing a diversity of housing types, including affordable homes, and providing public parks. This alternative would still result in the loss of oak woodland, Burton Mesa chaparral, and other natural habitats, and would alter the existing visual character of the project site. As such, this alternative would not reduce significant impacts related to biological resources.

The feasibility of this alternative is also questionable, as the market is not likely to support this extent of commercial/retail development, development at this level would be inconsistent with growth patterns throughout the Nipomo community, and this development pattern could conflict with the project objective to respect Old Town Nipomo by providing a small, neighborhood-oriented village commercial area. Since the exclusively retail development alternative would not meet the basic project objectives and would not reduce all of the project's significant impacts, this alternative was eliminated from further consideration, consistent with State CEQA Guidelines Section 15126.6(c).

### 5.3.4 Alternative Location

Under this alternative, the project would not be developed on the proposed 288-acre Specific Plan Area and would be developed at another location within the county. An alternative location would need to be large enough to accommodate 173 acres of residential land uses, including 831 residential single-family units, 458 residential multi-family units, and up to 152 ADUs; 22.3 acres of commercial land uses; 49.8 acres of open space; 21.9 acres of roadways; and 11 acres of public recreational facilities. There is potential that alternative locations would include similar physical and environmental constraints as the proposed project site (i.e., presence of oak woodland habitat), as well as other constraints not presented at the proposed project site (i.e., wetlands, surface water features). Unless an alternative location is selected within the community of Nipomo, the alternative location alternative would not meet the basic project objectives, including a project design intended to incorporate the rural history of the community, create job and employment opportunities in the South County area, enhance circulation throughout Nipomo by providing roadway connections to Willow Road, and ensure NCSD requirements are met to provide water and wastewater infrastructure to serve the community without adversely impacting NCSD's ability to serve existing and future customers. Development at another location in the unincorporated county would result in similar impacts related to air pollutant emissions, GHG emissions, VMT, and population growth. Further, the applicant does not own alternative sites that could accommodate the proposed development, making this alternative likely infeasible even if alternative locations did exist in the Nipomo area that could accommodate the proposed development. Based on the above considerations, the alternative location alternative would not be feasible, would not reduce the project's significant impacts, and would not meet the basic project objectives. Therefore, this alternative was eliminated from further discussion in accordance with State CEQA Guidelines Section 15126.6(c).

## 5.4 ALTERNATIVES IMPACTS ANALYSIS

Criteria used to develop preliminary project alternatives included: (1) whether the alternative would avoid or substantially lessen significant impacts to air quality, biological resources, GHG emissions, land use and planning, population and housing, and transportation; (2) whether the alternative would generally meet the project objectives and underlying fundamental purpose; and (3) whether implementation of the alternative would be feasible.

Specific preliminary project alternatives are described in further detail below.

### 5.4.1 No Project Alternative

This alternative would maintain existing conditions at the project site (Figure 5-2). No development under the DRSP would occur, and no Vesting Tentative Tract Map (VTTM), Development Agreement, Annexation into the NCSD service area, or General Plan Amendment would occur.

#### *5.4.1.1 Analysis of the No Project Alternative*

Under the No Project Alternative, implementation of the DRSP would not occur and future buildout of the project site, including off-site improvement areas, would not occur. This alternative assumes no development would occur on the site to provide a clear comparison of the project to existing (undeveloped) baseline conditions; development as envisioned in the current General Plan for La Cañada Ranch is evaluated in Alternative 2, below. As no physical changes to the environment would occur, potentially significant and other identified impacts would be reduced in comparison to the proposed project. However, this alternative would not meet any of the project objectives.

**Figure 5-2. No project alternative.**

#### 5.4.1.1.1 AESTHETICS

Under the No Project Alternative, the DRSP would not be implemented, and future buildout of the project site and off-site improvements would not occur. Therefore, no change to the existing visual character of the project site and surroundings would occur, and mitigation would not be necessary to reduce the significance of potential impacts related to aesthetic resources. Impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.2 AGRICULTURE AND FORESTRY RESOURCES

Under the No Project Alternative, the DRSP would not be implemented, and future buildout of the project site and off-site improvements would not occur. Similar to the proposed project, this alternative would not result in conversion of prime agricultural soils to non-agricultural uses and would not conflict with existing zoning for agricultural land or a Williamson Act contract. Indirect impacts to existing agricultural production activities would not occur, as no construction activities would occur that could generate short-term dust. Therefore, implementation of mitigation to reduce short-term dust impacts would not be required. Impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.3 AIR QUALITY

The No Project Alternative would not facilitate buildout of the DRSP area and would not result in short- or long-term criteria air pollutants as a result of construction or operation of the project. As such, this alternative would not conflict with an applicable air quality plan, generate short- or long-term criteria pollutant emissions in exceedance of SLOAPCD significance thresholds, expose sensitive receptors to substantial concentrations of pollutant emissions, or result in adverse odors or other emissions. Mitigation would not be necessary to reduce the significance of potential impacts related to air quality. Therefore, impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.4 BIOLOGICAL RESOURCES

Under the No Project Alternative, the DRSP would not be implemented, and future buildout of the project site and off-site improvements would not occur. Therefore, no physical changes related to the DRSP would occur at the project site and the potential to adversely affect sensitive biological resources within the project area due to future buildout would be eliminated. In addition, no change to the oak woodland habitat at the project site would occur. Mitigation would not be required to reduce the significance of potential impacts related to biological resources. Although direct impacts through development of the site would not occur, under the No Project Alternative, the DRSP area would continue to be managed to support grazing of the site under a ranching lease, which could result in adverse impacts to native habitat on-site through continued vegetation removal and site modification for grazing and ranching activities. The site modification resulting from continuation of grazing activities under a ranching lease would be comparable to existing baseline conditions at the Specific Plan Area, which has been part of an active grazing and management plan, including removal of Burton Mesa chaparral, for at least the last 80 years. The regularly removed Burton Mesa chaparral has historically repopulated to some extent at the site and would continue to do so; however, the No Project Alternative would avoid direct permanent removal of on-site biological resources. Therefore, impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.5 CULTURAL RESOURCES

Under the No Project Alternative, ground disturbance at the project site and off-site improvement areas would not occur and there would be no potential to disturb known or unknown cultural resources, including human remains, within the project area. As such, mitigation would not be required to reduce the significance of potential impacts related to cultural resources. Therefore, impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.6 ENERGY

Under the No Project Alternative, future construction of new residential and commercial buildings would not occur, which would preclude the need for an increase in short- and long-term energy consumption at the project site. Mitigation would not be required to reduce the potential for wasteful, unnecessary, or inefficient energy use or to ensure consistency with applicable plans, policies, and ordinances related to energy efficiency. Therefore, impacts related to energy would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.7 GEOLOGY AND SOILS

The No Project Alternative would not introduce new habitable buildings and structures to the project site that would be susceptible to risk involving seismic-related or other ground-failure events. This alternative would not require any ground-disturbing activities that could increase erosion and loss of topsail at the project site or result in disturbance to paleontological resources if present at the project site. Compliance with the California Building Code (CBC) and County LUO and implementation of mitigation identified for the proposed project would not be required to reduce the significance of potential impacts related to geology and soils. Therefore, impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.8 GREENHOUSE GAS EMISSIONS

The No Project Alternative would not facilitate buildout of the DRSP area and would not result in short- or long-term GHG emissions as a result of construction or operation of the project. As such, this alternative would not generate a GHG emissions in a manner that would result in adverse environmental impacts or conflict with applicable GHG-reduction plans, policies, or ordinances. Mitigation would not be necessary to reduce the significance of potential impacts related to GHG emissions. Therefore, impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.9 HAZARDS AND HAZARDOUS MATERIALS

Under the No Project Alternative, no physical changes to the project site or off-site areas would occur. As such, the use of construction-related hazardous materials during project construction would not occur and compliance with existing policies to reduce the risk related to use of hazardous materials would not be required. Ground disturbance would not occur, which would eliminate the potential to release naturally occurring asbestos (NOA) or other soil contaminants and mitigation would not be required to reduce the significance of these potential impacts. The proposed project includes the construction of a collector road from Hetrick Avenue and a collector road from North Frontage Road to connect to Willow Road in order to improve existing traffic congestion conditions and improve emergency response and evacuation efforts within the project area. Under the No Project Alternative, the construction of these collector roads would not occur, and traffic, emergency response, and evacuation conditions would remain the same as existing conditions. Under this alternative, impacts related to hazards and hazardous materials would be overall *reduced* from impacts associated with the proposed project.

#### 5.4.1.1.10 HYDROLOGY AND WATER QUALITY

Under the No Project Alternative, future buildout of the project site and off-site improvements would not occur. As a result, no physical changes to the existing drainage conditions at the site would occur and compliance with existing state and County water quality protection regulations would not be required to reduce the significance of potential impacts related to hydrology and water quality. Therefore, impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.11 LAND AND USE PLANNING

Similar to the proposed project, the No Project Alternative would not result in new features that could physically divide an established community. Under this alternative, implementation of the DRSP and future buildout of the site would not occur, and the project would not facilitate adoption of a specific plan and expansion of the site as identified in the County's General Plan. However, since no physical changes to the project site would occur, the No Project Alternative would not be inconsistent with any plans, policies, or ordinances related to protection of the environmental resources. Overall, impacts related to land use and planning would be *reduced* in comparison to the proposed project. On the other hand, the land use planning benefits of the project (creating a range of housing opportunities, walkable neighborhoods with interconnected pedestrian and bicycle paths, improved regional circulation and transportation infrastructure, public parks, and open space areas, etc.) would not be realized under this alternative.

#### 5.4.1.1.12 MINERAL RESOURCES

Under the No Project Alternative, future buildout of the project site and off-site improvements would not occur. As evaluated for the proposed project, there are no identified mineral resources of significance within the project site or surrounding area. Therefore, similar to the proposed project, this alternative would not result in the loss of availability of any known mineral resources or conflict with the County's General Plan. Impacts would be *similar* to impacts associated with the proposed project.

#### 5.4.1.1.13 NOISE

The No Project Alternative would not facilitate the development of new residential, recreational, or commercial land uses within the project site that could contribute to the existing ambient noise environment of the project area. Mitigation would not be required to ensure consistency with the County's interior and exterior noise standards. Since no change to the ambient noise environment would occur, impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.14 POPULATION AND HOUSING

The No Project Alternative would not facilitate any population growth as this alternative would not result in the development of new residential land uses or generate new employment opportunities. However, this alternative would not help the county reach its housing development allocation goals per the County Reginal Housing Needs Allocation (RHNA) required by state or facilitate the development of affordable homes. Since this alternative would not result in substantial or unplanned population growth, impacts would be *reduced* in comparison to impacts associated with the proposed project.

#### 5.4.1.1.15 PUBLIC SERVICES

Under the No Project Alternative, an increase in demand on existing public facilities and services would not occur as this alternative would not facilitate any population growth. As such, this alternative would not be required to implement mitigation to offset demand on existing fire protection services, including through a dedication of land for development of a new fire station within the Specific Plan Area, and current emergency response times would remain inadequate. In addition, this alternative would not result in payment of Public Facilities Fees to support the County's provision of public services. Since emergency response times would remain inadequate under the No Project Alternative, and because the proposed project would provide a substantial community-wide benefit through its contribution towards the development of a needed new fire station within the Specific Plan Area, impacts would be *increased* as compared to impacts associated with the proposed project.

#### 5.4.1.1.16 RECREATION

Under the No Project Alternative, an increase in demand on existing public recreational facilities would not occur as this alternative would not facilitate any population growth. This alternative would not be subject to the payment of Public Facilities Fees. Under this alternative, no additional public recreational facilities would be constructed within the South County region. However, since there would be no increase in demand on existing public recreational facilities, impacts would be *reduced* as compared to impacts associated with the proposed project.

#### 5.4.1.1.17 TRANSPORTATION AND TRAFFIC

Under the No Project Alternative, the DRSP would not be implemented, and future buildout of the project and off-site improvements would not occur. Since buildout would not occur, an increase in VMT would also not occur, which would be consistent with applicable VMT thresholds. This alternative would not facilitate the construction of any new roadways that could increase roadway hazards or would be subject to County roadway design standards. The proposed project includes the construction of a collector road from Hetrick Avenue and a collector road from North Frontage Road to connect to Willow Road in order to improve existing traffic congestion conditions and improve emergency response and evacuation efforts within the project area. Under the No Project Alternative, the construction of these collector roads would not occur, and traffic, emergency response, and evacuation conditions would remain the same as existing conditions. Since no physical changes to the project site or surrounding area would occur, impacts related to transportation and traffic would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.18 TRIBAL CULTURAL RESOURCES

Under the No Project Alternative, ground disturbance at the project site and off-site improvement areas would not occur and there would be no potential to disturb known or unknown tribal cultural resources, including unidentified human remains, within the project area. As such, mitigation would not be required to reduce the significance of potential impacts related to tribal cultural resources. Therefore, impacts would be *reduced* in comparison to the proposed project.

#### 5.4.1.1.19 UTILITIES AND SERVICE SYSTEMS

Under the No Project Alternative, buildout of the DRSP area and associated growth would not occur, which would preclude the need for the construction of new and expanded utility infrastructure to serve the project. Mitigation to reduce impacts associated with construction and installment of utility infrastructure would not be necessary. In addition, there would be no increase in demand on water and wastewater services from the NCSD or solid waste services from South County Sanitary and Cold Canyon Sanitary Landfill (Cold Canyon Landfill). Mitigation would not be required to ensure adequate water availability for the proposed project. In addition, no off-site NCSD improvements would be required and there would be no change to the capacity of existing NCSD water and wastewater services. Therefore, impacts would be *reduced* in comparison to impacts associated with the proposed project.

#### 5.4.1.1.20 WILDFIRE

The No Project Alternative would not introduce new habitable buildings and structures to the project site that would be susceptible to risk involving development within a high fire hazard severity zone (FHSZ). Since no development would occur, compliance with CBC, California Fire Cide (CFC), Public Resources Code (PRC), and California Department of Forestry and Fire Protection (CAL FIRE) requirements would not be required to reduce the significance of potential impacts related to wildfire. Therefore, impacts would be *reduced* in comparison to the proposed project.

## 5.4.2 Alternative 1: Applicant-Preferred Alternative

### *5.4.2.1 Specific Plan Area*

Alternative 1, which is the applicant's preferred alternative, would result in a change to the proposed conceptual master plan by reconfiguring the conceptual master plan to relocate a multi-family neighborhood (Neighborhood [NBD] 10) from the northeastern portion of the project site to the central portion of the site adjacent to the eastern side of the proposed public neighborhood park. As a result, the proposed public park would be reduced to 6 acres in size. This alternative includes the dedication of 173 acres of land for residential development, 22.3 acres of land for commercial development, 7 acres of land for recreational facilities, 53.8 acres of land for open space, and 21.9 acres of land for development of primary roads. This alternative would also relocate the future construction of Collector A through APN 091-301-029 to connect North Frontage Road to Willow Road; consistent with the proposed project, Collector B would connect Hetrick Avenue to Willow Road through APN 091-301-031. Similar to the proposed project, Alternative 1 would also include a Park and Ride lot; pedestrian, bicycle, and equestrian trails throughout the site; pocket parks within proposed neighborhoods; an equestrian trailhead; and other site improvements, including internal roadways, drainage basins, and transit stops (Figure 5-3). An overview of the proposed land uses for this alternative is shown in Table 5-1.

**Table 5-1. Overview of Alternative 1**

| Land Use Zones | Acres[1] | Potential Units[1] | Potential Floor Area (square feet) |
|---|---|---|---|
| Residential Single-Family | 149.5 | 831 | |
| Residential Multi-Family | 23.5 | 458 | |
| Rural Residential (Existing) | 10.0 | N/A[2] | |
| Recreation/Public Park | 7.0[3] | | |
| Village and Flex Commercial[4] | 22.3 | | 110,000–203,000 |
| Open Space, Trails, Basins | 53.8 | | |
| Roads | 21.9 | | |
| **Total** | **288** | **1,289** | **110,000–203,000** |

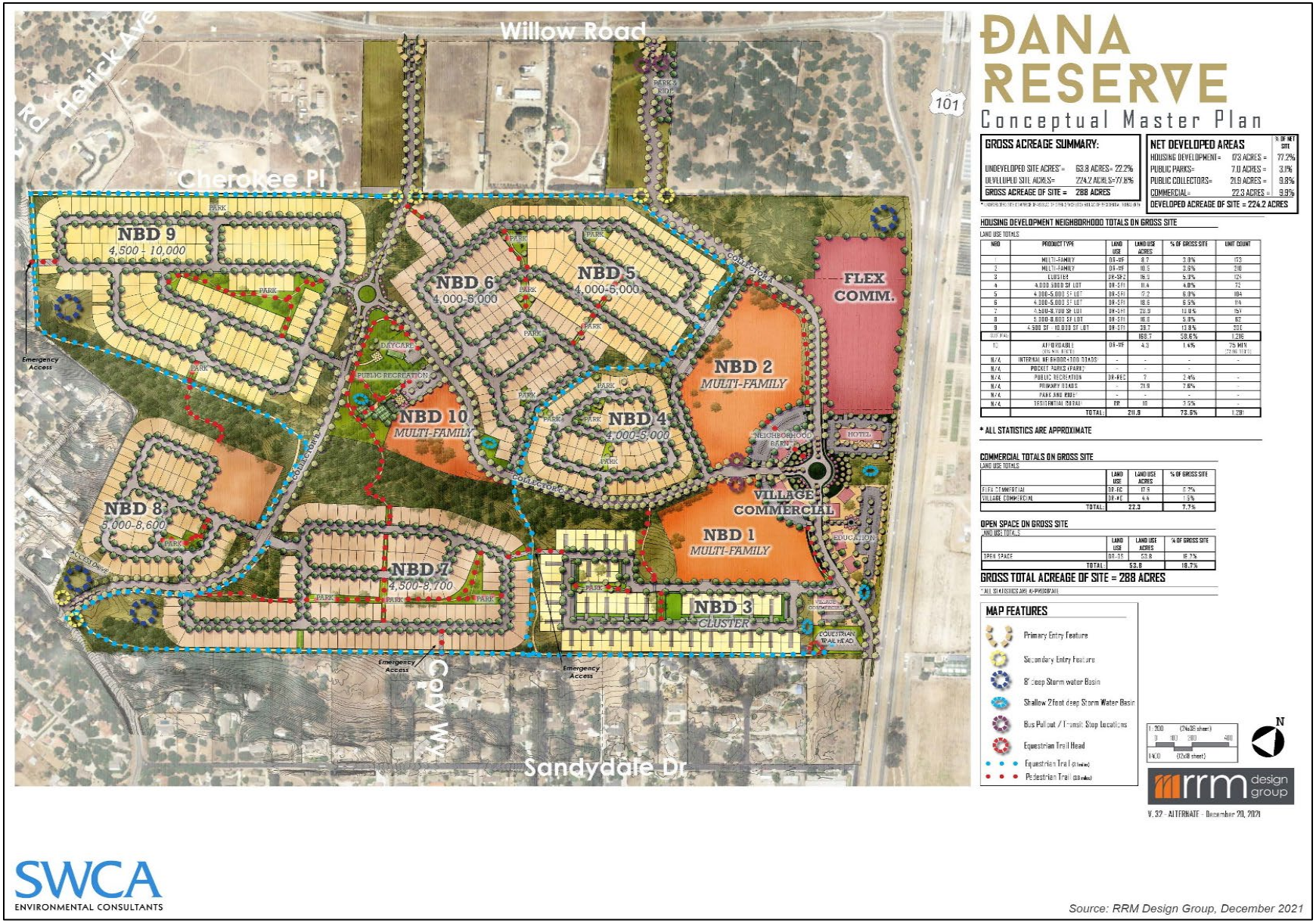
[1] All acreage and potential units can be adjusted up to 10% to address site-specific constraints and more suitable site design, subject to County review.

[2] The Specific Plan Area includes two parcels between Cherokee Place and Willow Road (APNs 091-301-030 and 091-301-031) that are currently designated Residential Rural (RR). The DRSP does not propose to change the land use designation of these parcels or develop additional residential, commercial, or recreational uses within these parcels. They are included in the Specific Plan to provide a transit center and roadway connections for Collectors A and B from Cherokee Place to Willow Road. These roadway and roadway-related improvements are the only development proposed on these parcels; therefore, the identification of additional potential units is not applicable for these parcels.

[3] This acreage does not meet the minimum standard and would need to receive partial credit under LUO Section 21.09.020 for the pocket parks that are to be maintained by the future Homeowner's Associations (HOAs).

[4] Proposed Commercial uses include a 60,000-sf hotel and a 30,000-sf educational/training facility.

This alternative would allow for the proposed future buildout scenario of 1,443 residential dwelling units, including 833 single-family units, 458 multi-family units, and 152 ADUs and up to 203,000 square feet of village and flex commercial development. This alternative would relocate the Collector A connection to Willow Road to APN 091-301-029 but would not otherwise result in any changes to site access, primary roadways, or other roadway improvements included in the proposed project. This alternative would continue to provide pedestrian, bicycle, and equestrian trails to connect the community to surrounding areas. In addition, the alternative also includes 7 acres of land designated for the future construction of public recreational facilities and includes construction of pocket parks within proposed neighborhoods. This alternative would continue to require the construction of new and expanded utility infrastructure. See Chapter 2, *Project Description*, for a full description of the improvements.




SWCA ENVIRONMENTAL CONSULTANTS

*Source: RRM Design Group, December 2021*

**Figure 5-3. Alternative 1 conceptual master plan.**

### *5.4.2.2 Off-Site Improvements*

This alternative would include the construction of off-site transportation and NCSD water and wastewater improvements consistent with those of the proposed project. See Chapter 2, *Project Description*, for a full description of the improvements.

### *5.4.2.3 Analysis of Alternative 1*

Under Alternative 1, buildout of the project site would be consistent with the scale and proposed land use types included under the proposed project. As a result, impacts under this alternative would be generally consistent with impacts associated with the proposed project. However, this alternative would change the alignment of Collector A and would move a proposed neighborhood from the northeastern portion of the site, which would substantially reduce the number of impacted oak trees. Alternative 1 would meet all of the project objectives.

#### 5.4.2.3.1 AESTHETICS

#### Specific Plan Area

Under Alternative 1, future buildout of the project site would include construction of new residential, commercial, and recreational development at the same scale as the proposed project. Proposed village and flex commercial development would be constructed within the eastern portion of the project site, nearest to US 101, and residential units would be constructed throughout the site. As a result of relocating a multi-family neighborhood from the northeastern portion of the site, oak trees would be retained in this area and provide additional screening of the project from vehicles along US 101 traveling south. Due to the scale of proposed buildout of the site, this alternative would be required to implement mitigation to screen the project from surrounding areas, which is consistent with the proposed project. Development under this alternative would be subject to the Land Use and Development Standards, Design Guidelines, and other controlling documents intended to maintain the rural character of the project site and surrounding community included in the DRSP. This alternative would also be subject to requirements of LUO Section 22.10.060 for exterior lighting and policies and objectives included in the DRSP intended to reduce light and glare. Alternative 1 would result in future buildout of the project site and would be consistent with the scale, design, and use type of the proposed project. Therefore, while visual impacts may be slightly reduced due to relocation of NBD 10 and retention of additional oak woodlands, impacts would be *similar* to impacts associated with the proposed project.

#### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.2 AGRICULTURE AND FORESTRY RESOURCES

#### Specific Plan Area

Alternative 1 would result in buildout of the proposed 288-acre Dana Reserve in a manner that is generally consistent with the scale of the proposed project. Alternative 1 would not result in conversion of prime agricultural soils to non-agricultural uses and would not conflict with existing zoning for agricultural land or a Williamson Act contract, which is consistent with the proposed project. Alternative 1 would require the same level of construction activities as the proposed project and would have the potential to result in an increase in short-term dust that could disturb agricultural activities within the

proposed project area. Similar to the proposed project, this alternative would be required to implement mitigation to reduce the amount of dust generated by project construction to reduce indirect impacts to existing agricultural production activities. Since the project site does not support prime agricultural soils, is not zoned for agricultural uses, and is not under a Williamson Act contract and Alternative 1 would not facilitate indirect conversion of existing agricultural land, impacts would be *similar* to impacts associated with the proposed project

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.2.3.3 AIR QUALITY

### Specific Plan Area

Under Alternative 1, proposed construction activities would result in a short-term increase in air pollutant emissions generated by construction equipment and vehicle use and ground-disturbing activities. As identified for the proposed project, this alternative would be required to implement mitigation to reduce construction-related air pollutant emissions. This alternative would include buildout of the proposed Dana Reserve site, which is located in an area with the potential for NOA to occur. This alternative would be required to implement mitigation to reduce the potential for exposure of NOA to nearby sensitive receptors. In addition, the project site is located along US 101, which could expose proposed residential land uses to diesel particulate matter (DPM) if located within 500 feet of the freeway. This alternative would also be required to implement mitigation to avoid the construction of residential homes within 500 feet of US 101 in order to reduce long-term exposure of DPM to on-site sensitive receptors.

The type and scale of land uses included under Alternative 1 would be consistent with the proposed project; therefore, this alternative would be expected to generate operational air pollutant emissions that are similar to the proposed project. Under this alternative, proposed buildout density would be consistent with the proposed project and would generate the same level of population growth and VMT. Therefore, this alternative would also be required to implement mitigation to reduce VMT and operational emissions as necessary. Since the level of buildout and associated growth would be consistent with the proposed project, this alternative would be expected to generate operational emissions above SLOAPCD daily emissions thresholds. This alternative would also be inconsistent with the elements of the SLOAPCD CAP because implementation of the proposed project would further divide the jobs-to-housing balance within the project area and would increase regional VMT in excess of applicable per capita thresholds, which would be inconsistent with regional VMT-reduction efforts. Alternative 1 would be required to implement mitigation to reduce these impacts; however, based on the scale of buildout and associated growth, impacts to air quality would continue to be significant. Therefore, this alternative would still be expected to result in operational emissions in exceedance of SLOAPCD significance thresholds and would also be inconsistent with the SLOAPCD CAP, and impacts related to air quality would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.4 BIOLOGICAL RESOURCES

### Specific Plan Area

Alternative 1 would result in buildout of the proposed 288-acre Dana Reserve in a manner that is consistent with the scale of the proposed project. As such, Alternative 1 would have the same potential to disturb special-status plant and wildlife species and be required to implement mitigation to reduce the significance of these potential impacts. Under Alternative 1, a multi-family neighborhood (NBD 10) would be relocated from the northeastern portion of the project site to the central portion of the site, adjacent to the proposed public park. This relocation would retain approximately 4 acres of additional oak woodland habitat in the northeastern portion of the site, ultimately reducing the number of impacted oak trees. In addition, the alignment of Collector A would be relocated from APN 091-301-030 to APN 091-301-029, which would further reduce the number of oak trees to be removed or otherwise impacted as a result of construction of Collector A. However, since this alternative would continue to facilitate large-scale development of residential, commercial, and recreational development at the project site, oak woodland habitat on-site would continue to be removed and would be subject to compensatory mitigation identified for the proposed project. Therefore, while reduced, impacts related to biological resources would continue to be significant and unavoidable and would therefore be considered *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.5 CULTURAL RESOURCES

### Specific Plan Area

Under Alternative 1, future buildout would occur on the proposed 288-acre project site at the same scale as the proposed project. The project site does not contain any historical buildings or structures that would be eligible for listing in the California Register of Historical Resources (CRHR); however, there are known cultural archaeological resources within the project site. Additionally, due to the extent of proposed ground-disturbing activities, there is potential for inadvertent discovery of unknown cultural resources and unidentified human remains. This alternative would be required to implement mitigation measures identified for the proposed project, which have been included for avoidance of known cultural resource sites and to reduce impacts related to inadvertent discovery of unknown resources, including human remains. Since Alternative 1 would have the same potential to disturb known and unknown cultural resources sites and would be subject to the implementation of identified mitigation, impacts related to cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.6 ENERGY

### Specific Plan Area

Under Alternative 1, future buildout would occur on the proposed 288-acre project site and would be similar in land use type and scale as the proposed project. Under this alternative, construction-related and operational energy consumption would be consistent with the proposed project and would be required to implement mitigation to reduce to avoid unnecessary, wasteful, or inefficient energy use. Since Alternative 1 would result in development that is consistent with the scale and type of development of the proposed project, this alternative would also result in the same level of energy consumption. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.7 GEOLOGY AND SOILS

### Specific Plan Area

Alternative 1 would include the construction of habitable buildings in structures on the proposed Dana Reserve site and would have the same potential for seismic-related hazards, including fault rupture, ground shaking, liquefaction, and landslide and the potential for other ground-failure events as the proposed project. This alternative would be required to implement mitigation and adhere to CBC and other applicable engineering standards to reduce potential impacts related to seismic-related and other ground-failure events. Under Alternative 1, ground disturbance and tree removal for project construction would be generally consistent with the proposed project and would have similar potential to increase erosion and loss of topsoil during construction. This alternative would be required to comply with Regional Water Quality Control Board (RWQCB) and County LUO requirements related to short- and long-term erosion control at the project site. In addition, this alternative would have the same potential to disturb paleontological resources if present within the proposed area of disturbance and would be required to implement mitigation to reduce potential disturbance to paleontological resources during project construction. Alternative 4 would not constitute a change in the potential risk associated with seismic or other ground-failure events or the potential for the project to increase erosion and loss of topsoil at the project site; therefore, impacts would be *similar* to those identified for the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.8 GREENHOUSE GAS EMISSIONS

### Specific Plan Area

Under Alternative 1, the proposed scale of development, types of land uses, and associated growth would be consistent with the proposed project. During construction of the proposed project, use of equipment and vehicles would generate short-term GHG emissions and this alternative would be required to implement mitigation to reduce GHG emissions during construction. Long-term GHG emissions would

be generated by vehicle trips generated by the project and operational energy use. Since the number of residential units would be consistent with the proposed project, this alternative would be expected to generate the same level of VMT and require the same amount of energy consumption as the proposed project. Similar to the proposed project, this alternative would be required to implement mitigation to reduce VMT and operational energy use and associated GHG emissions. This alternative would facilitate population growth and generate VMT in a manner that is consistent with the proposed project and would be expected to continue to exceed applicable per capita VMT thresholds. As a result, Alternative 1 would continue to be inconsistent with goals and policies of the 2019 RTP/SCS related to GHG-reduction strategies. Therefore, impacts related to GHG emissions would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.2.3.9 HAZARDS AND HAZARDOUS MATERIALS

### Specific Plan Area

Alternative 1 would facilitate future buildout of the 288-acre Dana Reserve. The project site is located along the western side of US 101 and is located approximately 0.2 mile west of Nipomo High School. Similar to the proposed project, construction activities for buildout of Alternative 1 would require the use of construction-related hazardous materials (e.g., fuels, gasoline, solvents, oils, paints, etc.) and would be required to comply with state and local regulations to reduce associated hazards. This alternative would not include different land uses or features that could facilitate the use of hazardous materials that could result in significant upset if released. As previously evaluated, the project site would be located in an area with potential for NOA to occur and would be required to implement mitigation to reduce the potential for release. Although located along the US 101, the project site is located more than 30 feet from the edge of the highway, which would reduce the potential for aerially deposited lead (ADL) to occur. Alternative 1 would be consistent with the design and location of proposed access routes evaluated for the proposed project and would also construct Collectors A and B to connect to Willow Road. Construction of these access routes and collector roads is intended to improve traffic circulation within the area and ensure the project would not interfere with emergency response and evacuation efforts. Alternative 1 would not constitute a change to the potential risk associated with hazardous materials or natural hazards evaluated for the proposed project; therefore, impacts would be *similar* to those identified for the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.2.3.10 HYDROLOGY AND WATER QUALITY

### Specific Plan Area

The Dana Reserve site does not support any surface water features. Under Alternative 1, proposed future buildout would occur on the proposed project site and would be similar in nature and scale as the proposed project. This alternative would require the use of construction equipment and vehicles that could result in accidental fuel or other hazardous materials spills that could runoff from the site. Although this

alternative would retain approximately 4 acres of additional open space area within the Specific Plan Area, the proposed amount of soil disturbance for project construction and amount of new impervious surface area at the site would be consistent with the proposed project. This alternative would be required to comply with applicable RWQCB and County water quality protection and stormwater management requirements to reduce impacts related to hydrology and water quality. This alternative would result in a large amount of soil disturbance, require the use of construction equipment and vehicles during construction, and result in a large amount of new impervious surface areas at the project site, which is consistent with the proposed project. Further, this alternative would be subject to applicable state and local water quality protection requirements, which is also consistent with the proposed project. Therefore, this alternative would result in *similar* impacts to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.2.3.11 LAND USE AND PLANNING

### Specific Plan Area

Buildout of Alternative 1 would not result in new features or other components that could physically divide an established community, which is consistent with the proposed project. This alternative would continue to present potential inconsistencies with applicable policies adopted to avoid impacts to the jobs-to-housing balance and associated VMT, biological resources, and parks and recreational facilities. Therefore, impacts related to land use and planning would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.2.3.12 MINERAL RESOURCES

### Specific Plan Area

Buildout of Alternative 1 would occur on the proposed project site, which does not contain any known significant mineral resources on the project site or in the project site vicinity. Further, proposed buildout would not result in the loss of availability of any known mineral resources or conflict with the County's General Plan. Since Alternative 1 would occur within the proposed project site and would not conflict with the County's General Plan, impacts related to mineral resources would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.13 NOISE

### Specific Plan Area

Under Alternative 1, the location, proposed scale of buildout, and the proposed land uses of the project would be consistent with the proposed project. Alternative 1 would require construction activity that is consistent with the proposed project and would be required to implement mitigation identified to reduce construction-related noise. Similar to the proposed project, Alternative 1 would not include long-term components that could substantially increase groundborne noise levels or vibration at the project site. Under Alternative 1, proposed land uses would be consistent with the proposed project and required to implement mitigation to ensure future buildout of the proposed mix of land uses would be consistent with the County's exterior and interior noise standards at proposed noise-sensitive land uses. Alternative 1 would relocate residential land uses from the northeastern portion of the project site to the central portion of the site, adjacent to the proposed public park. Relocation of this neighborhood could result in exterior noise levels above County standards at residential units nearest to the park. This alternative would be required to implement mitigation included for the proposed project, to ensure future buildout of proposed land uses would be consistent with the County's noise standards. Therefore, noise associated with this alternative would be generally consistent with the proposed project, and impacts would be *similar* to those associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.14 POPULATION AND HOUSING

### Specific Plan Area

Alternative 1 includes proposed residential and commercial development consistent with the scale of the proposed project. Therefore, population growth would be the same as the proposed project, including approximately 4,554 residents and 272 employees. Similar to the proposed project, this level of population growth would be inconsistent with the growth included in the County's General Plan and would result in substantial unplanned population growth in the unincorporated community of Nipomo. This growth would adversely affect the local jobs-to-housing ratio within the Inland South County Planning Area. However, the project would also result in the construction of additional housing units that would help the county reach its housing development allocation goals per the County's RHNA required by state law. Alternative 1 would not result in the demolition or removal of existing homes and would not require additional home to be constructed elsewhere. Since Alternative 1 would generate the same level of unplanned population growth, impacts would be *similar* to the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.15 PUBLIC SERVICES

### Specific Plan Area

Alternative 1 includes proposed residential and commercial development consistent with the scale of the proposed project. Therefore, population growth would be the same as the proposed project, including approximately 4,554 residents and 272 employees, and would result in the same increase in demand on public services and facilities. Alternative 1 would be subject to mitigation that requires the applicant to set aside land for the construction of a future fire station to offset the demand on existing fire protection services. This alternative would also be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on other public services and facilities. Alternative 1 would result in an increased demand on public services and facilities in a manner that is consistent with the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.16 RECREATION

### Specific Plan Area

Alternative 1 includes proposed residential and commercial development consistent with the scale of the proposed project. Therefore, population growth would be the same as the proposed project and would result in approximately 4,554 residents and 272 employees. As such, this alternative would result in the same increase in demand on public recreational facilities. Alternative 1 would contribute less recreational land than the proposed project by approximately 4 acres. As evaluated in Section 4.16, *Recreation*, there would still be adequate regional and community recreational facilities to provide for the existing and future population. Due to the reduction of recreational public park land to be provided under Alternative 1, this alternative would not meet the County's minimum standard for required parkland and would be subject to the payment of Quimby Fees (with partial credit achieved in accordance with LUO Section 21.09.020 for the pocket parks that are to be maintained by the future Homeowner's Associations [HOAs]). Per LUO Section 21.09.020, the project could receive between 4.25 and 6 acres of parkland credit, which would exceed the County's requirements for parkland with new development. This alternative would be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on public recreational facilities. Alternative 1 would result in an increased demand on public recreational facilities in a manner that is consistent with the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.2.3.17 TRANSPORTATION AND TRAFFIC

### Specific Plan Area

Under Alternative 1, proposed future buildout would be similar in nature and scale as the proposed project and would result in growth in a manner that is consistent with the proposed project. Alternative 1 would include the construction of Collectors A and B to connect Frontage Road and Hetrick Avenue to Willow Road, respectively. Under Alternative 1, Collector A would be constructed through APN 091-301-029 rather than APN 091-301-030; however, this roadway alignment would not affect proposed site access, increase roadway hazards, or result in other transportation-related impacts in a manner that would be inconsistent with the proposed project. Construction of these road extensions is intended to improve existing and traffic circulation within the vicinity of the project and ensure buildout of the project would not impede emergency response, evacuation, and public ingress and egress. Alternative 1 would also include pedestrian, bicycle, and equestrian trails; transit stops; and a Park and Ride lot to encourage the use of alternative modes of transportation and carpooling, which would be consistent with applicable local plans, policies, and ordinances related to the transportation system. Alternative 1 would be subject to the County's roadway design standards and CAL FIRE requirements for emergency access. Because buildout of Alternative 1 would be consistent with the proposed project, this alternative would generate an increase in VMT above existing thresholds and would be required to implement mitigation to reduce VMT as feasible. However, similar to the proposed project, based on the proposed level of growth, VMT would still exceed existing thresholds. Therefore, impacts would be *similar* to those identified for the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.2.3.18 TRIBAL CULTURAL RESOURCES

### Specific Plan Area

Under Alternative 1, proposed future buildout would occur on the proposed 288-acre project site and would be similar in nature and scale as the proposed project. In accordance with Assembly Bill (AB) 52, consultation with appropriate tribes was conducted for the proposed project. As previously identified, there are known cultural archaeological resources within the project site and there is potential for inadvertent discovery of unknown cultural resources and unidentified human remains. This alternative would be required to implement mitigation for avoidance of known cultural resource sites and to reduce potential impacts related to inadvertent discovery of unknown resources, including human remains. This alternative would also be required to implement additional mitigation measures specific to the protection of tribal cultural resources. Alternative 1 would have the same potential to disturb known and unknown cultural and tribal cultural resources sites and be required to implement mitigation to avoid and/or minimize these impacts. Therefore, impacts related to tribal cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.19 UTILITIES AND SERVICE SYSTEMS

### Specific Plan Area

Under Alternative 1, proposed future buildout would be similar in nature and scale as the proposed project and would result in growth in a manner that is consistent with the proposed project. As such, Alternative 1 would result in a similar increase in demand on water and wastewater services from the NCSD and a similar increase in demand on South County Sanitary and Cold Canyon Landfill. This alternative would be required to implement mitigation included to ensure there is adequate water availability to support future development. This alternative would also be subject to state and local solid waste reduction requirements to reduce the amount of solid waste within Cold Canyon Landfill. Alternative 1 would require construction of new and expanded utility infrastructure within the same development footprint of the proposed project and be required to implement identified mitigation to reduce potential adverse impacts on the environment. Additionally, since growth under Alternative 1 would be consistent with the proposed project, this alternative would also be required to install off-site NCSD water and wastewater improvements to serve the project and surrounding area. Since Alternative 1 would result in similar growth and increase in demand on utility services, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.2.3.20 WILDFIRE

### Specific Plan Area

Under Alternative 1, future buildout would include the development of habitable buildings and structures within a high FHSZ, which is consistent with the proposed project. As such, the potential for wildfire occurrence would be consistent with that of the proposed project. Alternative 1 would include site access in a manner that is consistent with the proposed project and would also construct Collectors A and B to provide connection to Willow Road. These improvements are intended to improve existing circulation conditions within the vicinity of the project and ensure buildout of the proposed project would not interfere with emergency response, evacuation, and public ingress and egress. Under Alternative 1, proposed habitable buildings and structures would be required to comply with applicable CFC, CBC, PRC, and CAL FIRE requirements to reduce risk associated with development within a high FHSZ. Alternative 1 would be required to implement mitigation included to facilitate emergency preparedness and reduce risk of wildfire ignition at the project site. Alternative 1 would result in development within a high FHSZ and would not constitute a change to the potential risk associated with development within a high FHSZ evaluated for the proposed project. Therefore, impacts would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3 Alternative 2: La Cañada Ranch Specific Plan

### *5.4.3.1 Specific Plan Area*

The *County of San Luis Obispo General Plan* identifies the project site as the Cañada Ranch Specific Plan Area, which is subject to preparation and adoption of a specific plan prior to modification of the Nipomo Urban Reserve Line (URL) to include the site to accommodate development proposals and address pertinent issues. The property is designated as an expansion area under the *South County Area Plan* (Sections 4.5 and 4.8) and County LUO Section 22.98.072).

Per the South County Area Plan, a specific plan should be prepared showing commercial retail, service commercial, and light industrial uses on the large La Cañada Ranch property. The specific plan should consider the feasible extent of the job-generating uses as a first priority and residential uses should be considered only in support of employment development. As identified in the South County Area Plan, the objectives of La Cañada Ranch include the following:

1. Service commercial and light industrial uses designed as business or office parks that have integrated site planning, architecture, and landscaping;
2. Commercial retail uses to serve travelers at an interchange of US 101 and an extension of Willow Road, if the location is determined to occur on this property, as a gateway to the community and employees and users of the area; and
3. Residential uses that are affordable to employees of the area, to be developed concurrently or in later phases upon the success of the non-residential uses.

Per the County LUO, a specific plan shall be prepared for the Cañada Ranch property and shall comply with the following provisions:

a. **Types of Uses.** The concept of a Specific Plan is for uses in the following priority for acreage, scale and intensity:
    (1) Open space uses within the oak woodlands;
    (2) Industrial park(s) that will generate "basic" employment for the Nipomo and south county area;
    (3) Commercial service parks that do not conflict with downtown and community shopping commercial uses within Nipomo;
    (4) Retail uses to serve the daily shopping needs of employees and residents of the site in compliance with purpose and character statements for neighborhood shopping areas in Framework for Planning - Inland Area;
    (5) Commercial retail uses that are in compliance with purpose and character statements in Framework for Planning - Inland Area for highway-oriented retail; and
    (6) Residential areas to contain a mix of housing unit types, a portion of which should be affordable to average employee incomes on the site, timing to be concurrent with or following establishment and operation of nonresidential uses, the timing to be determined by a market feasibility study.

b. **Oak habitat preservation.** Designation of the existing oak forest habitat for open space preservation, where limited recreational and open space uses may be allowed.

c. **Pedestrian-oriented site planning.** Location of workplaces, shopping, services, civic buildings and residences in close proximity to each other to facilitate walking and alternative transportation to the private vehicle.

d. **Architecture and landscaping.** Guidelines for architecture and landscaping that respond to the rural character of the area.

e. **Resource, facility and services needs.** Extent of necessary public, or private where applicable, needs including, but not limited to, safety, health, waste management and water supply.

Alternative 2 includes reconfiguration of the project site in order to provide a mix of commercial, light industrial, and residential land uses on the 288-acre project site. This alternative would result in an increase in the amount of land designated for commercial development and open space area and reduce the amount of land designated for residential and recreational development. Under Alternative 2, the conceptual site plan would include 60.8 acres of land for commercial and light industrial uses, 22.3 acres of land for residential development, and 173 acres of land for open space. This alternative would also include construction of Collectors A and B, a network of pedestrian and bicycle trails, transit stops, a Park and Ride lot, and other improvements consistent with the proposed project, except that the Collector A connection to Willow Road would be relocated through APN 091-301-029, similar to Alternative 1.

Similar to the proposed project, this alternative would include a specific plan that could modify the minimum parcel size to allow for a mix of parcel sizes and housing types. Under the DRSP, the proposed building density for the Residential Single-Family-1 (DR-SF1) designation is four to seven dwelling units per acre, the building density for the Residential Single-Family-2 (DR-SF-2) designation is 7.5 to 8.5 dwelling units per acre, and the building density for Residential Multi-Family (DR-MF) designation is 18 to 24 dwelling units per acre. Since the General Plan objectives for the Cañada Ranch include residential uses that are affordable to employees of the area, it would be expected that residential development under this alternative would be constructed in accordance with the Residential Single-Family-2 (DR-SF-2) designation, which includes 7.5 to 8.5 dwelling units per acre, and/or Residential Multi-Family (DR-MF) designation, which includes 18 to 24 dwelling units per acre. Therefore, based on the 22.3 acres of land designated for residential land uses, this alternative could facilitate the construction of up to approximately 190 DR-SF-2 units or 535 DR-MF dwelling units, or some combination of the two, and a proportionate number of ADUs.

This alternative would not result in a change to site access, primary roadways, or other roadway improvements included in the proposed project. This alternative would continue to provide pedestrian and bicycle trails to connect the community to surrounding areas. This alternative would continue to require the construction of new and expanded transportation and utility infrastructure. See Chapter 2, *Project Description*, for a full description of the improvements.

### *5.4.3.1 Off-Site Improvements*

This alternative would include the construction of off-site transportation and NCSD water and wastewater improvements. See Chapter 2, *Project Description*, for a full description of the improvements.

### *5.4.3.2 Analysis of Alternative 2*

Under Alternative 2, buildout of the project site would result in an increase in light industrial and commercial development and a decrease in residential development. This alternative would also substantially increase the amount of land designated for open space and eliminate recreational land uses. As a result, impacts related to air quality, GHG emissions, population and housing, and transportation would be reduced. However, this alternative would result in similar impacts related to biological

resources and would increase impacts related to recreation. Although this alternative would facilitate the future development of residential land uses, due to the substantial reduction in the number of proposed units, the number of affordable units and affordability of market rate units would be significantly decreased in order to provide funding for site development and other improvements. As a result, Alternative 2 would not meet some of the basic project objectives, including providing a mix of residential development, including affordable homes, and providing public recreational facilities at the project site.

#### 5.4.3.2.1 AESTHETICS

### Specific Plan Area

Under Alternative 2, the project site would be reconfigured to facilitate construction of light industrial and commercial development over 60.8 gross acres of the site, residential development over 22.3 gross acres of the site, and 173 acres of open space. This alternative would result in the construction of new commercial and light industrial land uses near rural residential dwellings, which would contribute to a change in the existing visual character of the project area. However, this alternative would result in substantially more open space land, including oak woodland habitat and other native habitat that could provide natural screening of the site, which would reduce project impacts related to alteration of the visual character of the project area. Similar to the proposed project, this alternative would be required to implement mitigation to screen the project from surrounding areas and reduce impacts related to a change in the visual character of the site. Development under this alternative would be subject to the Land Use and Development Standards, Design Guidelines, and other controlling documents intended to maintain the rural character of the project site and surrounding community included in the DRSP. Alternative 2 would also be subject to requirements of County LUO Section 22.10.060 for exterior lighting and policies and objectives included in the DRSP intended to reduce potential impacts related to light and glare. Since this alternative would retain more open space land and mature oak trees and result in lower-density development, this alternative would result in reduced visual impacts compared to the proposed project. However, implementation of vegetative screening and adherence to existing and proposed regulations governing visual quality would still be required to reduce impacts related to alteration of existing visual character of the project area and impact would be significant but mitigable, *similar to* the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.3.2.2 AGRICULTURE AND FORESTRY RESOURCES

### Specific Plan Area

Alternative 2 would result in buildout of the 288-acre Dana Reserve at a similar scale as the proposed project but would result in an increase in commercial and light industrial land uses and a reduction of residential land uses. Alternative 2 would not result in conversion of prime agricultural soils to non-agricultural uses and would not conflict with existing zoning for agricultural land or a Williamson Act contract, which is consistent with the proposed project. Construction activities for buildout of Alternative 2 would have the potential to result in an increase in short-term dust that could disturb agricultural activities within the proposed project area, which is consistent with the proposed project. This alternative would be required to implement mitigation to reduce short-term impacts related to dust generated by project construction to reduce indirect impacts to existing agricultural production activities. Since the

project site does not support prime agricultural soils, is not zoned for agricultural uses, and is not under a Williamson Act contract and Alternative 2 would not facilitate indirect conversion of existing agricultural land, impacts would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.3 AIR QUALITY

### Specific Plan Area

Alternative 2 would require construction activity and would be expected to result in a short-term increase in air pollutant emissions generated by construction equipment and vehicle use and ground-disturbing activities. This alternative would be required to implement mitigation to reduce construction-related air pollutant emissions. Alternative 2 would result in buildout of the proposed 288-acre project site, which is located in an area with the potential for NOA to occur. This alternative would be required to implement mitigation to reduce the potential to expose nearby sensitive receptors to NOA. In addition, the project site is also located along US 101, which could result in long-term exposure of DPM to sensitive receptors within the DRSP area. However, since this alternative includes a greater density of commercial and light industrial uses, residential homes have a greater potential to be located more than 500 feet from the freeway, reducing potential impacts associated with DPM exposure. Since the specific buildout scenario for this alternative is currently not known, this alternative would still be required to implement mitigation to ensure construction of residential homes would not occur within 500 feet of US 101.

As evaluated in Section 4.2, *Air Quality*, the proposed project would exceed daily operational emissions thresholds established by the SLOAPCD primarily as a result of mobile source emissions (i.e., vehicle use). Due to the reduced density of proposed residential development, Alternative 2 would facilitate substantially less population growth than the proposed project, which would also result in a reduction of VMT as compared to the proposed project. Further, this alternative has the potential to reduce existing VMT within the region by reducing the distance needed to reach these services elsewhere, which would further reduce operational mobile source emissions. However, this alternative would have the potential to introduce new stationary sources of pollutant emissions as a result of an increase in light industrial and commercial land uses that were not evaluated for the proposed project. This alternative would continue to be required to incorporate mitigation to reduce operational criteria pollutant emissions to ensure operational emissions would not exceed SLOAPCD significance thresholds. As a result, operational emissions under this alternative would be expected to fall below SLOAPCD significance thresholds.

Under Alternative 2, buildout would result in fewer residential units and an increase in commercial and light industrial uses that would facilitate employment opportunities in the region. Therefore, this alternative would have a beneficial effect in balancing the jobs-to-housing ratio within the community. Additionally, as evaluated above, this alternative would reduce VMT as compared to the proposed project, and with incorporation of VMT-reduction measures, would be consistent with VMT-reduction goals included in the SLOAPCD CAP. As such, Alternative 2 would be consistent with the SLOAPCD CAP. Therefore, impacts related to air quality would be *decreased* from the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.4 BIOLOGICAL RESOURCES

### Specific Plan Area

Alternative 2 would reduce the area of proposed residential and commercial and light industrial land uses and would substantially increase the amount of open space on-site. Proposed buildout of this alternative would have similar potential to disturb special-status plant and wildlife species and would be required to implement mitigation to reduce the significance of these potential impacts. Under Alternative 2, approximately 137 acres of land would be retained for open space, reducing the number of impacted oak trees and the amount of other impacted native habitat (i.e., Burton Mesa chaparral) at the project site. However, since this alternative would continue to facilitate development of residential and commercial land uses at the project site, oak woodland and Burton Mesa chaparral habitat on-site could continue to be removed and would be subject to compensatory mitigation requirements identified for the proposed project. Based on the significantly reduced development footprint, if properly situated, Alternative 2 could largely avoid direct removal and impacts to oak woodland and Burton Mesa chaparral. In the event these habitat areas could not be entirely avoided, the number of acres impacted would be greatly reduced and the amount of required mitigation through on- or off-site preservation or restoration would similarly be substantially reduced, significantly increasing the feasibility of mitigating the impact. Therefore, impacts related to biological resources would be *decreased* from the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.5 CULTURAL RESOURCES

### Specific Plan Area

Alternative 2 would continue to facilitate future buildout of the proposed 288-acre Dana Reserve. As evaluated for the proposed project, the project site does not contain any historical buildings or structures that would be eligible for listing in the CRHR; however, there are known cultural archaeological resources within the project site. Due to the increase in land designated for open space, this alternative would require less ground disturbance, which reduces some potential for inadvertent discovery of unknown cultural resources. Nevertheless, this alternative would be required to implement mitigation for avoidance/mitigation of known cultural resource sites as well as mitigation for inadvertent discovery of unknown cultural resources, including human remains. Alternative 2 would have the same potential to disturb known and unknown cultural resources sites and would be required to implement mitigation to avoid and/or minimize these impacts. Therefore, impacts related to cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.6 ENERGY

### Specific Plan Area

Alternative 2 would result in the future buildout of up to 60.8 gross acres of light industrial and commercial development and up to approximately 190 DR-SF-2 units or 535 DR-MF dwelling units, or some combination of the two, and a proportionate number of ADUs on the project site. Construction of Alternative 2 would be required to implement mitigation to reduce energy consumption during construction to avoid unnecessary, wasteful, or inefficient energy use. During operation, Alternative 2 would result in energy consumption in the form of electricity, gasoline, and natural gas. This energy consumption would overall be reduced as a result of the reduction in development on-site, though commercial development (and associated energy demand) would be increased, in comparison to the proposed project. This alternative would be required to implement mitigation intended to reduce operational energy consumption to avoid long-term unnecessary, wasteful, or inefficient energy use. Implementation of identified mitigation measures would ensure this alternative would be consistent with applicable energy reduction goals, plans, and policies. Alternative 2 would result in construction-related and operational use in a manner that is generally consistent with the proposed project. Therefore, the project would result in impacts *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.7 GEOLOGY AND SOILS

### Specific Plan Area

Alternative 2 would continue to facilitate buildout of new habitable buildings and structures on the 288-acre project site. Therefore, the potential for seismic-related hazards, including fault rupture, ground shaking, liquefaction, and landslide, and the potential for other ground-failure events would be similar to the proposed project. This alternative would be required to implement mitigation and adhere to CBC and other applicable engineering standards to reduce potential impacts related to seismic-related and other ground-failure events. This alternative would result in less soil disturbance and loss of topsoil due to the substantial increase of land dedicated to open space. However, this alternative would still result in a large amount of soil disturbance and would be required to comply with RWQCB and County LUO requirements related to short- and long-term erosion control at the project site. Although more land would be retained as open space, this alternative would also have the potential to disturb paleontological resources if present within the proposed area of disturbance and would be required to implement mitigation to reduce potential impacts. Alternative 2 would result in the construction of new habitable buildings and structures on the 288-acre site and would be subject to mitigation and state and local regulations identified for the proposed project. Therefore, impacts would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.8 GREENHOUSE GAS EMISSIONS

### Specific Plan Area

Alternative 2 would facilitate the construction of light industrial and commercial development over 60.8 gross acres of the site and residential development over 22.3 gross acres of the site. During construction of the proposed project, use of equipment and vehicles would generate short-term GHG emissions. Though developed uses would be reduced, construction for buildout of Alternative 2 would be reduced but not incomparable to the proposed project in terms of GHG emissions and would be required to implement mitigation to reduce short-term GHG emissions. Long-term GHG emissions would be generated by operational vehicle trips and energy use.

Due to the reduced density of proposed residential development, Alternative 2 would facilitate substantially less population growth than the proposed project, which would also result in a reduction of VMT as compared to the project. Under Alternative 2, buildout would result in retail commercial, service commercial, and light industrial uses in close proximity to existing residential land uses, which has the potential to reduce existing VMT within the region by reducing the distance needed to reach these services elsewhere. Proposed residential units at the site would ideally provide housing for employees at the new commercial and light industrial uses generated by the buildout of this alternative, further reducing the potential for the project to generate VMT above established thresholds. Therefore, the provision of additional jobs within the community would be anticipated to contribute to a reduction in existing regional VMT by generating new employment opportunities in a housing-rich community, which would reduce VMT generated by commuters. Based on the scale of proposed development, this alternative would be required to incorporate mitigation to further reduce operational VMT to ensure VMT generated by this alternative would fall below established thresholds. This alternative would also be required to implement mitigation to ensure proposed commercial and light industrial buildings and residential buildings are constructed in accordance with green and energy efficient building design standards. Based on the implementation of mitigation to reduce operational VMT and energy use, this alternative would be consistent with applicable goals, plans, and policies related to GHG-reduction strategies. Therefore, impacts related to GHG emissions would be *decreased* compared to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.9 HAZARDS AND HAZARDOUS MATERIALS

### Specific Plan Area

Alternative 2 would continue to facilitate buildout of the 288-acre Dana Reserve, which is located along US 101 and approximately 0.2 mile west of Nipomo High School. Similar to the proposed project, Alternative 2 does not include the use of hazardous materials that could result in significant upset if released. This alternative would continue to require the transport, use, and disposal of construction-related

hazardous materials (e.g., fuels, gasoline, solvents, oils, paints, etc.) and would be required to comply with state and local regulations to reduce hazards related to the transport, use, and disposal of these materials. This alternative would increase the amount of light industrial and commercial land uses on the project site, which may require the long-term use of common hazardous materials (e.g., paints, oils, solvents, cleaner, gasoline, etc.) and would also be required to comply with state and local regulations to reduce hazards related to the transport, use, and disposal of these materials. As evaluated under the proposed project, the project site would be located in an area with potential for NOA to occur and would be required to implement mitigation to reduce the potential for release. The project site would be located more than 30 feet from US 101, which would reduce the potential for ADL to occur. Alternative 2 includes the construction of site access, roadway improvements, and collector roads that would be consistent with the proposed project. Construction of Collectors A and B is intended to improve traffic circulation within the area and would ensure buildout of the site would not interfere with emergency response and evacuation efforts. Alternative 2 would not constitute a change to the potential risk associated with hazardous materials or natural hazards evaluated for the proposed project; therefore, impacts would be *similar* to those identified for the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.10 HYDROLOGY AND WATER QUALITY

### Specific Plan Area

Alternative 2 includes buildout of the proposed 288-acre Dana Reserve, which does not support any surface water features. Buildout of this alternative would result in 60.8 gross acres of commercial development and the construction of up to approximately 190 DR-SF-2 units or 535 DR-MF dwelling units, or some combination of the two, and a proportionate number of ADUs, 173.8 acres of land for open space, 21.9 acres of new roadways, and other site improvements. As evaluated for the proposed project, this alternative would require the use of construction equipment and vehicles that could result in accidental fuel or other hazardous materials spills that could runoff from the site. Due the increase in land designated for open space, this alternative would reduce the amount of soil disturbance during construction; however, construction would still require a large amount of soil disturbance that could increase erosion and siltation at the project site. Under this alternative, the level of buildout would be reduced in comparison to the proposed project but would result in the same general risks to hydrology and water quality and result in new impervious surface areas that would require on-site treatment in a manner that is generally consistent with the proposed project. As required for the proposed project, Alternative 2 would be subject to applicable RWQCB and County water quality protection and stormwater management requirements to reduce impacts related to hydrology and water quality. This alternative would result in a large amount of soil disturbance, would require the use of construction equipment and vehicles during construction, and would result in a large amount of new impervious surface areas at the project site, which is consistent with the proposed project. Further, this alternative would be subject to applicable state and local water quality protection requirements, which is also consistent with the proposed project. Therefore, this alternative would result in *similar* impacts to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.11 LAND AND USE PLANNING

### Specific Plan Area

Future Buildout of Alternative 2 would not result in new features or other components that could physically divide an established community, consistent with the proposed project. Alternative 2 would be consistent with policies intended to protect the jobs-to-housing balance, reduce VMT, and preserve sensitive biological resources. Alternative 2 would also not propose a public park that would conflict with policies related to County acceptance and maintenance of park facilities. Development under Alternative 2 would also be consistent with the existing County LUO and General Plan (South County Area Plan - Inland) standards for development of the La Cañada Ranch property, as opposed to the DRSP, which provides an alternative vision for the subject property. Therefore, impacts related to consistency with applicable plans and policies would be *decreased* compared to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.12 MINERAL RESOURCES

### Specific Plan Area

Buildout of Alternative 2 would occur on the proposed project site, which does not contain any known significant mineral resources on the project site or in the project site vicinity. Further, proposed buildout would not result in the loss of availability of any known mineral resources or conflict with the General Plan. Since Alternative 2 would occur within the proposed project site and would not conflict with the General Plan, impacts related to mineral resources would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.13 NOISE

### Specific Plan Area

Alternative 2 would result in an increase in commercial and light industrial development and would reduce the amount of residential and recreational development at the project site. As evaluated for the proposed project, this alternative would require construction activity, which would increase short-term ambient noise within the project area and would be required to implement mitigation to reduce short-term

construction-related noise. In addition, Alternative 2 would not include long-term components that could substantially increase groundborne noise levels or vibration at the project site. The increase in proposed commercial and light industrial land uses would have the potential to permanently increase ambient noise levels within the project area. Consistent with the proposed project, this alternative would be required to implement mitigation to ensure noise from commercial and light industrial land uses would be consistent with the County's exterior and interior noise standards at proposed on- and off-site noise-sensitive land uses. Based on implementation of mitigation to reduce operational noise as necessary, this alternative would be generally consistent with the level of noise that would be generated by the proposed project. Therefore, impacts related to noise would be *similar* to those associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.14 POPULATION AND HOUSING

### Specific Plan Area

Similar to the proposed project, this alternative would not result in the demolition or removal of existing homes and would not require additional replacement homes to be constructed elsewhere. Alternative 2 would substantially reduce the number of proposed residential units and would increase the amount of commercial and light industrial land uses at the project site. Alternative 2 would facilitate the construction of up to approximately 190 DR-SF-2 units or 535 DR-MF dwelling units, or some combination of the two, and a proportionate number of ADUs. Based on an average household size of 3.16 for the community of Nipomo, this alternative would generate approximately 600-1,690 new residents, which would be slightly increased through ADU development. Under this alternative, the amount of land designated for commercial and light industrial uses would be increased, which would facilitate an increase in employment opportunities. Based on the SCAG *Employment Density Study Summary Report*, other retail/services would generate one employee per 585 square feet of development. Since this alternative is conceptual in nature, the square footage of future light industrial and commercial uses is not currently known. Although the number of new employees is currently not known, the population growth generated by this alternative would be less than the proposed project because there would be substantially fewer new residents and new employment opportunities could be filled by the local workforce since in an effort to balance the jobs-to-housing ratio in the community.

This alternative would be consistent with the growth envisioned in the General Plan for the Inland South County Planning Area. This buildout scenario would also aid the County in balancing the jobs-to-housing ratio within the region. However, since residential development would be more limited, Alternative 2 would be slightly less effective at helping the County reach its housing development allocation goals per the County RHNA required by state law. In addition, due to the reduced number of proposed residential units, this alternative may be infeasible due to its inability to meet the La Cañada Ranch requirements that housing be affordable based on the average wages of the new jobs being provided. Because this alternative would generate less population growth than the proposed project and would be consistent with the General Plan, impacts related to population and housing would be *decreased* compared to the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.15 PUBLIC SERVICES

### Specific Plan Area

Alternative 2 would result in less population growth than the proposed project; however, based on the scale of buildout of proposed land uses, this alternative would still increase demand on public services and facilities. Alternative 2 would be subject to mitigation that requires the applicant to set aside land for the construction of a future fire station to offset the demand on existing fire protection services. This alternative would also be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on other public services and facilities. Alternative 2 would increase demand on public services and facilities, and be required to mitigate them proportionately, in a manner that is generally consistent with the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.16 RECREATION

### Specific Plan Area

Alternative 2 would result in substantially less residential development, which would reduce the increase in demand on existing public recreational facilities as compared to the project. However, the addition of a range of 600 to 1,690 new residents, which would be slightly increased through ADU development, and new employees would still result in an increase in demand on existing public recreational facilities. This alternative includes construction of pedestrian and bicycle trails but does not include the construction of new public recreational facilities. As such, this alternative would be inconsistent with County LUO Chapter 21.09 related to parkland requirements for new development. This alternative would be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on public recreational facilities, which is consistent with the proposed project. However, since this alternative would increase demand on public recreational facilities and would not include the construction of or dedication of land for recreational facilities, this alternative would result in *increased* impacts in comparison to the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### 5.4.3.2.17 TRANSPORTATION AND TRAFFIC

#### Specific Plan Area

Alternative 2 would result in an increase in commercial and light industrial development and would reduce the amount of residential and recreational development at the project site. This alternative would include the construction of Collectors A and B to connect North Frontage Road and Pomeroy Road to Willow Road, respectively. Construction of these collectors is intended to improve existing traffic conditions within the vicinity of the project and would ensure buildout of the project does not impede emergency response, evacuation, and public circulation. Alternative 2 would also include pedestrian and bicycle trails, transit stops, and a Park and Ride lot to encourage the use of alternative modes of transportation and carpooling, which would be consistent with applicable local plans, policies, and ordinances related to the transportation system. Alternative 2 would include the same site access and roadway design as the proposed project and would not increase potential roadway hazards. This alternative would be subject to County roadway design standards and CAL FIRE emergency access requirements.

Due to the reduced density of proposed residential development, Alternative 2 would facilitate less population growth than the proposed project, which would result in a reduction of VMT. Under this alternative, buildout would result in retail commercial, service commercial, and light industrial uses in close proximity to existing residential land uses, which has the potential to reduce existing VMT within the region by reducing the distance needed to reach these services elsewhere. In addition, the provision of additional jobs within the community could contribute to a reduction in existing regional VMT by generating new employment opportunities in a housing-rich community, reducing VMT generated by commuters and helping to balance the jobs-to-housing ratio within the region. Therefore, this alternative is anticipated to generate less VMT than the proposed project. Since this alternative would generate less VMT than the proposed project, with implementation of mitigation to reduce operational VMT (if needed), this alternative would be expected to fall below established per capita thresholds. Therefore, impacts related to transportation and traffic would be *decreased* compared to the impacts associated with the proposed project.

#### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### 5.4.3.2.18 TRIBAL CULTURAL RESOURCES

#### Specific Plan Area

Under Alternative 2, proposed future buildout would occur on the proposed 288-acre Dana Reserve. In accordance with AB 52, consultation with appropriate tribes was conducted for the proposed project. As previously identified, there are known cultural archaeological resources within the project site. Although more open space land would be retained at the site, there is still potential for disturbance to known sites and inadvertent discovery of cultural resources and human remains if present within the proposed area of disturbance. This alternative would be required to implement mitigation for avoidance of known cultural resource sites and mitigation for inadvertent discovery of unknown cultural resources, including human remains. This alternative would also be required to implement additional mitigation measures identified for protection of tribal cultural resources. Since buildout is likely to occur in most of the same locations as the proposed project, Alternative 2 would have a similar potential to disturb known and unknown cultural and tribal cultural resources and would be required to implement mitigation to avoid and/or minimize

these impacts. Therefore, impacts related to tribal cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.19 UTILITIES AND SERVICE SYSTEMS

### Specific Plan Area

Alternative 2 would result in an increase in commercial and light industrial development and would reduce the amount of residential development at the project site. This alternative would still include annexation into the NCSD as envisioned in the General Plan. Although this alternative would reduce the number of residential dwellings and associated residential population growth, due to the increase in commercial and light industrial uses, the scale of proposed development would still result in an increase in demand on water and wastewater services from the NCSD and solid waste services from South County Sanitary and Cold Canyon Landfill. This alternative would be required to implement mitigation included to ensure there is adequate water availability to support future development and would also be subject to state and local solid waste reduction requirements to reduce the amount of construction-related and operational solid waste within Cold Canyon Landfill. Alternative 2 would require the construction of new and expanded utility infrastructure to serve proposed land uses and would be required to implement mitigation to reduce potential adverse impacts on the environment. Additionally, based on the scale of proposed light industrial and commercial land uses as well as construction of up to approximately 190 DR-SF-2 units or 535 DR-MF dwelling units, or some combination of the two, and a proportionate number of ADUs, Alternative 2 would also be required to install off-site NCSD water and wastewater improvements to serve the project and surrounding area. Alternative 2 would result in substantial growth at the project site and would increase the demand on the NCSD, South County Sanitary, and Cold Canyon Landfill, which is similar to the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.3.2.20 WILDFIRE

### Specific Plan Area

Under Alternative 2, future buildout would occur on the 288-acre project site and would still include the development of new habitable buildings and structures within a high FHSZ. As such, the potential for wildfire occurrence would be similar to that of the proposed project. Alternative 2 would include site access in a manner that is consistent with the proposed project and would also construct Collectors A and B to improve existing traffic circulation within the vicinity of the project. Proposed site access and construction of the collectors would ensure the project does not interfere with emergency response, evacuation, and public ingress and egress. Under Alternative 2, proposed habitable buildings and structures would be required to comply with applicable CFC, CBC, PRC, and CAL FIRE requirements to reduce risk associated with development within a high FHSZ. This alternative would also be required to

implement mitigation included to facilitate emergency preparedness and reduce risk of wildfire ignition at the project site, which is consistent with the proposed project. Alternative 2 would not constitute a change to the potential risk associated with wildfire evaluated for the proposed project; therefore, impacts would be *similar* to those identified for the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4 Alternative 3: Residential Rural Cluster Subdivision

### *5.4.4.1 Specific Plan Area*

Alternative 3 would result in a future buildout scenario that is consistent with a cluster subdivision of the Residential Rural (RR) land use designation for the project site. Under this alternative, 195.3 acres of land would be dedicated to residential development, 49.8 acres of land would be dedicated to open space, and 11 acres of land would be dedicated to public parks. No commercial land uses would be developed. Alternative 3 would include the construction of two collector roads through the project site, consistent with the proposed project, except that the Collector A connection to Willow Road would be relocated through APN 091-301-029, similar to Alternative 1. Site access would continue to be provided in accordance with applicable County standards.

According to the cluster division standards identified in County LUO Section 22.22.140.B, "The number of buildable lots allowed in a cluster division shall be determined through the use of the parcel size tests . . . applicable to the land use categories in which the site is located . . . The actual size of the clustered lots shall then be determined by Subsection D."

Based on the Subdivision Design Standards for the Residential Rural (RR) Category (County LUO Section 22.22.060), the minimum parcel size for the project site would be 5 acres. Assuming a minimum parcel size of 5 acres over 195.3 acres of land, Alternative 3 would facilitate a subdivision of approximately 39 Residential Rural (RR) parcels. According to County LUO Section 22.22.140.D, the minimum lot size for the Residential Rural (RR) land use category is 20,000 square feet (approximately 0.5 acre) when community water and sewer services are provided. However, a minimum lot size less than 2.5 acres is only allowable when community water is provided, and a minimum lot size less than 1 acre is only allowable when the leaching capacity of site soils for septic tank use is from 0 to 5 minutes per inch, or where community sewer is provided.

This alternative may preclude annexation into the NCSD due to infrastructure costs. If annexation into the NCSD does not occur, this alternative would rely on domestic water and sewer infrastructure and the minimum lot size would be 2.5 acres. If annexation into the NCSD is feasible, this alternative would be provided community water and sewer services and would have a minimum parcel size of approximately 0.5 acre. Since the feasibility of annexation is currently not known, this alternative has the potential to facilitate a two- to 10-lot cluster subdivision on each 5-acre Residential Rural (RR) parcel, resulting in the construction of 78 to 390 single-family residential units, in addition to a proportionate number of ADUs.

This alternative would continue to provide pedestrian and bicycle trails to connect the community to surrounding areas and require the construction of new and expanded transportation and utility infrastructure. See Chapter 2, *Project Description*, for a full description of the improvements. The cost of implementing the needed infrastructure improvements would be very high to serve a relatively low number of units and uses. While the number and extent of needed improvements may be reduced due to

this alternative's reduced demand for services, this alternative may not be feasible. Assuming it is feasible to construct, it would not provide a mix of housing types and affordability levels at the same level as the proposed project.

### *5.4.4.2 Off-Site Improvements*

This alternative would include the construction of off-site transportation and NCSD water and wastewater improvements. See Chapter 2, *Project Description*, for a full description of the improvements. However, the feasibility of expansion of NCSD water and wastewater infrastructure to serve so few units is uncertain.

### *5.4.4.3 Analysis of Alternative 3*

Under Alternative 3, no commercial development would occur, and the density of residential development would be limited, resulting in a smaller scale of buildout as compared to the proposed project. Based on the reduction of proposed residential units, this alternative would reduce population growth in comparison to the proposed project. As a result, impacts related to aesthetics, air quality, GHG emissions, population and housing, and transportation would be reduced. However, this alternative could continue to potentially impact sensitive biological resources. In addition, this alternative may preclude annexation into the NCSD due to infrastructure costs; therefore, this alternative would potentially increase impacts related to utilities and service systems. Due to the substantial reduction in the number of proposed residential units, the number of affordable units would be significantly decreased in order to provide funding for site development and other improvements. As a result, Alternative 3 would not meet the basic project objective of providing affordable workforce market rate homes. In addition, this alternative would be inconsistent with the commercial and light industrial land uses planned for the site as identified in the County's General Plan.

#### 5.4.4.3.1 AESTHETICS

#### Specific Plan Area

As compared to the proposed project, under Alternative 3, buildout of the site would result in a substantial reduction in the number of residential dwellings developed on-site, which would retain a larger amount of existing oak woodland habitat to better preserve the natural rural character of the site. In addition, due to the reduced density of residential dwellings, proposed development would be more consistent with surrounding rural residential dwellings. Further, Alternative 3 would not include the construction of commercial land uses along the eastern portion of the project site, nearest to US 101, the most visible portion of the site. As a result, this alternative would reduce project impacts related to the alteration of the visual character of the project area. Similar to the proposed project, this alternative would introduce new development to a previously undeveloped area and would be required to implement mitigation to screen the project from surrounding areas. As evaluated for the proposed project, development under this alternative would be subject to the Land Use and Development Standards, Design Guidelines, and other controlling documents intended to maintain the rural character of the project site and surrounding community included in the DRSP. Alternative 3 would also be subject to requirements of County LUO Section 22.10.060 for exterior lighting and policies and objectives included in the DRSP intended to reduce light and glare. Since this alternative would retain more mature oak trees, result in lower-density development, and be more consistent with the scale of surrounding residential development, implementation of vegetative screening and adherence to existing and proposed regulations governing visual quality would reduce impacts related to alteration of existing visual character of the project area. Therefore, although this alternative would reduce impacts related to aesthetics, potential impacts would remain significant but mitigable, *similar to* impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.2 AGRICULTURE AND FORESTRY RESOURCES

### Specific Plan Area

Alternative 3 would continue to facilitate buildout of the proposed 288-acre Dana Reserve. As evaluated for the proposed project, Alternative 3 would not result in conversion of prime agricultural soils to non-agricultural uses and would not conflict with existing zoning for agricultural land or a Williamson Act contract, consistent with the proposed project. Based on the reduced density of development, Alternative 3 would require less construction activity; however, there would still be potential to result in an increase in short-term dust that could disturb agricultural activities within the proposed project area. Alternative 3 would be required to implement mitigation to reduce short-term impacts related to dust to reduce indirect impacts to existing agricultural production activities. Since the project site does not support prime agricultural soils, is not zoned for agricultural uses, and is not under a Williamson Act contract, Alternative 3 would not facilitate indirect conversion of existing agricultural land, and impacts would be *similar* to those associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.3 AIR QUALITY

### Specific Plan Area

Alternative 3 would require less construction activity; however, there is still potential for construction to result in a short-term increase in air pollutant emissions generated by construction equipment and vehicle use and ground-disturbing activities. This alternative would be required to implement mitigation to reduce construction-related air pollutant emissions. Alternative 3 would result in buildout of the proposed 288-acre project site, which is located in an area with the potential for NOA to occur. This alternative would be required to implement mitigation to reduce the exposure of NOA to nearby sensitive receptors.

The project site is located along US 101, which could result in long-term exposure of DPM to sensitive receptors within the DRSP area. The proposed project includes mitigation to avoid construction of residential homes within 500 feet of US 101 in order to reduce long-term exposure of DPM to on-site sensitive receptors. However, Alternative 3 does not include the construction of commercial development and would instead include land designated for residential uses along the eastern portion of the site, nearest to US 101. The ability to cluster development may successfully allow this alternative to avoid impacts related to DPM; however, implementation of the identified mitigation would reduce the availability of land for residential development outside of sensitive biological resource areas. There appears to be adequate land to develop the maximum 10-lot cluster subdivision to accommodate up to 390 single-family residential units outside of sensitive biological areas and the 500-foot buffer. Therefore, impacts related to DPM would be similar to those of the proposed project.

Due to the reduced density of proposed residential development, Alternative 3 would facilitate substantially less population growth than the proposed project, which would also result in a reduction of VMT. However, this alternative would still facilitate population growth that would generate VMT within the region and would be subject to mitigation to further reduce VMT as necessary. Due to the reduction of VMT and energy use for proposed residential units, Alternative 3 would be expected to generate lower levels of operational pollutant emissions compared to the proposed project. Although reduced, this alternative would continue to provide a substantial amount of housing and would, therefore, continue to adversely affect the jobs-to-housing ratio within the community, although to a lesser degree than the proposed project, and would potentially be inconsistent with the SLOAPCD CAP. Although Alternative 3 would reduce emissions and be more in line with the SLOAPCD CAP, this alternative would continue to result in significant impacts related to air quality associated with increases in VMT and inconsistencies with the SLOAPCD CAP; therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.4 BIOLOGICAL RESOURCES

### Specific Plan Area

Alternative 3 would result in 195.3 acres of land dedicated to cluster residential rural development, 49.8 acres of land dedicated to open space, and 11 acres of land dedicated to public parks. No commercial development would occur. Because buildout would occur at the same project site as the proposed project, the potential to disturb special-status plant and wildlife species would be consistent with the proposed project. However, the ability to cluster residential uses would allow the site to be developed in a way that avoids and minimizes impacts to sensitive biological resources. This alternative would be required to implement mitigation to reduce the significance of any remaining potential impacts, similar to the proposed project, and due to the significantly reduced development footprint, requirements for on- and/or off-site mitigation would be substantially reduced and more feasible to implement. Buildout of the site would be reduced due to the lower density of clustered residential development, which would ultimately reduce the amount of impacted oak woodland and Burton Mesa chaparral habitat at the project site. However, since removal of oak woodland and Burton Mesa chaparral habitat would continue to be required for buildout of the site, this alternative would still be required to implement compensatory mitigation to minimize impacts related to sensitive habitats. Potential impacts to oak woodland habitat and Burton Mesa chaparral would be substantially reduced, the feasibility of on- and off-site mitigation would be significantly improved; therefore, impacts would be *decreased* compared to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.4.3.5 CULTURAL RESOURCES

### Specific Plan Area

Under Alternative 3, future buildout would continue to occur on the proposed 288-acre Dana Reserve. The project site does not contain any historical buildings or structures that would be eligible for listing in the CRHR; however, there are known cultural archaeological resources within the project site and there is potential for inadvertent discovery of unknown resources. Based on the location of these known sites and the assumption that this alternative would avoid sensitive biological resource areas, it is likely that the clustered residential development would be located in proximity to sensitive cultural resource areas. This alternative would be required to implement mitigation for avoidance of known cultural resource sites. Due to the decrease in proposed residential development, this alternative would require less ground disturbance, which reduces some potential for inadvertent discovery of unknown cultural resources. However, this alternative would still require ground disturbance at the project site and be required to implement mitigation for inadvertent discovery of unknown cultural resources, including human remains. Although clustered development could be sited to successfully avoid direct impacts to known sites, indirect impacts would still be possible due to the proximity of proposed uses to these sites, and Alternative 3 would have similar potential to disturb unknown cultural resources. Alternative 3 would be required to implement mitigation to avoid and/or minimize these impacts to a less-than-significant level. Therefore, impacts related to cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.4.3.6 ENERGY

### Specific Plan Area

Alternative 3 would result in the future buildout of up to 390 single-family residential dwelling units (plus associated ADUs) on the project site. No commercial development would occur. Alternative 3 would require less construction activity, which would reduce energy consumption during the construction phase of the project. However, this alternative would still be required to implement mitigation to reduce energy consumption during construction to avoid unnecessary, wasteful, or inefficient energy use. Since commercial development would not occur and the number of residential homes would be substantially reduced, Alternative 3 would require less electricity and natural gas and would generate less VMT, which would reduce overall energy consumption during operation. However, this alternative would still be required to implement mitigation intended to reduce operational energy use to avoid unnecessary, wasteful, or inefficient energy use. Implementation of identified mitigation measures would ensure the proposed project would be consistent with applicable energy reduction goals, plans, and policies. Alternative 3 would result in less overall energy consumption during project construction and operation; however, mitigation would still be required to reduce unnecessary energy use and ensure consistency with applicable energy reduction requirements. Therefore, the project would result in impacts *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.7 GEOLOGY AND SOILS

### Specific Plan Area

Alternative 3 would continue to facilitate buildout of new habitable buildings and structures on the 288-acre project site. As such, the potential for seismic-related hazards, including fault rupture, ground shaking, liquefaction, and landslide, and the potential for other ground-failure events would be consistent with the proposed project. This alternative would be required to implement mitigation and adhere to CBC and other applicable engineering standards to reduce potential impacts related to seismic-related and other ground-failure events. This alternative would result in less ground disturbance and tree removal, which would reduce some potential for substantial erosion and loss of topsoil to occur during construction. However, this alternative would still be required to comply with RWQCB and County LUO requirements related to short- and long-term erosion control at the project site. Although the development footprint would be reduced, this alternative would still have the potential to disturb paleontological resources if present within the proposed area of disturbance and would be required to implement mitigation to reduce potential disturbance to paleontological resources during project construction. Therefore, Alternative 3 would result in impacts *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.8 GREENHOUSE GAS EMISSIONS

### Specific Plan Area

Alternative 3 would result in the future construction of up to 390 residential rural dwellings through clustered subdivision development. No commercial development would occur under this alternative. During construction of the proposed project, use of equipment and vehicles would generate short-term GHG emissions. Construction for buildout of Alternative 3 would be smaller in scale than the proposed project based on the construction of substantially fewer residential dwellings. However, Alternative 3 would be required to implement mitigation to reduce GHG emissions during construction. Long-term GHG emissions would be generated by vehicle trips and energy use generated by the project. Since the number of residential units would be substantially reduced, this alternative would be expected to require less overall energy consumption and to generate less VMT than the proposed project. Since this alternative would not result in commercial development on-site, VMT-reduction strategies related to the provision of mixed land uses would no longer be feasible. This alternative would include pedestrian, bicycle, and equestrian trails to encourage the use of alternative modes of transportation, which would be consistent with applicable local plans, policies, and ordinances related to the transportation system, but would not provide new transit stops, Park and Ride lot, or other VMT-reducing amenities. As such, although reduced as a result of lower-density residential development, VMT generated by the project would continue to have the potential to exceed regional thresholds. This alternative would be required to implement mitigation to further reduce VMT and operational energy use and to ensure consistency with applicable goals, plans, and policies related to GHG-reduction strategies. Since Alternative 3 would result

in less population growth and associated operational VMT in comparison to the proposed project, with implementation of mitigation to further reduce operational VMT, this alternative would be expected to be consistent with applicable goals, plans, and policies related to GHG-reduction strategies. Therefore, impacts related to GHG emissions would be *decreased* compared to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.9 HAZARDS AND HAZARDOUS MATERIALS

### Specific Plan Area

Alternative 3 would continue to facilitate buildout of the 288-acre Dana Reserve, which is located along US 101 and approximately 0.2 mile west of Nipomo High School. Similar to the proposed project, Alternative 3 does not include land uses or features that would facilitate the long-term use of hazardous materials that could result in significant upset if released. This alternative would require the transport, use, and disposal of construction-related hazardous materials (e.g., fuels, gasoline, solvents, oils, paints, etc.) and would be required to comply with state and local regulations to reduce hazard related to the transport, use, and disposal of these materials. The project site would be located in an area with potential for NOA to occur and would be required to implement mitigation to reduce the potential for release. The project site would be located more than 30 feet from US 101, which would reduce the potential for ADL to occur. Similar to the proposed project, Alternative 3 includes the construction of site access, roadway improvements, and collector roads in accordance with CAL FIRE and County requirements to ensure adequate emergency access and public ingress and egress. The project site would continue to provide site access and internal roads. Alternative 3 would not change the potential risk associated with hazardous materials or natural hazards; therefore, impacts would be *similar* to those identified for the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.10 HYDROLOGY AND WATER QUALITY

### Specific Plan Area

Under Alternative 3, buildout would continue to occur on the 288-acre project site, which does not support any surface water features. Buildout of Alternative 3 would result in up to 390 residential rural dwellings, 49.8 acres of land dedicated to open space, 11 acres of land dedicated to public parks, and other on-site improvements. Similar to the proposed project, this alternative would require the use of construction equipment and vehicles that could result in accidental fuel or other hazardous materials spills that could runoff from the site. Due to the reduced amount of construction required for residential development, this alternative would result in less soil disturbance and tree removal, which would reduce the potential for substantial erosion and siltation to occur at the project site. Since this alternative would be limited to rural residential development, buildout of future residential dwellings would also result in less coverage of the site, reducing the amount of impervious surface areas compared to the proposed

project. Similar to the proposed project, this alternative would be required to comply with applicable RWQCB and County water quality protection and stormwater management requirements to reduce impacts related to hydrology and water quality. Although Alternative 3 would reduce the amount of ground disturbance required for project construction and would also reduce the amount of impervious surface area at the project site, the impacts evaluated for the proposed project were also determined to be less than significant. Therefore, this alternative would result in *similar* impacts to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.11 LAND AND USE PLANNING

### Specific Plan Area

Future Buildout of Alternative 3 would result in a substantially smaller number of residential units, which would allow for development at a lower density than the proposed project. However, consistent with the proposed project, buildout of this alternative would not result in new features or other components that could physically divide an established community. This alternative would continue to adversely affect the jobs-to-housing balance in the community and VMT-reduction strategies but would substantially reduce impacts associated with conflicts with policies intended to protect visual resources, biological resources, and other sensitive resources. This alternative may be inconsistent with COSE Policy OS 4.6, which discourages the creation or expansion of small-lot rural designations in rural areas to maintain a well-defined urban boundary. Nevertheless, impacts related to land use and planning would be reduced to less than significant and would be *decreased* compared to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.12 MINERAL RESOURCES

### Specific Plan Area

Buildout of Alternative 3 would occur on the proposed project site, which does not contain any known significant mineral resources. Additionally, there are no known significant mineral resources in the project site vicinity. Therefore, proposed buildout would not result in the loss of availability of any known mineral resources or conflict with the County's General Plan, and impacts related to mineral resources would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.4.3.13 NOISE

### Specific Plan Area

Alternative 3 would result in rural residential dwellings, recreational facilities, and open space areas within the 288-acre project site. Under this alternative, it would be expected that overall long-term noise levels would be reduced based on the lower density of residential development and residents on the site. Alternative 3 would result in less construction activity; however, due to the proximity of surrounding noise-sensitive and future residential land uses, mitigation would be required to reduce short-term construction-related noise. Similar to the proposed project, Alternative 3 would not include long-term components that could substantially increase groundborne noise levels or vibration at the project site. This alternative would result in a mix of rural residential and recreational land uses at the project site and would still be required to implement mitigation to ensure future buildout of the proposed mix of land uses would be consistent with the County's exterior and interior noise standards at proposed noise-sensitive land uses. Although overall growth and associated noise would be reduced, this alternative would still be subject to mitigation to reduce noise at noise-sensitive land uses. Therefore, impacts related to noise would be *similar* to those associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.4.3.14 POPULATION AND HOUSING

### Specific Plan Area

Alternative 3 would not result in the demolition or removal of existing homes and would not require additional replacement homes to be constructed elsewhere, which is consistent with the proposed project. Under Alternative 3, the residential land use category would be limited to approximately 78 to 390 rural residential units (plus associated ADU development). Based on an average household size of 3.16 for the community of Nipomo, this alternative would generate approximately 247 to 1,233 new residents (not including ADUs). Since no commercial development would occur, this alternative would not generate new employment opportunities. As such, the population growth generated by the project would be substantially less than the proposed project. Because this alternative would reduce the number of new residents within the community and be consistent with the General Plan land use designation and planned growth projections for the site, Alternative 3 would not result in unplanned population growth. However, since residential development would be limited, this alternative would not help the County reach its housing development allocation goals per the County RHNA required by state law to the same extent as the proposed project. In addition, this alternative would result in minimal, if any, affordable housing units, which is inconsistent with the basic project objectives. Alternative 3 would generate substantially less population growth than the proposed project, and impacts related to population and housing would be *decreased* compared to the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.4.3.15 PUBLIC SERVICES

### Specific Plan Area

Alternative 3 would generate substantially less residential development and would not include commercial development. Therefore, population growth would be reduced in comparison to the proposed project, including approximately 247 to 1,233 residents (not including ADUs). As such, the increase in demand on public services and facilities would also be substantially reduced. This alternative would be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on other public services and facilities. This alternative would not be expected to set aside land for the construction of a future fire station based on the substantially reduced demand on existing fire protection services compared to the proposed project. As such, Alternative 3 would continue to increase demand on existing public services and facilities; however, this increase in demand would be substantially less that the proposed project, and impacts related to public services would be *decreased* in comparison to impacts from the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.4.3.16 RECREATION

### Specific Plan Area

Alternative 3 would result in substantially less residential development and associated population growth, including approximately 247 to 1,233 residents (not including ADUs). The increase in demand on public recreational facilities would also be substantially reduced. Alternative 3 includes 11 acres of land for recreational facilities, including a 10-acre public park, an equestrian trailhead, and a network of pedestrian, bicycle, and equestrian trails. Under this alternative, the amount of proposed recreational facilities would exceed the County's requirement for parkland with new development. This alternative would be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on public recreational facilities, which is consistent with the proposed project. Although this alternative would reduce demand on existing public recreational facilities, the impacts evaluated for the proposed project were also determined to be less than significant. Therefore, this alternative would result in similar impacts to the impacts associated with the proposed project. Based on the payment of Public Facilities Fees, impacts related to recreation would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.4.3.17 TRANSPORTATION AND TRAFFIC

### Specific Plan Area

Alternative 3 would generate substantially less residential development and associated population growth. This alternative would include the construction of two collector roads through the project site, consistent

with the proposed project, except that the Collector A connection to Willow Road would be relocated through APN 091-301-029, similar to Alternative 1. The project would continue to provide site access and internal roads in accordance with CAL FIRE and County requirements to ensure adequate emergency access and public ingress and egress. Alternative 3 would also include pedestrian, bicycle, and equestrian trails to encourage the use of alternative modes of transportation, which would be consistent with applicable local plans, policies, and ordinances related to the transportation system.

Since the number of residential units would be limited to up to 390 residential rural dwellings, this alternative would be expected to generate less VMT than the proposed project. However, since this alternative would not result in commercial development on-site, VMT-reduction strategies related to the provision of mixed land uses would no longer be feasible. This alternative would also not provide new transit stops, Park and Ride lot, or other VMT-reducing amenities. This alternative would be required to implement mitigation to further reduce operational VMT through additional VMT-reduction strategies. Because this alternative would continue to provide housing in a housing-rich community, and would not provide any job-generating uses, impacts associated with transportation and traffic would be *similar* to those associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.18 TRIBAL CULTURAL RESOURCES

### Specific Plan Area

In accordance with AB 52, consultation with appropriate tribes was conducted for the proposed project. As previously identified, there are known archaeological resources within the project site and the potential for inadvertent discovery of unknown resources. This alternative would be required to implement mitigation for avoidance of known cultural resource sites. Due to the decrease in proposed residential development, this alternative would require less ground disturbance, which reduces some potential for inadvertent discovery of unknown cultural or tribal cultural resources. However, this alternative would still result in ground disturbance at the site and would be required to implement mitigation for inadvertent discovery of unknown cultural resources, including human remains. This alternative would also be required to implement additional mitigation measures for protection of tribal cultural resources. Although Alternative 3 could avoid direct impacts to known resources during construction, it would have a similar potential to disturb known and unknown cultural and tribal cultural resources sites and would be required to implement mitigation to avoid and/or minimize these impacts. Therefore, impacts related to tribal cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.4.3.19 UTILITIES AND SERVICE SYSTEMS

### Specific Plan Area

Alternative 3 would not include commercial development and would facilitate substantially less residential development and associated population growth. As such, the increase in demand on water, wastewater, and solid waste services would also be reduced in comparison to the proposed project. However, due to the limited population growth, this alternative may preclude annexation into the NCSD service area due to the costs of expansion of NCSD facilities. The project could be required to utilize on-site wells and install on-site septic systems to meet the project's water and sewer demands. Since no analysis of necessary off-site improvements to serve this level of development and their associated costs has been prepared, it's unclear whether annexation would continue to be feasible under this alternative. However, if the project did not utilize the NCSD's water supply, which is comprised of ground, surface, and imported water, and would only utilize groundwater from on-site wells, the potential to deplete the groundwater supply within the Santa Maria River Valley Groundwater Basin – Nipomo Mesa Management Area would be increased. In addition, due to the installation of on-site septic systems throughout the project site, there would be greater potential for groundwater contamination. This alternative would be required to implement mitigation to ensure there is adequate available groundwater supply to meet the project's needs, or if adequate water supplies are not available on the Nipomo Mesa, this impact would be significant and unavoidable. The project would be subject to County requirements for design and construction of septic systems to reduce potential impacts accordingly.

Should Alternative 3 preclude annexation into the NCSD, the San Luis Obispo County Integrated Waste Management Authority (IWMA) would not be responsible for solid waste collection services and the County would be required to provide these services for the project area. The San Luis Obispo County IWMA provides solid waste services in accordance with state and local solid waste reduction goals, including diversion of construction-related waste, edible food waste, and recyclables. However, this alternative would generate less solid waste per day than the proposed project based on the limited amount of residential development. In addition, the project would still be subject to applicable state and local laws related to solid waste reduction goals.

Alternative 3 would require construction of new and expanded utility infrastructure, including electrical and natural gas, and may include water storage tanks and septic systems. This alternative would be required to implement identified mitigation to reduce potential adverse impacts on the environment. Under Alternative 3, the project would have greater potential to deplete the groundwater supply, contaminate groundwater, and conflict with solid waste reduction goals; however, through implementation of mitigation and required compliance with applicable state and local requirements, the significance of potential impacts would likely be reduced. Therefore, if annexation into the NCSD service area is infeasible, impacts to utilities and service systems, particularly related to water supply, would be *increased* compared to impacts associated with the proposed project. If annexation is determined to be feasible, impacts would be generally reduced due to decreased demands, but would remain significant but mitigable, and would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

If annexation is determined to be feasible, off-site improvements would be the same as the proposed project and would result in *similar* impacts as evaluated for the proposed project. If annexation is determined to be infeasible, then the impacts of off-site improvements would *decrease* compared to the proposed project.

#### 5.4.4.3.20 WILDFIRE

### Specific Plan Area

Under Alternative 3, proposed future buildout would occur on the 288-acre project site and would include the development of new habitable buildings and structures within a high FHSZ. As such, the potential for wildfire occurrence would be consistent with that of the proposed project. The project would continue to provide site access and internal roads in accordance with CAL FIRE and County requirements to ensure adequate emergency access and public ingress and egress. Similar to the proposed project, these improvements would be adequate to support emergency response and evacuation efforts. Under Alternative 3, proposed habitable buildings and structures would be required to comply with applicable CFC, CBC, PRC, and CAL FIRE requirements to reduce risk associated with development within a high FHSZ. This alternative would be required to implement mitigation included to facilitate emergency preparedness and reduce risk of wildfire ignition at the project site. Since Alternative 3 would also result in development within a high FHSZ, impacts would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5 Alternative 4: Development on Non-Native Grassland

### *5.4.5.1 Specific Plan Area*

Similar to the Burton Mesa chaparral avoidance alternative (see Section 5.3.1, *Burton Mesa Chaparral Avoidance Alternative*), this alternative would increase the amount of land dedicated to open space by reducing the overall area of proposed residential, commercial, and recreational development. However, this alternative would increase the density of residential development to maximize the buildout of single-family residential dwellings on the non-native grassland habitat throughout the project site.

This alternative would include the dedication of approximately 60 acres of land for single-family residential development, 20 acres of land for multi-family residential development, 20 acres of land for commercial development, 5 acres of land for recreational uses, and internal roadways and other site improvements. Under Alternative 4, the remaining portion (approximately 183 acres) of the 288-acre project site would be retained as open space land. This alternative would relocate the future construction of Collector A through APN 091-301-029 to connect North Frontage Road to Willow Road; consistent with Alternative 1. Collector B would not be constructed; residential areas in the western portion of the Specific Plan Area would be accessed via Hetrick Avenue and Pomeroy Road. Collector C would no longer be constructed as a collector road, but an internal roadway in the same general location as the existing internal ranch road north of the oak forest would connect the eastern and western portions of the site. Site access and roadways would continue to be provided in accordance with applicable County standards.

The 20 acres of commercial development would generally be located along the US 101 corridor, similar to the proposed project, while the remaining uses would be situated in areas of the Specific Plan containing California Perennial Grassland Group (Figure 5-4) to avoid and minimize impacts to sensitive habitats.

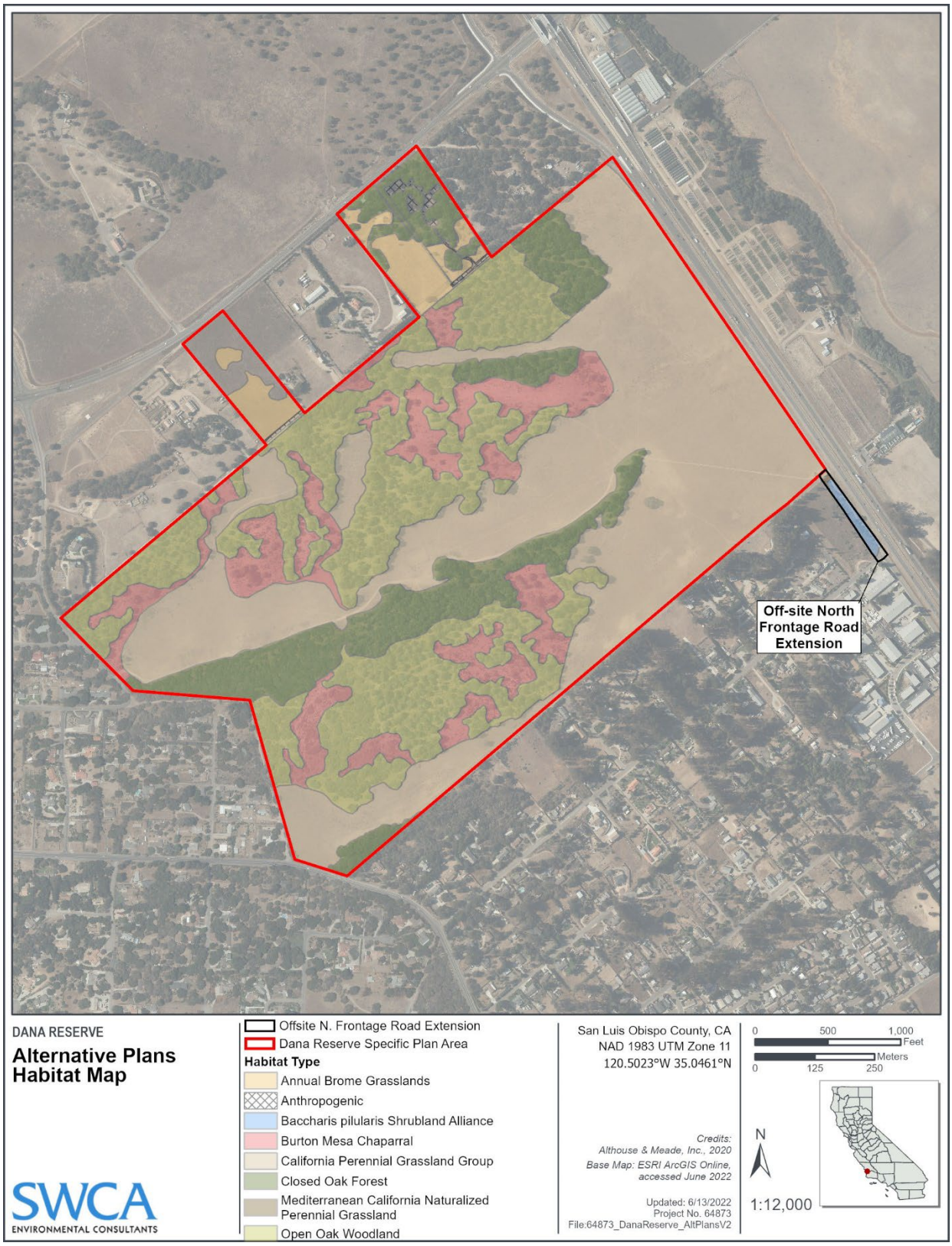



**Figure 5-4. Alternative 4 California Perennial Grassland areas.**

Similar to the Burton Mesa chaparral avoidance alternative (see Section 5.3.1, *Burton Mesa Chaparral Avoidance Alternative*), this alternative assumes multi-family residential dwellings would be four stories tall (48 feet) and constructed at 34 dwelling units per acre and single-family residential dwellings would be two stories tall (28 feet) and constructed at seven dwelling units per acre. Therefore, this alternative would facilitate the future development of approximately 1,100 residential units, including 680 four-story multi-family units and 420 two-story single-family units. This alternative would also have the potential to facilitate the development of ADUs.

This alternative would continue to provide pedestrian and bicycle trails to connect the community to surrounding areas. This alternative would continue to require the construction of new and expanded transportation and utility infrastructure. See Chapter 2, *Project Description*, for a full description of the improvements.

### *5.4.5.2 Off-Site Improvements*

This alternative would include the construction of off-site transportation and NCSD water and wastewater improvements. See Chapter 2, *Project Description*, for a full description of the improvements. This alternative assumes the expansion of NCSD water and wastewater infrastructure to serve the reduced number of units is feasible.

### *5.4.5.3 Analysis of Alternative 4*

Alternative 4 would increase the amount of land dedicated to open space by increasing density and reducing the footprint of proposed residential, commercial, and recreational development. As a result, the number of residential dwelling units would be reduced from 1,289 units to 1,100 units (approximately 189 units or 15%). In addition, the land dedicated to commercial land uses would be reduced by 2.3 acres and the land dedicated to recreational land uses would be reduced by 6 acres, ultimately increasing the amount of open space area on the site and reducing the amount of impacted oak woodland and Burton Mesa chaparral habitat. This alternative would marginally reduce population growth in comparison to the proposed project. However, buildout of this alternative would still constitute a substantial increase in growth within the community, and impacts related to air quality, GHG emissions, population and housing, and transportation would be generally consistent with the proposed project. This alternative is considered feasible; however, it may conflict with the basic project objective of providing a mix of housing types and affordable housing options.

#### 5.4.5.3.1 AESTHETICS

#### Specific Plan Area

Alternative 4 would result in the construction of higher-density residential development over smaller areas of the DRSP area. Alternative 4 includes the construction of two-story single-family dwelling units and four-story multi-family units. While this alternative would retain more open space land and mature oak trees, this alternative has the potential to result in adverse impacts related to development of high-density residential dwellings up to 48 feet in height within the viewshed of US 101 and surrounding neighborhoods. The higher-density development would result in building sizes that are not currently found in the community of Nipomo (e.g., four-story multi-family buildings). Construction of 48-foot-tall multi-family units would require County approval for an exception to the height standards established in County LUO Section 22.10.090. All single-family units would be two stories to accommodate a substantially reduced project footprint. Similar to the proposed project, buildout of the project site would include construction of new village and flex commercial development within the eastern portion of the project site, nearest to US 101. As a result, this alternative would continue to be required to implement mitigation to screen the project from US 101 and surrounding areas. However, due to the increase in

proposed building height, the feasibility and effectiveness of mitigation included to require screening of the site from surrounding areas may be reduced.

As evaluated for the proposed project, development under this alternative would be subject to the Land Use and Development Standards, Design Guidelines, and other controlling documents intended to maintain the rural character of the project site and surrounding community included in the DRSP, unless otherwise provided for in a specific plan for the site. As previously identified, proposed multi-family dwelling units would exceed the maximum allowable height requirements established in County LUO Section 22.10.090. Alternative 4 would also be subject to the requirements of County LUO Section 22.10.060 for exterior lighting and policies and objectives included in the DRSP intended to reduce light and glare. Similar to the proposed project, this alternative would continue to introduce new development on a previously undeveloped site and would be subject to mitigation included for the project; however, due to the increased building height, this alternative would result in building sizes that are inconsistent with the visual character of the existing community and the feasibility of mitigation to reduce these impacts is uncertain. However, this alternative would preserve most of the natural elements within the Specific Plan Area, and views of the higher-density development internal to the site would be limited. Therefore, impacts related to aesthetics would continue to be potentially significant and would be *similar* to impacts of the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.2 AGRICULTURE AND FORESTRY RESOURCES

### Specific Plan Area

Alternative 4 would continue to facilitate buildout of the proposed 288-acre Dana Reserve but would result in a higher density of residential homes throughout a smaller portion of non-native habitat on-site. As evaluated for the proposed project, Alternative 4 would not result in conversion of prime agricultural soils to non-agricultural uses and would not conflict with existing zoning for agricultural land or a Williamson Act contract, which is consistent with the proposed project. Under Alternative 4, there would continue to be potential to result in an increase in short-term dust that could disturb agricultural activities within the proposed project area. Alternative 4 would be required to implement mitigation to reduce short-term impacts related to dust to reduce indirect impacts to existing agricultural production activities. Since the project site does not support prime agricultural soils, is not zoned for agricultural uses, and is not under a Williamson Act contract and Alternative 4 would not facilitate indirect conversion of existing agricultural land, impacts would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.5.3.3 AIR QUALITY

### Specific Plan Area

Under Alternative 4, construction of the project would continue to result in a short-term increase in air pollutant emissions generated by construction equipment and vehicle use and ground-disturbing activities. This alternative would be required to implement mitigation to reduce construction-related air pollutant emissions. Alternative 4 would result in buildout of the proposed 288-acre project site, which is located in an area with the potential for NOA to occur; therefore, this alternative would be required to implement mitigation to reduce the exposure of NOA to nearby sensitive receptors. In addition, the project site is also located along US 101, which could result in long-term exposure of DPM to sensitive receptors within the DRSP area. This alternative would be subject to mitigation that has been included to avoid construction of residential homes within 500 feet of US 101 in order to reduce long-term exposure of DPM to on-site sensitive receptors.

Alternative 4 would facilitate slightly less population growth than the proposed project, which would also result in a slight reduction of VMT. However, this alternative would still facilitate population growth and employment opportunities that would generate VMT within the region and would be subject to mitigation to further reduce VMT as necessary. As evaluated for the proposed project, the level of growth associated with this alternative would still be considered substantial; therefore, incorporation of mitigation would not be anticipated to reduce VMT below applicable thresholds. As such, this alternative would still be expected to generate operational emissions above SLOAPCD significance thresholds. In addition, this alternative would continue to substantially increase the number of residential dwellings within the community, which would continue to adversely affect the jobs-to-housing ratio within Nipomo. Since this alternative would continue to exceed VMT thresholds and further divide the jobs-to-housing ratio, Alternative 4 would be similarly inconsistent with the SLOAPCD CAP. Therefore, impacts related to air quality would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.5.3.4 BIOLOGICAL RESOURCES

### Specific Plan Area

Alternative 4 would increase the amount of land dedicated to open space by reducing the area of land designated for residential, commercial, and recreational development. Because buildout would be predominantly limited to areas of non-native grassland, the potential to disturb special-status plant and wildlife species would be substantially reduced compared to the proposed project; however, minimized impacts to special-status plant and wildlife species and natural communities, including oak woodland and Burton Mesa chaparral, would continue to occur. Therefore, this alternative would be required to implement mitigation to reduce the significance of potential impacts. Because this alternative would reconfigure proposed land uses to avoid a majority of the native habitat on-site, which would substantially reduce the number of impacted oak trees at the project site and preserve and maintain oak woodland and Burton Mesa chaparral, options for on- and off-site mitigation would be much more feasible. Since some removal of oak trees and native habitat would continue to be required for buildout of the site, this alternative would still be required to implement compensatory mitigation to minimize impacts related to sensitive habitats. Due to the substantial reduction in impacts to on-site biological resources and sensitive

habitats, impacts would be significant but mitigable and would be *decreased* compared to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.5 CULTURAL RESOURCES

### Specific Plan Area

Under Alternative 4, future buildout would continue to occur on the proposed 288-acre Dana Reserve. The project site does not contain any historical buildings or structures that would be eligible for listing in the CRHR; however, there are known archaeological resources within the project site and there is potential for inadvertent discovery of unknown resources. This alternative would be required to implement mitigation for avoidance of known cultural resource sites. Due to the decrease in the proposed area of development, this alternative would require less ground disturbance, which reduces some potential for inadvertent discovery of unknown cultural resources. However, this alternative would still require ground disturbance at the project site and be required to implement mitigation for impacts to known sites as well as inadvertent discovery of unknown cultural resources, including human remains. Alternative 4 would have similar potential to disturb known and unknown cultural resources sites and would be required to implement mitigation to avoid and/or minimize these impacts. Therefore, impacts related to cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.6 ENERGY

### Specific Plan Area

Alternative 4 would result in 1,100 residential dwelling units and commercial development over 20 acres of land. This alternative would be required to implement mitigation to reduce energy consumption during construction to avoid unnecessary, wasteful, or inefficient energy use. Due the slight reduction of residential homes and associated growth, this alternative would require less electricity and natural gas and would generate less VMT during operation, which would reduce overall energy consumption during operation. However, based on proposed residential and commercial land uses, this alternative would still be required to implement mitigation intended to further reduce operational energy use to avoid unnecessary, wasteful, or inefficient energy use. Implementation of identified mitigation measures would ensure the proposed project would be consistent with applicable energy reduction goals, plans, and policies. Alternative 4 would result in less overall energy consumption during project construction and operation; however, mitigation would still be required to reduce unnecessary energy use and ensure consistency with applicable energy reduction requirements. Therefore, the project would result in impacts *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.7 GEOLOGY AND SOILS

### Specific Plan Area

Alternative 4 would continue to facilitate buildout of new habitable buildings and structures on the 288-acre project site. As such, the potential for seismic-related hazards, including fault rupture, ground shaking, liquefaction, and landslide, and the potential for other ground-failure events would be consistent with the proposed project. This alternative would be required to implement mitigation and adhere to CBC and other applicable engineering standards to reduce potential impacts related to seismic-related and other ground-failure events. The reduced area of proposed development would result in less ground disturbance and tree removal, which would reduce the potential for substantial erosion or loss of topsoil to occur during construction. However, this alternative would still be required to comply with RWQCB and County LUO requirements related to short- and long-term erosion control at the project site. This alternative would have the same potential to disturb paleontological resources if present within the proposed area of disturbance and would be required to implement mitigation to reduce potential disturbance to paleontological resources during project construction. Therefore, Alternative 4 would result in impacts *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.8 GREENHOUSE GAS EMISSIONS

### Specific Plan Area

Alternative 4 would result in the construction of 1,100 residential dwelling units and include commercial development over 20 acres of land. During construction of the proposed project, use of equipment and vehicles would generate short-term GHG emissions. Similar to the proposed project, Alternative 4 would be required to implement mitigation to reduce GHG emissions during construction. Long-term GHG emissions would be generated by vehicle trips and energy use generated by the project. Since the number of residential units would be reduced to 1,100 residential dwellings, this alternative would generate slightly less VMT and require slightly less energy consumption than the proposed project. However, due to the scale of new residential and commercial development, this alternative would be required to implement mitigation to reduce VMT and operational energy use to reduce associated GHG emissions. This alternative would still facilitate substantial population growth, and while slightly reduced, it would still generate VMT in a manner that is consistent with the proposed project. As such, the VMT generated by this alternative would continue to exceed applicable per capita thresholds, which would be inconsistent with applicable goals, plans, and policies related to GHG-reduction strategies. Therefore, impacts related to GHG emissions would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.9 HAZARDS AND HAZARDOUS MATERIALS

### Specific Plan Area

Alternative 4 would continue to facilitate buildout of the 288-acre Dana Reserve, which is located along US 101 and approximately 0.2 mile west of Nipomo High School. Similar to the proposed project, Alternative 4 does not include land uses or features that would facilitate the long-term use of hazardous materials that could result in significant upset if released. This alternative would require the transport, use, and disposal of construction-related hazardous materials (e.g., fuels, gasoline, solvents, oils, paints, etc.) and would be required to comply with state and local regulations to reduce hazard related to the transport, use, and disposal of these materials. The project site would be located in an area with potential for NOA to occur and would be required to implement mitigation to reduce the potential for release. The project site would be located more than 30 feet from US 101, which would reduce the potential for ADL to occur. This alternative would only provide one collector road and would not improve regional circulation as much as the proposed project; however, site access and internal roads would be developed in accordance with CAL FIRE and County requirements to ensure adequate emergency access and public ingress and egress. Alternative 4 would not change the potential risk associated with hazardous materials or natural hazards; therefore, impacts would be *similar* to those identified for the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.10 HYDROLOGY AND WATER QUALITY

### Specific Plan Area

Under Alternative 4, buildout would continue to occur on the 288-acre project site, which does not support any surface water features. Buildout of Alternative 4 would result in a greater acreage of land dedicated to open space. Similar to the proposed project, this alternative would require the use of construction equipment and vehicles that could result in accidental fuel or other hazardous materials spills that could runoff from the site. Due to the reduced area of development, this alternative would result in less soil disturbance and tree removal, which would reduce the potential for substantial erosion and siltation to occur at the project site. In addition, buildout of this alternative would result in less coverage of the site and would reduce the amount of impervious surface areas compared to the proposed project. This alternative would still be required to comply with applicable RWQCB and County water quality protection and stormwater management requirements to reduce impacts related to hydrology and water quality. Although this alternative would reduce the amount of ground disturbance required for project construction and would also reduce the amount of impervious surface area at the project site, the impacts evaluated for the proposed project were also determined to be less than significant. Therefore, this alternative would result in *similar* impacts to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.11 LAND AND USE PLANNING

### Specific Plan Area

Future Buildout of Alternative 4 would result in 1,100 residential units, which would allow for development at a slightly reduced (15%) but comparable density as the proposed project. Consistent with the proposed project, buildout of this alternative would not result in new features or other components that could physically divide an established community. This alternative would result in similar policy conflicts related to the jobs-to-housing balance, VMT, and recreational facilities, though the jobs-to-housing imbalance and VMT impacts would be slightly reduced with the reduction in dwelling units. Although impacts related to conflicts with policies related to the protection of biological resources would be substantially reduced, impacts related to policy consistency would remain significant and unavoidable; therefore, impacts related to land use and planning would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.12 MINERAL RESOURCES

### Specific Plan Area

Buildout of Alternative 4 would occur on the proposed project site, which does not contain any known significant mineral resources. Additionally, there are no known significant mineral resources in the vicinity of the project site. As such, buildout of this alternative would not result in the loss of availability of any known mineral resources or conflict with the County's General Plan. Therefore, impacts related to mineral resources would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.13 NOISE

### Specific Plan Area

This alternative would facilitate the construction of residential, recreational, and commercial development on the 288-acre project site. While the proposed buildout area would be reduced, the density of proposed land uses would be comparable to the proposed project. Due to the proximity of surrounding noise-sensitive and future residential land uses, mitigation would be required to reduce short-term construction-related noise. Similar to the proposed project, Alternative 4 would not include long-term components that

could substantially increase groundborne noise levels or vibration at the project site. This alternative would result in a mix of rural residential, village and flex commercial, and recreational land uses at the project site and would still be required to implement mitigation to ensure future buildout of the proposed mix of land uses would be consistent with the County's exterior and interior noise standards at proposed noise-sensitive land uses. Similar to the proposed project, this alternative would still be subject to mitigation to reduce noise at noise-sensitive land uses. Therefore, impacts related to noise would be *similar* to those associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.14 POPULATION AND HOUSING

### Specific Plan Area

Alternative 4 would not result in the demolition or removal of existing homes and would not require additional replacement homes to be constructed elsewhere, which is consistent with the proposed project. Alternative 4 would facilitate the construction of 1,100 residential units (not including ADUs). Based on an average household size of 3.16 for the community of Nipomo, this alternative would generate approximately 3,476 new residents (not including ADUs). Since proposed commercial development would be generally consistent with the proposed project, the number of new employees would still be approximately 272 employees. Although marginally reduced, the population growth generated by this alternative would be generally consistent with the proposed project. Although this alternative would reduce the number of new residents within the community, Alternative 4 would continue to facilitate substantial population growth within the community and would continue to worsen the jobs-to-housing ratio in the Inland South County Planning Area. Additionally, due to the reduction in the number of overall residential dwelling units, it is expected that the number of affordable housing units would be reduced in order to provide funding for site development and other improvements. Although population growth under Alternative 4 would be reduced, it would still facilitate substantial and unplanned growth within the project region. Therefore, impacts related to population and housing would be *similar* to the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.15 PUBLIC SERVICES

### Specific Plan Area

Under Alternative 4, population growth would be marginally reduced in comparison to the proposed project, including approximately 3,476 residents (plus proportionate additional ADU development) and approximately 272 employees. Based on this population increase, this alternative would increase demand on public services and facilities in a manner that is generally consistent with the proposed project. Alternative 4 would be subject to mitigation that requires the applicant to set aside land for the construction of a future fire station to offset the demand on existing fire protection services. This alternative would also be subject to the payment of Public Facilities Fees as a standard condition of

approval to offset the increase in demand on other public services and facilities. Alternative 4 would increase demand on public services and facilities in a manner that is generally consistent with the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.16 RECREATION

### Specific Plan Area

Alternative 4 would result in slightly less residential development and associated population growth, including approximately 3,476 residents (plus proportionate additional ADU development) and 272 employees. This level of growth would still result in a substantial population increase, which would increase the demand on existing public recreational facilities. Alternative 4 includes 5 acres of land for recreational facilities, which would be inconsistent with County standards. Similar to Alternative 1, this alternative would be required to meet this requirement through the payment of Quimby Fees, with partial credit in accordance with County LUO Section 21.09.020 for the pocket parks that are to be maintained by the future HOAs. Per County LUO Section 21.09.020, the project could receive between 4.25 and 6 acres of parkland credit, which would exceed the County's requirements for parkland with new development. This alternative would be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on public recreational facilities, which is consistent with the proposed project. This alternative would result in an increase in demand on existing public recreational facilities that is consistent with the proposed project. Therefore, this alternative would result in impacts *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.17 TRANSPORTATION AND TRAFFIC

### Specific Plan Area

This alternative would facilitate the construction of residential, recreational, and commercial development on the 288-acre project site. While the proposed buildout area would be reduced, the density of proposed land uses would be increased, resulting in project-related VMT generation generally consistent with the proposed project. This alternative would include the construction of Collector A to connect North Frontage Road to Willow Road; however, Collector B would not be constructed. Instead, access to the western portions of the Specific Plan Area would be via Hetrick Avenue and Pomeroy Road. Construction of Collector A would improve existing traffic conditions within the vicinity of the project and ensure buildout of the project would not impede emergency response, evacuation, and public circulation; however, regional circulation improvements would be reduced in comparison to the proposed project due to the removal of Collector B. Localized traffic impacts along Hetrick Avenue and Pomeroy Road, which would be used to access residential development in the western portion of the Specific Plan Area, would be likely to occur, particularly if Hetrick Avenue is not extended to provide a connection to Pomeroy

Road, as currently envisioned in the South County Circulation Study. Alternative 4 would also include pedestrian, bicycle, and equestrian trails; transit stops; and a Park and Ride lot to encourage the use of alternative modes of transportation and carpooling, which would be consistent with applicable local plans, policies, and ordinances related to the transportation system. Similar to the proposed project, site access and roadway design would be subject to County roadway design standards and CAL FIRE emergency access requirements.

Since the number of residential units would be reduced to 1,100 residential units, this alternative would generate slightly less VMT than the proposed project. However, due to the scale of new residential and commercial development, the growth associated with this alternative would still be substantial and would be required to implement mitigation to reduce operational VMT. This alternative would facilitate substantial population growth, and while slightly reduced, it would still generate VMT in a manner that is consistent with the proposed project. As such, it is expected that the VMT generated by this alternative would continue to exceed applicable per capita thresholds. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.18 TRIBAL CULTURAL RESOURCES

### Specific Plan Area

In accordance with AB 52, consultation with appropriate tribes was conducted for the proposed project. As previously identified, there are known archaeological resources within the project site and potential for inadvertent discovery of unknown resources. This alternative would be required to implement mitigation for avoidance of known cultural resource sites. Due to the decrease in development area on the site, this alternative would require less ground disturbance, which reduces some potential for inadvertent discovery of unknown cultural or tribal cultural resources. However, this alternative would still result in ground disturbance at known sites and would be required to implement mitigation for inadvertent discovery of unknown cultural resources, including human remains. This alternative would also be required to implement additional mitigation measures for protection of tribal cultural resources. Alternative 4 would have the same potential to disturb known and unknown cultural and tribal cultural resources sites and would be required to implement mitigation to avoid and/or minimize these impacts. Therefore, impacts related to tribal cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.5.3.19 UTILITIES AND SERVICE SYSTEMS

### Specific Plan Area

Alternative 4 would reduce the amount of land proposed for development by increasing the density of residential development on non-native grassland habitat throughout the site. Although, this alternative would result in slightly less residential development, the scale and level of growth associated with this

alternative would still be considered substantial. As such, Alternative 4 would result in a similar increase in demand on water and wastewater services from the NCSD and a similar increase in demand on solid waste services from South County Sanitary and Cold Canyon Landfill. This alternative would be required to implement mitigation to ensure there is adequate water availability to support future development and would also be subject to state and local solid waste reduction requirements to reduce the amount of construction-related and operational solid waste within Cold Canyon Landfill. Alternative 4 would require the construction of new and expanded utility infrastructure within the same development footprint of the proposed project and would be required to implement identified mitigation to reduce potential adverse impacts on the environment. Additionally, since growth under Alternative 4 would be generally consistent with the proposed project, this alternative would also be required to install off-site NCSD water and wastewater improvements to serve the project and surrounding area. Alternative 4 would result in substantial growth at the project site and would increase the demand on the NCSD, South County Sanitary, and Cold Canyon Landfill, which is consistent with the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.5.3.20 WILDFIRE

#### Specific Plan Area

Alternative 4 would continue to facilitate buildout of new habitable buildings and structures within a high FHSZ. As such, the potential for wildfire occurrence would be consistent with that of the proposed project. Alternative 4 would construct Collector A to improve existing traffic circulation within the vicinity of the project; however, circulation improvements would be reduced compared to the proposed project due to the elimination of Collector B. Proposed site access and construction of the collector would ensure buildout of the project does not interfere with emergency response, evacuation, or public ingress and egress. Under Alternative 4, proposed habitable buildings and structures would be required to comply with applicable CFC, CBC, PRC, and CAL FIRE requirements to reduce risk associated with development within a high FHSZ. This alternative would also be required to implement mitigation included to facilitate emergency preparedness and reduce risk of wildfire ignition at the project site, which is consistent with the proposed project. Since Alternative 4 would result in new development within a high FHSZ, impacts would be *similar* to impacts associated with the proposed project.

#### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6 Alternative 5: Gradual Transition along the Fringe

### *5.4.6.1 Specific Plan Area*

Alternative 5 includes the same type and configuration of land uses as Alternative 1: the Applicant-Preferred Alternative, but it would reduce the density of residential development along the property boundaries to provide a more gradual transition between surrounding rural residential development and the denser residential development within the Specific Plan Area. Under this alternative, the 22.3 acres of

land within the eastern portion of the project site would be dedicated to village and flex commercial development, 53.8 acres of land would be dedicated to open space, 21.9 acres of land would be dedicated to the construction of roadways, and 7 acres of land would be dedicated to public parks, which is consistent with the Applicant-Preferred Alternative. However, the density of NBDs 3, 5, 6, 7, 8, and 9 would be reduced by 20%. Table 5-2 shows the proposed reduction of dwelling units for neighborhoods along the fringe.

**Table 5-2. Residential Development under Alternative 5**

| Neighborhood | Product Type | Land Use | Proposed Project (Unit Count) | Alternative 5 (Unit Count) |
|---|---|---|---|---|
| 1 | Multifamily | DR-MF | 173 | 173 |
| 2 | Multifamily | DR-MF | 210 | 210 |
| 3 | Cluster | DR-SF2 | 124 | 99 |
| 4 | 4,000–5,000 sf lot | DR-SF1 | 72 | 72 |
| 5 | 4,000–5,000 sf lot | DR-SF1 | 104 | 83 |
| 6 | 4,000–5,000 sf lot | DR-SF1 | 114 | 91 |
| 7 | 4,500–8,700 sf lot | DR-SF1 | 157 | 125 |
| 8 | 5,000–8,600 sf lot | DR-SF1 | 62 | 49 |
| 9 | 4,500–10,000 sf lot | DR-SF1 | 198 | 158 |
| 10 | Affordable | DR-MF | 75 | 75 |
| **Total** | **--** | **--** | **1,289** | **1,135** |

Note: sf = square feet

As shown in Table 5-2, this alternative would facilitate the development of 1,135 residential units, including 677 residential single-family units and 388 residential multi-family units. This alternative would not reduce the total number of affordable units. Based on the reduction of proposed residential units, this alternative would also proportionately reduce the anticipated number of ADUs.

This alternative would not result in a change to site access, primary roadways, or other roadway improvements included in the proposed project, except that the Collector A connection to Willow Road would be relocated through APN 091-301-029, similar to Alternative 1. This alternative would continue to provide pedestrian, bicycle, and equestrian trails to connect the community to surrounding areas. In addition, the alternative also includes 7 acres of land designated for the future construction of public recreational facilities (a reduction from the 11 acres of Public Recreation proposed in the DRSP) and includes construction of pocket parks within proposed neighborhoods. This alternative would continue to require the construction of new and expanded transportation and utility infrastructure. See Section 2, *Project Description*, for a full description of the improvements.

### *5.4.6.2 Off-Site Improvements*

This alternative would include the construction of off-site transportation and NCSD water and wastewater improvements consistent with the proposed project. See Section 2, *Project Description*, for a full description of the improvements.

### *5.4.6.3 Analysis of Alternative 5*

Under Alternative 5, the density of residential development would be reduced along the perimeter of the project site to support a more gradual transition from surrounding rural residential land uses. Based on the

slight reduction of proposed residential units (approximately 154 units or 12%), this alternative would marginally reduce population growth in comparison to the proposed project. However, buildout of this alternative would still constitute a substantial increase in growth within the community and impacts related to air quality, biological resources, greenhouse gas emissions, land use and planning, population and housing, and transportation would be generally consistent with the proposed project. This alternative is considered feasible; however, it will likely reduce the affordability of housing within the Specific Plan Area and may conflict with the basic project objective of providing a mix of affordable housing options.

#### 5.4.6.3.1 AESTHETICS

### Specific Plan Area

Under Alternative 5, future buildout of the project site would include construction of new village and flex commercial development within the eastern portion of the project site, nearest to US 101. This alternative would result in lower density residential development along the perimeter of the project site, which would allow for a more gradual transition from surrounding rural residential development. However, buildout would still result in buildout of new land uses on the project site that would alter the existing visual character of the site in a manner that is generally consistent with the proposed project. As included for the proposed project, this alternative would be required to implement mitigation to screen the project from surrounding areas. Development under this alternative would be subject to the Land Use and Development Standards, Design Guidelines, and other controlling documents intended to maintain the rural character of the project site and surrounding community included in the DRSP. Alternative 5 would also be subject to requirements of LUO Section 22.10.060 for exterior lighting as well as policies and objectives included in the DRSP intended to reduce light and glare. Although development along the perimeter of the site would be reduced to support a gradual transition along the fringe, the project would still result in a change to the overall visual character of the site, similar to the proposed project. Therefore, impacts related to aesthetics would be lessened, but *similar* to, impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.2 AGRICULTURE AND FORESTRY RESOURCES

### Specific Plan Area

Alternative 5 would result in buildout of the proposed 288-acre Dana Reserve but would result in a slightly reduced density of residential uses along the fringe. As evaluated under the proposed project, Alternative 5 would not result in conversion of prime agricultural soils to non-agricultural uses and would not conflict with existing zoning for agricultural land or a Williamson Act contract, which is consistent with the proposed project. Alternative 5 would require slightly less construction activity for construction of residential homes; however, the scale of proposed construction activities would be generally consistent with the proposed project and there would still be potential to result in an increase in short-term dust that could disturb agricultural activities within the proposed project area. This alternative would be required to implement mitigation to reduce short-term impacts related to dust generated by project construction to reduce indirect impacts to existing agricultural production activities. Since the project site does not support prime agricultural soils, is not zoned for agricultural uses, and is not under a Williamson Act contract and Alternative 5 would not facilitate indirect conversion of existing agricultural land, impacts would be *similar* to impacts associated with the proposed project

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.3 AIR QUALITY

### Specific Plan Area

Alternative 5 would require slightly less construction activity; however, construction would result in a short-term increase in air pollutant emissions generated by construction equipment and vehicle use and ground disturbing activities. This alternative would be required to implement mitigation to reduce construction-related air pollutant emissions. Alternative 5 would result in buildout of the proposed 288-acre project site, which is located in an area with the potential for NOA to occur and would be required to implement mitigation to reduce the potential to expose nearby sensitive receptors to NOA. In addition, the project site is also located along US 101, which could result in long-term exposure of DPM to on-site sensitive receptors within 500 feet of the freeway. However, since this alternative would reduce the density of residential development along the fringe, there is greater potential for residential dwellings to be located more than 500 feet from US 101. Since the specific buildout scenario for this alternative is currently not known, this alternative would still be required to implement mitigation to ensure construction of residential homes would not occur within 500 feet of US 101.

As evaluated in Section 4.2, *Air Quality*, the proposed project would exceed daily operational emissions thresholds established by SLOAPCD primarily as a result of mobile source emissions (i.e., vehicle use). Due to the reduced density of proposed residential development, Alternative 5 would facilitate slightly less population growth than the proposed project, which would also result in a slight reduction of VMT. However, this alternative would still facilitate population growth and employment opportunities that would generate VMT within the region and would be subject to mitigation to further reduce VMT and operational emissions as necessary. As evaluated for the proposed project, the level of growth associated with this alternative would still be substantial; therefore, incorporation of mitigation would not be anticipated to reduce VMT below applicable thresholds. As such, this alternative would still be expected to generate operational emissions above SLOAPCD significance thresholds. In addition, this alternative would continue to substantially increase the number of residential dwellings within the community, which would continue to adversely affect the jobs-to-housing ratio within the community. Since this alternative would continue to exceed VMT thresholds and further divide the jobs-to-housing ratio, Alternative 5 would still be inconsistent with the SLOAPCD CAP. Therefore, impacts related to air quality would be slightly lessened, but *similar* to, the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.4 BIOLOGICAL RESOURCES

### Specific Plan Area

Alternative 5 would result in buildout of the proposed 288-acre Dana Reserve but would result in a slightly reduced density of residential uses along the fringe. As such, Alternative 5 would have the same potential to disturb special-status plant and wildlife species and would be required to implement

mitigation to reduce the significance of these potential impacts. Under this alternative, the density of residential units along the perimeter of the project site would be reduced, which would result in slightly less impacts to individual oak trees and oak woodland habitat that occur in those areas. However, since this alternative would continue to facilitate large-scale development of residential, commercial, and recreational development at the project site, with no enforceable mechanism for ensuring long-term preservation of biological resources along the fringe area, oak woodland habitat on-site would continue to be removed and would be subject to compensatory mitigation identified for the proposed project. Therefore, while slightly reduced, impacts related to biological resources would be generally *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.5 CULTURAL RESOURCES

### Specific Plan Area

Alternative 5 would continue to facilitate the future buildout of the proposed 288-acre Dana Reserve. The project site does not contain any historical buildings or structures that would be eligible for listing in the CRHR; however, there are known archaeological resources within the project site and there is potential for inadvertent discovery of unknown resources. This alternative would be required to implement mitigation for avoidance of known cultural resource sites as well as mitigation for inadvertent discovery of unknown cultural resources, including human remains. Alternative 5 would have the same potential to disturb known and unknown cultural resources sites and would be required to implement mitigation to avoid and/or minimize these impacts. Therefore, impacts related to cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.6 ENERGY

### Specific Plan Area

Alternative 5 would result in the future buildout of up to 203,000 square feet of village and flex commercial development, 1,135 residential units (plus additional ADU development) on the project site. Alternative 5 would require slightly less construction activity, which would result in a marginal reduction in energy consumption during the construction phase of the project. However, this alternative would still be required to implement mitigation to reduce energy consumption during construction to avoid unnecessary, wasteful, or inefficient energy use. Do the slight reduction of residential uses, this alternative would require slightly less electricity and natural gas and would generate slightly less VMT during operation, which would result in a marginal reduction in overall energy consumption during operation. However, this alternative would still facilitate a large scale of residential and commercial development and would be required to implement mitigation intended to reduce operational energy use to avoid unnecessary, wasteful, or inefficient energy use. Based on implementation of mitigation, this alternative would be consistent with applicable energy-reduction goals, plans, and policies. Alternative 5

would result in a marginal reduction of overall energy consumption during project construction and operation; however, proposed development would still result in a substantial increase in residential and commercial development at the project site and mitigation would still be required to reduce unnecessary energy use and ensure consistency with applicable energy reduction requirements. Therefore, the project would result in impacts *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.7 GEOLOGY AND SOILS

### Specific Plan Area

Under Alternative 5, proposed future buildout of new habitable buildings and structures would continue to occur on the 288-acre project site. Therefore, the potential for seismic-related hazards, including fault rupture, ground shaking, liquefaction, and landslide and the potential for other ground-failure events would be consistent with the proposed project. This alternative would be required to implement mitigation and adhere to CBC and other applicable engineering standards to reduce potential impacts related to seismic-related and other ground-failure events. Although this alternative would result in a reduction of residential uses along the fringe, ground disturbance and tree removal for project construction would be generally consistent with the proposed project and would have similar potential to increase erosion and loss of topsoil during construction. This alternative would be required to comply with RWQCB and County LUO requirements related to short- and long-term erosion control at the project site. In addition, this alternative would have the same potential to disturb paleontological resources if present within the proposed area of disturbance and would be required to implement mitigation to reduce potential disturbance to paleontological resources during project construction. Therefore, Alternative 5 would result in impacts *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.8 GREENHOUSE GAS EMISSIONS

### Specific Plan Area

Alternative 5 would result in commercial development, recreational facilities, and open space areas that are consistent with the proposed project but would facilitate 20% less residential development along the perimeter of the project site. As such, this alternative would result in slightly less population growth than the proposed project; however, this growth would still be substantial. During construction of the proposed project, use of equipment and vehicles would generate short-term GHG emissions and this alternative would be required to implement mitigation to reduce short-term GHG emissions. Long-term GHG emissions would be generated by operational vehicle trips and energy use. Since the number of residential units would be reduced to 1,135 residential units, this alternative would generate slightly less VMT and require slightly less energy consumption than the proposed project. However, due to the scale of new residential and commercial development, this alternative would be required to implement mitigation to reduce VMT and operational energy use to reduce associated GHG emissions. This alternative would still

facilitate substantial population growth, and while slightly reduced, it would still generate VMT in a manner that is consistent with the proposed project. As such, the VMT generated by this alternative would continue to exceed applicable per capita thresholds, which would be inconsistent with applicable goals, plans, and policies related to GHG-reduction strategies. Therefore, impacts related to GHG emissions would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.9 HAZARDS AND HAZARDOUS MATERIALS

### Specific Plan Area

Alternative 5 would continue to facilitate buildout of the 288-acre Dana Reserve, which is located along US 101 and approximately 0.2 mile west of Nipomo High School. Similar to the proposed project, Alternative 5 does not include land uses or features that would facilitate the long-term use of hazardous materials that could result in significant upset if released. This alternative would require the transport, use, and disposal of construction-related hazardous materials (i.e., fuels, gasoline, solvents, oils, paints, etc.) and would be required to comply with State and local regulations to reduce associated hazards. The project site would be located in an area with potential for NOA to occur and would be required to implement mitigation to reduce the potential for release. The project site would be located more than 30-feet from US 101, which would reduce the potential for ADL to occur. Alternative 5 would not result in a change to the placement or design of proposed access routes and would also construct Collectors A and B to connect to Willow Road. Construction of these collectors would improve traffic circulation within the area and ensure the project would not interfere with emergency response and evacuation efforts. Alternative 5 would not constitute a change to the potential risk associated with hazardous materials or natural hazards evaluated for the proposed project; therefore, impacts would be *similar* to those identified for the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.10 HYDROLOGY AND WATER QUALITY

### Specific Plan Area

Under Alternative 5, buildout would continue to occur on the 288-acre project site, which does not support any surface water features. Buildout of Alternative 5 would result in up to 203,000 square feet of commercial development, approximately 1,135 residential units, 53.8 acres of land for open space, 21.9 acres of new roadways, and other site improvements. This alternative would require the use of construction equipment and vehicles that could result in accidental fuel or other hazardous materials spills that could runoff from the site, and would result in soil disturbance and tree removal in a manner that is generally consistent with the proposed project. Although the density of residential development along the perimeter of the site would be reduced by 20%, buildout of future residential dwellings would result in new impervious surface areas in a manner that is generally consistent to the proposed project. This alternative would be required to comply with applicable RWQCB and County water quality protection

and stormwater management requirements to reduce impacts related to hydrology and water quality. This alternative would result in a large amount of soil disturbance and would require the use of construction equipment and vehicles during construction. This alternative would also result in a large amount of new impervious surface areas at the project site, which is consistent with the proposed project. Further, this alternative would be subject to applicable state and local water quality protection requirements, which is also consistent with the proposed project. Therefore, this alternative would result in *similar* impacts to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.11 LAND AND USE PLANNING

### Specific Plan Area

Future buildout of Alternative 5 would result in a 20% reduction of residential uses along the fringe; however, consistent with the proposed project, buildout of this alternative would not result in new features or other components that could physically divide an established community. This alternative would result in similar policy conflicts related to the jobs/housing balance, VMT, biological resources, and recreational facilities, though the jobs/housing imbalance and VMT impacts would be slightly reduced with the reduction in dwelling units. Although slightly reduced, impacts related to policy consistency would remain significant and unavoidable; therefore, impacts related to land use and planning would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

## 5.4.6.3.12 MINERAL RESOURCES

### Specific Plan Area

Buildout of Alternative 5 would occur on the proposed project site, which does not contain any known significant mineral resources on the project site or in the project site vicinity. Further, proposed buildout would not result in the loss of availability of any known mineral resources or conflict with the County's General Plan. Since Alternative 5 would occur within the proposed project site and would not conflict with the County's General Plan, impacts related to mineral resources would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.13 NOISE

### Specific Plan Area

Alternative 5 would result in commercial development, recreational facilities, and open space areas that are consistent with the proposed project but would generate 20% less residential development along the perimeter of the project site. This alternative would require construction activity, which would increase short-term ambient noise within the project area. This alternative would be required to implement mitigation to reduce short-term construction-related noise. Similar to the proposed project, Alternative 5 would not include long-term components that could substantially increase groundborne noise levels or vibration at the project site. This alternative would result in a mix of residential, village and flex commercial, and recreational land uses at the project site and would be required to implement mitigation to ensure future buildout of the proposed mix of land uses would be consistent with the County's exterior and interior noise standards at proposed noise-sensitive land uses. Noise associated with this alternative would be generally consistent with the proposed project. Therefore, impacts related to noise would be *similar* to those associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.14 POPULATION AND HOUSING

### Specific Plan Area

Alternative 5 would result in commercial development, recreational facilities, and open space areas that are consistent with the proposed project but would generate less residential development along the perimeter of the project site. Under Alternative 5, the allowable density within residential land use categories would be reduced to approximately 1,135 residential units (and proportionate additional ADU development). Based on an average household size of 3.16 for the community of Nipomo, this alternative would generate approximately 3,587 new residents (plus proportionate additional ADU development). Since proposed commercial development would be consistent with the proposed project, the number of new employees would remain the same at 272 employees. As such, the population growth generated by the project would be approximately 3,858 people. This alternative would slightly reduce the number of new residents within the community; however, the proposed population increase would still exceed the number of new residents envisioned in the County's General Plan and adversely affect the jobs-to-housing ratio in the Inland South County Planning Area. Similar to the proposed project, Alternative 5 would not result in the demolition or removal of existing homes and would not require additional homes to be constructed elsewhere. Although population growth under Alternative 5 would be reduced, it would still facilitate substantial and unplanned growth within the project region. Therefore, impacts related to population and housing would be *similar* to the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.15 PUBLIC SERVICES

### Specific Plan Area

Alternative 5 would result in commercial development, recreational facilities, and open space areas that are consistent with the proposed project but would generate slightly less residential development and associated population growth. Population growth would be marginally reduced in comparison to the proposed project, including approximately 3,587 residents (plus proportionate additional ADU development) and 272 employees; however, this level of growth would still be substantial. Based on this population increase, this alternative would increase demand on public services and facilities in a manner that is generally consistent with the proposed project. Alternative 5 would be subject to mitigation which requires the applicant to set aside land for the construction of a future fire station to offset the demand on existing fire protection services. This alternative would also be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on other public services and facilities. Alternative 5 would increase demand on public services and facilities in a manner that is generally consistent with the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.16 RECREATION

### Specific Plan Area

Alternative 5 would result in slightly less residential development and associated population growth, including approximately 3,587 residents (plus proportionate additional ADU development) and 272 employees. This level of growth would still result in a substantial population increase, which would increase the demand on existing public recreational facilities. Alternative 5 includes 7 acres of land for recreational facilities, including a public park; pocket parks within proposed neighborhoods to be maintained by HOAs; an equestrian trail head; and a network of pedestrian, bicycle, and equestrian trails. Under this alternative, the amount of proposed recreational facilities would meet the County's requirement for parkland with new development. This alternative would be subject to the payment of Public Facilities Fees as a standard condition of approval to offset the increase in demand on public recreational facilities, which is consistent with the proposed project. This alternative would result in an increase in demand on existing public recreational facilities that is consistent with the proposed project. Therefore, this alternative would result in impacts *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.17 TRANSPORTATION AND TRAFFIC

### Specific Plan Area

Alternative 5 would result in commercial development, recreational facilities, and open space areas that are consistent with the proposed project but would result in a 20% reduction in residential development along the perimeter of the project site. This alternative would include the construction of Collectors A and B to connect Frontage Road and Pomeroy Road to Willow Road, respectively. Construction of these collectors would improve existing traffic conditions within the vicinity of the project and ensure buildout of the project would not impede emergency response, evacuation, and public circulation. Alternative 5 would also include pedestrian, bicycle, and equestrian trails as well as transit stops and a Park and Ride lot to encourage the use of alternative modes of transportation and carpooling, which would be consistent with applicable local plans, policies, and ordinances related to the transportation system. Alternative 5 includes the same site access and roadway design as the proposed project, which would be subject to County roadway design standards and CAL FIRE emergency access requirements. Since the number of residential units would be reduced to 1,135 residential units, this alternative would generate slightly less VMT than the proposed project. However, due to the scale of new residential and commercial development, the growth associated with this alternative would still be substantial and would be required to implement mitigation to reduce operational VMT. This alternative would facilitate substantial population growth, and while slightly reduced, it would still generate VMT in a manner that is consistent with the proposed project. As such, the VMT generated by this alternative would continue to exceed applicable per capita thresholds. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.18 TRIBAL CULTURAL RESOURCES

### Specific Plan Area

In accordance with AB 52, consultation with appropriate tribes was conducted for the proposed project. Under this alternative, buildout would continue to occur on the Dana Reserve. As previously identified, there are known archaeological resources within the project site and potential for inadvertent discovery of unknown resources. This alternative would be required to implement mitigation for avoidance of known cultural resource sites and mitigation for inadvertent discovery of unknown cultural resources, including human remains. This alternative would also be required to implement additional mitigation measures identified for protection of tribal cultural resources. Alternative 5 would have the same potential to disturb known and unknown cultural and tribal cultural resources sites and would be required to implement mitigation to avoid and/or minimize these impacts. Therefore, impacts related to tribal cultural resources would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.19 UTILITIES AND SERVICE SYSTEMS

### Specific Plan Area

Alternative 5 would result in commercial development, recreational facilities, and open space areas that are consistent with the proposed project but would result in a 20% reduction in residential development along the perimeter of the project site. Although, this alternative would result in less residential development, the scale and level of growth associated with this alternative would still be substantial. As such, Alternative 5 would result in a similar increase in demand on water and wastewater services from the NCSD and a similar increase in demand on solid waste services from South County Sanitary and Cold Canyon Landfill. This alternative would be required to implement mitigation included to ensure there is adequate water availability to support future development and would also be subject to state and local solid waste reduction requirements to reduce the amount of construction-related and operational solid waste within Cold Canyon Landfill. Alternative 5 would require the construction of new and expanded utility infrastructure within the same development footprint of the proposed project and would be required to implement identified mitigation to reduce potential adverse impacts on the environment. Additionally, since growth under Alternative 5 would be generally consistent with the proposed project, this alternative would also be required to install off-site NCSD water and wastewater improvements to serve the project and surrounding area. Alternative 5 would result in substantial growth at the project site and would increase the demand on the NCSD, South County Sanitary, and Cold Canyon Landfill, which is consistent with the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

#### 5.4.6.3.20 WILDFIRE

### Specific Plan Area

Alternative 5 would continue to facilitate buildout of new habitable buildings and structures within a high FHSZ. As such, the potential for wildfire occurrence would be consistent with that of the proposed project. Alternative 5 would include site access in a manner that is consistent with the proposed project and would also construct Collectors A and B to improve existing traffic circulation within the vicinity of the project. Proposed site access and construction of the collectors would ensure buildout of the project does not interfere with emergency response, evacuation, or public ingress and egress. Under Alternative 5, proposed habitable buildings and structures would be required to comply with applicable CFC, CBC, PRC, and CAL FIRE requirements to reduce risk associated with development within a high FHSZ. This alternative would also be required to implement mitigation included to facilitate emergency preparedness and reduce risk of wildfire ignition at the project site, which is consistent with the proposed project. Since Alternative 5 would result in new development within a high FHSZ, impacts would be *similar* to impacts associated with the proposed project.

### Off-Site Improvements

Off-site improvements would be the same as the proposed project and would not result in a change to the impacts evaluated for the proposed project. Therefore, impacts would be *similar* to the impacts associated with the proposed project.

# 5.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The State CEQA Guidelines require an analysis of alternatives to identify an environmentally superior alternative among the alternatives evaluated in the EIR. The environmentally superior alternative is the alternative that would minimize adverse impacts to the environment. Based on the evaluation of alternatives above, the No Project Alternative would be the environmentally superior alternative because it would minimize the project's adverse impacts to the environment. However, State CEQA Guidelines Section 15126.6(e)(2) states that if the No Project Alternative is also the environmentally superior alternative, the EIR should then identify an environmentally superior alternative among the other alternatives. As summarized in Table 5-3, below, Alternative 2 (La Cañada Ranch Specific Plan) and Alternative 3 (Residential Rural Cluster Subdivision) would both reduce the project's significant environmental impacts related to GHG emissions, land use and planning, and population and housing. In addition, Alternative 2 (La Cañada Ranch) would further reduce impacts to air quality and transportation, but would increase potential impacts to recreation. Alternative 3 (Residential Rural Cluster Subdivision) would further reduce impacts to biological resources and public services compared to the proposed project, but would potentially increase impacts to utilities and service systems if annexation into the NCSD service area was not feasible. Alternative 3 would meet more of the project's basic objectives than Alternative 2. Therefore, Alternative 3 would be considered the environmentally superior alternative because it would reduce the project's significant impacts and more successfully meet the basic project objectives.

Alternative 3 would result in residential and commercial development, open space land to preserve oak woodland and other natural habitats, and pedestrian, bicycle, and equestrian trails to connect to the community. This alternative would allow for a greater density of residential dwelling units than Alternative 2, which would be more consistent with the project's objectives. In addition, Alternative 3 would facilitate clustered subdivision development, which would be consistent with the General Plan goals and objectives for this site. Under this alternative, impacts related to biological resources, GHG emissions, land use and planning, population and housing, and public services would be reduced. However, this alternative would result in potentially increased impacts to utilities and service systems in the event annexation into the NCSD service area as determined to be infeasible. All other impacts would be similar to that of the proposed project. Overall, Alternative 3 would reduce the project's significant environmental impacts and/or result in similar impacts to other issue areas.

Although this alternative would reduce the project's significant impacts, it would not meet all of the project's objectives. Alternative 3 would meet objectives related to the protection of Old Town Nipomo, the provision of neighborhood parks linked together with trails and open space areas, incorporation of Nipomo's rural history through architectural design, provision of a diversity of housing types and opportunities, enhanced circulation, integration of a trail system, maintenance of oak forest, implementation of the County Building Code requirements for energy efficiency and water savings, reduced uncertainty in land use planning, effective provision of public services, and to meet the requirements of the NCSD and SLOLAFCO for annexation of the site into the NCSD service area. Alternative 3 would not meet the stated project objectives of providing a mix of land uses that offer a range of amenities accessible to residents and community members or to create new employment and job training opportunities for the community and broader south San Luis Obispo County area. Since residential development would be central to this alternative, this alternative would help the County reach its housing development allocation goals per the County RHNA required by state law. However, based on the clustered development and other site constraints, this alternative may not meet project goals for the provision of affordable market rate housing units. Therefore, Alternative 3 would reduce the project's significant impacts; however, it would not meet all of the project's objectives. Because it would most successfully reduce the number and extent of significant environmental impacts, and would meet more of the project's primary objectives, Alternative 3 is the Environmentally Superior Alternative.

**Table 5-3. Comparison of Impacts Among Alternatives**

| Issue Area | No Project Alternative | Alternative 1: Applicant-Preferred Alternative | Alternative 2: La Cañada Ranch | Alternative 3: Residential Rural Cluster Subdivision | Alternative 4: Development on Non-Native Grassland | Alternative 5: Gradual Transition along the Fringe |
|---|---|---|---|---|---|---|
| Aesthetics | Decreased | Similar | Similar | Similar | Similar | Similar |
| Agriculture | Decreased | Similar | Similar | Similar | Similar | Similar |
| Air Quality | Decreased | Similar | Decreased | Similar | Similar | Similar |
| Biological Resources | Decreased | Similar | Decreased | Decreased | Decreased | Similar |
| Cultural Resources | Decreased | Similar | Similar | Similar | Similar | Similar |
| Energy | Decreased | Similar | Similar | Similar | Similar | Similar |
| Geology and Soils | Decreased | Similar | Similar | Similar | Similar | Similar |
| Greenhouse Gas Emissions | Decreased | Similar | Decreased | Decreased | Similar | Similar |
| Hazards and Hazardous Materials | Decreased | Similar | Similar | Similar | Similar | Similar |
| Hydrology and Water Quality | Decreased | Similar | Similar | Similar | Similar | Similar |
| Land Use and Planning | Decreased | Similar | Decreased | Decreased | Similar | Similar |
| Mineral Resources | Decreased | Similar | Similar | Similar | Similar | Similar |
| Noise | Decreased | Similar | Similar | Similar | Similar | Similar |
| Population and Housing | Decreased | Similar | Decreased | Decreased | Similar | Similar |
| Public Services | Increased | Similar | Similar | Decreased | Similar | Similar |
| Recreation | Decreased | Similar | Increased | Similar | Similar | Similar |
| Transportation and Traffic | Decreased | Similar | Decreased | Similar | Similar | Similar |
| Tribal Cultural Resources | Decreased | Similar | Similar | Similar | Similar | Similar |
| Utilities and Service Systems | Decreased | Similar | Similar | Increased/ Similar | Similar | Similar |
| Wildfire | Decreased | Similar | Similar | Similar | Similar | Similar |
| Meets Project Objectives? | No | Yes | Partially | Partially | Partially | Yes |

# CHAPTER 6. OTHER CEQA CONSIDERATIONS

This chapter discusses other potential environmental effects for which the California Environmental Quality Act (CEQA) requires analysis, in addition to the specific issue areas evaluated in Chapter 4, *Environmental Impacts Analysis*. These additional effects include the potential for the Dana Reserve Specific Plan (DRSP; project) to result in growth-inducing impacts, the irreversible commitment of resources, and significant unavoidable environmental effects.

## 6.1 GROWTH-INDUCING IMPACTS

State CEQA Guidelines Section 15126.2(e) requires that an Environmental Impact Report (EIR) provide a discussion of the growth-inducing impacts of the proposed project. Growth-inducing impacts could be caused by projects that foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth-inducing impacts also can be caused by removing obstacles to population growth, such as an expansion of a wastewater treatment plant, and can result from population increases that require the construction of new community services facilities.

In general terms, a project may induce spatial, economic, or population growth in a geographic area if it meets any of these four criteria:

1. Removal of an impediment to growth (e.g., establishment of an essential public service or the provisions of new access to an area);
2. Economic expansion or growth (e.g., changes in revenue base, employment expansion);
3. Establishment of a precedent-setting action (e.g., an innovation, a change in zoning or general plan amendment approval); or
4. Development or encroachment in an isolated area or one adjacent to open space (being different from an "infill" type of project).

Should a project meet any one of the above-listed criteria, it can be considered growth inducing. The impacts of the proposed project are evaluated below with regard to these four criteria.

### 6.1.1 Removal of an Impediment to Growth

The project would require modification of the Nipomo Urban Reserve Line (URL) to include the Specific Plan Area and annexation into the Nipomo Community Services District (NCSD) service area to facilitate the NCSD's provision of water and wastewater services within the Specific Plan Area. In addition, buildout of the Specific Plan Area would require a number of off-site water and wastewater system improvements to the existing NCSD service systems, which would increase the service capacity of those systems to accommodate project-related growth and other planned growth into the future.

While the project would result in the establishment of extended and expanded water and wastewater system infrastructure, the project site is located within the NCSD Sphere of Influence (SOI; NCSD 2018). An SOI identifies a plan for the probable future physical boundary and service area of a local agency or municipality; therefore, the project site's inclusion in the SOI indicates plans for service extensions to this area. In addition, the project site is currently bordered by the existing NCSD service area to the southeast and southwest, and, while not adjacent to the site, the NCSD service area also includes areas west and north of the Specific Plan Area.

Water and wastewater services do not currently serve as a direct constraint on development in the Nipomo area. Therefore, extension of NCSD infrastructure to the project site would not remove an impediment to

future unplanned growth in the project vicinity or provide an essential public service that could induce additional population growth. Expansion of existing NCSD infrastructure capacity would be designed to serve existing NCSD customers, the population induced by the project, and future planned population growth within the NCSD service area. Therefore, annexation of the Specific Plan Area into the NCSD service area and implementation of associated water and wastewater system improvements would not have a substantial growth-inducing effect on surrounding land uses beyond the project's direct population growth discussed in Section 4.14, *Population and Housing*, of this EIR.

The Specific Plan Area is currently accessible via Cherokee Place, Hetrick Avenue, and Cory Way. Therefore, implementation of the DRSP would not establish new access to an area.

## 6.1.2 Economic Expansion or Growth

Build-out of the Specific Plan Area is estimated to result in the construction of 1,441 new housing units (including accessory dwelling units [ADUs] and junior accessory dwelling units [JADUs]), generation of 273 new full-time equivalent jobs, and short-term construction employment opportunities. Based on information provided in the *South County Area Plan* and the *2019 Regional Housing Needs Allocation Plan* (see Table 4.14-8 in Section 4.14, *Population and Housing*; San Luis Obispo Council of Governments [SLOCOG] 2019a), the community of Nipomo is a housing-rich community, with a majority of local workers commuting to other localities for work. Therefore, new employment opportunities would be anticipated to be primarily filled by current residents within the community of Nipomo and/or future residents associated with the project and would not induce significant population growth within Nipomo.

The project would allow for the future development of an educational facility, such as a community college campus, within the Specific Plan Area. While most jobs generated by this use would be anticipated to be filled by the local labor pool and future residents associated with the project, post-secondary education facilities could also result in an increase in college-age students seeking housing in Nipomo or the nearby surrounding areas. Based on the quantity and range of housing types proposed within the Specific Plan Area, including a dedicated neighborhood for affordable housing, a portion of enrolled students would be anticipated to be housed within the project site. In addition, it is assumed that a portion of enrolled students would already reside within the community of Nipomo or nearby surrounding areas. Together, it is anticipated that the majority of enrolled students and employees would be existing residents within the project vicinity or be housed within the Specific Plan Area. Therefore, the establishment of a new education facility would not be anticipated to result in a substantial increase in population within the community of Nipomo or immediately surrounding areas; however, it could encourage a limited amount of growth as a result of the provision of jobs/uses that are not currently present in the immediate project vicinity.

## 6.1.3 Establishment of a Precedent-Setting Action

The project would include establishment of new land use designations within the Specific Plan Area to allow for increased density of development as well as allow for the development of commercial uses, such as a hotel and educational facilities. Establishment of new higher-density residential development, recreational amenities, education facilities, and commercial uses within the Specific Plan Area may increase the attractiveness of surrounding rural residential land for future residential development at similarly higher densities, including construction of ADUs and/or subdivisions and future commercial development. Development of high-density uses within the Specific Plan Area would also influence the baseline for future development density and visual character of surrounding areas, which may make the demand for future higher-density development in the project vicinity increase, compared to existing conditions.

### 6.1.4 Development or Encroachment into an Isolated Area

The project site is located adjacent to the existing Nipomo URL and within the NCSD's SOI. The project site is generally surrounded by existing suburban residential neighborhoods to the southeast and southwest, rural residential development to the north and northwest, and U.S. Highway 101 (US 101) to the east. As stated above, the Specific Plan Area has existing access on all sides of the property, with the exception of the northeastern side of the property which is located adjacent to US 101. The project site is easily accessible from within the unincorporated community of Nipomo and construction of housing units associated with the DRSP would help alleviate the heightened housing demand within the county and would not foster the need for future construction of additional housing. Therefore, implementation of the project would not result in development or encroachment into an isolated area, and impacts would be *significant and unavoidable*.

| **GI Impact 1 (Class I)** |
|---|
| The project would result in substantial growth inducement associated with the proposed project's population as well as the potential to induce additional spatial, economic, or population growth in a geographic area. |
| ***Mitigation Measures*** |
| *No feasible mitigation has been identified.* |
| ***Residual Impacts*** |
| *Potential impacts associated with substantial growth inducement would be significant and unavoidable (Class I).* |

## 6.2 IRREVERSIBLE COMMITMENT OF RESOURCES

State CEQA Guidelines Section 15126.2(d) states that use of nonrenewable resources during the initial and continued phases of a proposed project may be irreversible if a large commitment of these resources makes their removal, indirect removal, or use thereafter unlikely. This section of the EIR evaluates whether the project would result in the irretrievable commitment of resources or would cause irreversible changes in the environment.

The project would allow for the future development of residential and commercial uses within the currently undeveloped project site, the construction of which would irreversibly commit construction materials and non-renewable energy resources (e.g., fossil fuels, wood, etc.). Nonrenewable resources utilized during construction for the development within the Specific Plan Area would no longer be utilized for other purposes. Consumption of building materials and energy is associated with all development projects in the region, and these commitments of resources are not unique or unusual to the project. Construction of residential and commercial structures would be subject to the California Building Code (CBC), which regulates the method of use, properties, performance, and types of building materials used in construction. Construction equipment would be subject to state and local fuel efficiency standards and idling restrictions.

The buildout of the project would also result in an incremental contribution to the long-term consumption of energy resources associated with the establishment of residential and commercial uses within the Specific Plan Area. Future residential development would be serviced by the Pacific Gas and Electric Company (PG&E), which supplies 25% of its energy mix from renewable resources, 45% from nuclear energy, 28% from large hydrological energy sources, and 2% from nuclear gas (PG&E 2020). The Southern California Gas Company (SoCalGas) is the primary provider of natural gas for urban and rural

communities within San Luis Obispo County. SoCalGas has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra 2019). The project would meet or exceed the requirements of the CBC and California Title 24 in effect at the time of construction. Compliance with these standards would include implementation of water conservation measures, energy- and water-efficient appliances, and energy-efficient heating and cooling systems. These sustainable building features would reduce new energy demand and the consumption of water and nonrenewable fossil fuels to a level consistent with or better than other development within the project vicinity. Therefore, the commitment of these resources for project development has been planned for and impacts associated with commitment of resources would be *less than significant*.

## 6.3 SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL EFFECTS

State CEQA Guidelines Section 15126.2(c) requires that EIRs provide a discussion of significant impacts that cannot be mitigated to a level of insignificance without imposing an alternative design, their implications, and the reasons why the project is proposed, notwithstanding their effect. The project's potential impacts on the environment were evaluated with respect to specific resource areas in Chapter 4, *Environmental Impacts Analysis*. Based on the analysis provided in Chapter 4, the project would have significant unavoidable residual impacts associated with air quality (Section 4.3, *Air Quality*), biological resources (Section 4.4, *Biological Resources*), greenhouse gas (GHG) emissions (Section 4.8, *Greenhouse Gas Emissions*), land use and planning (Section 4.11, *Land Use and Planning*), population and housing (Section 4.14, *Population and Housing*), and transportation (Section 4.18, *Transportation*).

In accordance with State CEQA Guidelines Section 15093, if an EIR demonstrates that implementation of a proposed project would cause significant and unavoidable impacts, the lead agency must issue a Statement of Overriding Considerations before approving the project to provide the specific reasons to support its action. Therefore, the County of San Luis Obispo (County), as the lead agency, will be required to adopt a Statement of Overriding Considerations to address the significant impacts identified above and discussed in detail in Chapter 4, *Environmental Impacts Analysis*, prior to approval of the project. For the purposes of this document, the County may determine the long-term benefits of the project, such as fostering additional regional housing opportunities, including affordable housing, providing substantial overriding considerations for approving the project despite the identified adverse environmental impacts that would result from implementation of the project. To facilitate consideration of this determination, this EIR includes an evaluation of potential impacts and identifies a range of project alternatives that could reduce and/or fully negate adverse environmental effects. In addition, Section 4.11, *Land Use and Planning*, provides a detailed analysis of the project's consistency with applicable local policies and objectives. Each of these resources may be used in consideration of the significant unavoidable effects that would result from the project.

# CHAPTER 7. MITIGATION MONITORING AND REPORTING PROGRAM

## 7.1 STATUTORY REQUIREMENTS

When a Lead Agency makes findings on significant environmental effects identified in an Environmental Impact Report (EIR), the agency must also adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment" (Public Resources Code Section 21081.6(a) and State CEQA Guidelines Sections 15091(d) and 15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the Lead or Responsible Agency.

## 7.2 ADMINISTRATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The County of San Luis Obispo (County) is the Lead Agency responsible for the adoption of the MMRP. The applicant, Dana Reserve, LLC and NKT Development, LLC, collectively, is responsible for implementation of the MMRP, in coordination with other identified entities. According to State CEQA Guidelines Section 15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. The County may delegate responsibility for verifying and documenting compliance with the MMRP to the applicant as coordinator of the project and its construction, and the applicant will be responsible for compliance. However, until mitigation measures have been completed, the County as the Lead Agency remains responsible for ensuring that the implementation of the measure occurs in accordance with the program.

### 7.2.1 Mitigation Measures

Table 7-1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with numbering of measures found in Chapter 4, *Environmental Impacts Analysis*, of this EIR.

## Table 7-1. Mitigation Monitoring and Reporting Program

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
|---|---|---|---|---|---|
| ***Aesthetics*** | | | | | |
| Specific Plan Area<br>Cumulative | AES/mm-3.1 | The Dana Reserve Specific Plan shall create a U.S. Route 101 Visual Screening Zone along the length of the project adjacent to the utility easement and U.S. Route 101, for the purpose of reducing visibility of the development and minimizing visual impacts to the vegetated visual character of the site and its surroundings as seen from the highway. The U.S. Route 101 Visual Screening Zone shall be a minimum width of 30 feet. The screening zone shall be in addition to the minimum 50-foot width of the utility easement. Existing trees in this zone shall be preserved.<br>Where no trees exist in this zone, oak trees and native shrubs shall be planted. This screening zone shall be implemented as part of the first phase of project development. Plantings shall achieve a minimum of 50% visual screening of the development as seen from U.S. Route 101 within 10 years of planting. Trees planted in this zone shall be subject to the size and ratio requirement identified in Mitigation Measure AES/mm-3.2. | The Visual Screening Zone shall be printed on final project plans. | Final project plans with the Visual Screening Zone shall be submitted to the County prior to issuance of building permits. Compliance to be verified following construction of subsequent developments. | County Planning and Building Department |
| Specific Plan Area<br>Cumulative | AES/mm-3.2 | Replacement trees shall be planted within the “on-site” project boundaries in areas that maximize their visibility from public roadways and common areas. Replacement trees shall be planted from the following container sizes: 20% of the replacement trees shall be a minimum of 15-gallon container size, 20% of the replacement trees shall be a minimum of 24-inch box container size, and 10% of the replacement trees shall be a minimum of 48-inch container size. All replacement trees shall be maintained in perpetuity. | The location and number of replacement trees shall be printed on final project plans and for each subsequent development. | Final project plans with the location and number of replacement trees shall be submitted to the County prior to issuance of building permits. Compliance to be verified following construction of subsequent developments. The success of each planting shall be verified through County inspection. | County Planning and Building Department |
| Cumulative | AES/mm-7.1 | The Dana Reserve Specific Plan shall require preparation of a Visual Impact Assessment for each subsequent implementing development. The Visual Impact Assessments shall analyze the proposed subsequent development prior to its occurrence with the goal of minimizing project noticeability from areas outside Dana Reserve boundaries. | Subsequent Visual Impact Assessments shall be submitted to the County. | Subsequent Visual Impact Assessments shall be submitted to the County prior to issuance of building permits. Compliance to be | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | | | verified prior to and following construction of subsequent developments. | |
| ***Air Quality*** | | | | | |
| Specific Plan Area<br><br>Off-Site Improvements | AQ/mm-3.1 | The following measures shall be implemented to reduce construction generated mobile-source and evaporative emissions:<br>1. Maintain all construction equipment in proper tune according to manufacturer's specifications.<br>2. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).<br>3. Diesel-fueled construction equipment shall meet, at a minimum, California Air Resources Board's Tier 3, or newer, certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation. Heavy-duty off-road equipment meeting Tier 4 emissions standards shall be used to the extent locally available.<br>4. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2010, or cleaner, certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation.<br>5. 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 nitrogen oxides exempt area fleets) may be eligible by proving alternative compliance.<br>6. Electrify equipment when feasible.<br>7. Substitute gasoline-powered in place of diesel-powered equipment, where feasible.<br>8. Use alternative-fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.<br>9. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or be permitted by the San Luis Obispo Air Pollution Control District. Such equipment may include power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, | Measures shall be printed on all grading and building plans. Measures shall be adhered to during construction. | Measures shall be printed on plans prior to issuance of grading and building permits. Compliance to be verified during construction activities. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | concrete plant). For more information, contact the San Luis Obispo Air Pollution Control District Engineering and Compliance Division at (805) 781-5912.<br>10. Construction of the proposed project shall use low-volatile organic compound content paints not exceeding 50 grams per liter.<br>11. To the extent locally available, use prefinished building materials or materials that do not require the application of architectural coatings.<br>12. The following idling restrictions near sensitive receptors for both on- and off-road equipment shall be implemented:<br>a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;<br>b. Diesel idling within 1,000 feet of sensitive receptors is not permitted;<br>c. Use of alternative fueled equipment is recommended whenever possible; and<br>d. Signs that specify the no idling requirements must be posted and enforced at the construction site.<br>13. On-road vehicle operations shall comply with 13 California Code of Regulations Section 2485, which limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:<br>a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and<br>b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.<br>14. Signs shall be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following web site: www.arb.ca.gov/msprog/truck-idling/2485.pdf.<br>15. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use Off-Road Diesel regulation available at: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf. | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area<br>Off-Site Improvements | AQ/mm-3.2 | The following measures shall be implemented to reduce construction-generated fugitive dust. These measures shall be shown on grading and building plans:<br>1. Reduce the amount of disturbed area where possible.<br>2. Use water trucks, San Luis Obispo Air Pollution Control District - approved dust suppressants (see Section 4.3 in the California Environmental Quality Act Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a San Luis Obispo Air Pollution Control District-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the California Environmental Quality Act Air Quality Handbook.<br>3. All dirt stockpile areas should be sprayed daily as needed.<br>4. 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.<br>5. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast-germinating, non-invasive grass seed and watered until vegetation is established.<br>6. 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 San Luis Obispo Air Pollution Control District.<br>7. 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.<br>8. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.<br>9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between the top of load and top of trailer) in accordance with California Vehicle Code Section 23114.<br>10. Install wheel washers at the construction site entrance/exit, wash off the tires or tracks of all trucks and equipment leaving the site, or | Measures shall be printed on all grading and building plans. Measures shall be adhered to during construction. | Measures shall be printed on plans prior to issuance of grading and building permits. Compliance to be verified during construction activities. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | implement other San Luis Obispo Air Pollution Control District-approved track-out prevention devices sufficient to minimize the track-out of soil onto paved roadways.<br>11. 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.<br>12. The burning of vegetative material shall be prohibited. Effective February 25, 2000, the San Luis Obispo Air Pollution Control District prohibited developmental burning of vegetative material within San Luis Obispo County. For more information, contact the San Luis Obispo Air Pollution Control District Engineering and Compliance Division at (805) 781-5912.<br>13. 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 prevent the transport of dust off-site. 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 San Luis Obispo Air Pollution Control District Compliance Division prior to the start of any grading or earthwork. | | | |
| Specific Plan Area<br>Cumulative | AQ/mm-3.3 | The following mitigation measures shall be implemented, to the extent possible, to minimize long-term operational emissions:<br>1. Install electric fireplaces in place of U.S. Environmental Protection Agency-certified Tier 2 residential wood-burning appliances.<br>2. Provide a pedestrian-friendly and interconnected streetscape with good access to/from the development for pedestrians, bicyclists, and transit users to make alternative transportation more convenient, comfortable, and safe. Features may include appropriate signalization and signage, safe routes to school, linking cul-de-sacs and dead ends, orienting buildings toward streets with automobile parking in the rear, etc.<br>3. For all commercial and multi-family residential land uses, provide shade (e.g., through tree plantings or built structures) over 50% of parking spaces to reduce evaporative emissions from parked vehicles, excluding areas where increased shade would affect the performance of solar PV systems.<br>4. Reduce fugitive dust from roads and parking areas with the use of paving or other materials.<br>5. Use a San Luis Obispo Air Pollution Control District-approved suppressant on private unpaved roads leading to the site, unpaved driveways, and parking areas applied at a rate and frequency that ensures compliance with San Luis Obispo Air Pollution Control | Measures shall be shown on final site plans and construction permits. | Measures shall be printed on plans prior to issuance of grading and building permits. Compliance to be verified prior to occupancy. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | District Rule 401: Visible Emissions and that off-site nuisance impacts do not occur.<br>6. Incorporate traffic calming modifications to project roads to reduce vehicle speeds and increase pedestrian and bicycle usage and safety.<br>7. Work with San Luis Obispo Council of Governments to create, improve, or expand an on-site or nearby Park and Ride lot with car parking and bike lockers in proportion to the size of the project. The Park and Ride lot proposed as part of the Dana Reserve Specific Plan could meet the requirements of this measure, if upon review of final design plans, the County and San Luis Obispo Council of Governments concur that the on-site Park and Ride lot is in proportion to the size of the Dana Reserve Specific Plan project.<br>8. Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment.<br>9. Require future commercial land uses to provide employee lockers and showers to promote bicycle and pedestrian use. One shower and five lockers for every 25 employees is recommended.<br>10. Increase bicycle accessibility and safety in the vicinity of the project; for example, provide interconnected bicycle routes/lanes or construction of bikeways.<br>11. Provide on-site bicycle parking: both short-term racks and long-term lockers, or a locked room with standard racks and access limited to bicyclists only.<br>12. If the project is located on an established transit route, provide improved public transit amenities (e.g., covered transit turnouts, direct pedestrian access, bicycle racks, covered bench, smart signage, route information displays, lighting, etc.).<br>13. Encourage commercial land uses to provide a bicycle-share program.<br>14. Require 15% of fleet vehicles owned by commercial land uses to be zero-emission vehicles (ZEVs). This requirement shall apply to commercial land uses and fleets based on-site within the Specific Plan Area and not on a larger scale for commercial operations that occur at multiple locations.<br>15. Encourage neighborhood electric vehicles/car-share program for the development.<br>16. Provide dedicated parking for carpools, vanpools, and/or high-efficiency vehicles to meet or exceed California Green Building Standards Tier 2 for nonresidential land uses.<br>17. Work with SLO Regional Rideshare to educate occupants with alternative transportation and smart commute information (e.g., | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | transportation board, electronic kiosk, new hire packets, web portal, newsletters, social media, etc.)<br>18. Encourage nonresidential land uses to implement and promote programs to reduce employee vehicle miles traveled (e.g., incentives, SLO Regional Rideshare trip reduction program, vanpools, on-site employee housing, alternative schedules (e.g., 9/80s, 4/10s, telecommuting, satellite work sites, etc.).<br>19. Community event centers (i.e., amphitheaters, theaters, and stadiums) shall provide free valet bicycle parking.<br>20. Meet or exceed applicable building standards at the time of development for providing electric vehicle charging infrastructure.<br>21. Meet or exceed applicable building standards at the time of development for building energy efficiency with a goal of achieving zero net energy (ZNE) buildings.<br>22. Implement a “No Idling” vehicle program, which includes signage enforcement, etc.<br>23. Meet or exceed applicable building standards at the time of development for utilizing recycled content materials.<br>24. Meet or exceed applicable building standards at the time of development for reducing cement use in the concrete mix as allowed by local ordinance and conditions.<br>25. Meet or exceed applicable building standards at the time of development for the use of greywater, rainwater, or recycled water.<br>26. Meet or exceed applicable building standards at the time of development for water conservation (e.g., use of low-flow fixtures, water-efficient irrigation systems, drought-tolerant landscaping).<br>27. Meet or exceed applicable building standards at the time of development for using shading, trees, plants, cool roofs, etc. to reduce the “heat island” effect.<br>28. All built-in appliances shall comply with California Title 20, Appliance Efficiency Regulation.<br>29. Utilize on-site renewable energy systems (e.g., solar, wind, geothermal, biomass and/or biogas) sufficient to meet or exceed applicable building standards at the time of development with a goal of achieving zero net energy (ZNE) buildings.<br>30. Design roof trusses to handle dead weight loads of standard solar-heated water and photovoltaic panels. | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area | AQ/mm-5.1 | The following mitigation measures shall be implemented to reduce long-term exposure to localized pollutant concentrations:<br>1. Sensitive land uses, including, but not limited to, residential dwellings, childcare facilities, and convalescent care facilities, shall be oriented as far from U.S. Route 101 as possible and shall not be located within 500 feet of the edge of pavement of U.S. Route 101 (see Figure 2 of Environmental Impact Report Appendix D). In the event future development proposals include sensitive land uses within the 500-foot buffer from U.S. Route 101, those sensitive land uses shall be disallowed unless a detailed Health Risk Assessment, approved by the County and San Luis Obispo Air Pollution Control District, documents that health risks associated with proximity to U.S. Route 101 would be within acceptable thresholds in effect at the time development is proposed. | Compliance shall be shown on final site plans.<br>or<br>A detailed Health Risk Assessment shall be submitted to the County and the SLOAPCD for review and approval. | Final site plans shall be submitted for approval prior to issuance of building permits for subsequent development.<br>or<br>A detailed Health Risk Assessment shall be submitted for review and approval at the time of building permit applications. | County Planning and Building Department; SLOAPCD |
| Specific Plan Area<br>Off-Site Improvements | AQ/mm-7.1 | Prior to any grading activities, a geologic evaluation shall be conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If naturally occurring asbestos is not present, an exemption request must be filed with the San Luis Obispo Air Pollution Control District. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to:<br>1. Development of an Asbestos Dust Mitigation Plan, which must be approved by the San Luis Obispo Air Pollution Control District before operations begin; and<br>2. Development and approval of an Asbestos Health and Safety Program (required for some projects). | A Geologic Evaluation shall be conducted and submitted to the County and the SLOAPCD.<br>If NOA is present, an Asbestos Dust Mitigation Plan shall be submitted to the County and the SLOAPCD and measures shall be printed on all construction and grading plans. | The Geologic Evaluation shall be submitted to the County and SLOAPCD prior to issuance of grading permits.<br>If NOA is present, an Asbestos Dust Mitigation Plan shall be submitted to the County and SLOAPCD prior to issuance of grading permits. Compliance to be verified during construction activities. | County Planning and Building Department; SLOAPCD |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| ***Biological Resources*** | | | | | |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-1.1 | **Environmental Monitor.** Prior to permit issuance for any future development within the project area, the applicant shall retain an environmental monitor for all measures requiring environmental mitigation. The monitor shall be responsible for:<br>1. ensuring that procedures for verifying compliance with environmental mitigations are implemented;<br>2. establishing lines of communication and reporting methods;<br>3. conducting compliance reporting;<br>4. conducting construction crew training regarding environmentally sensitive areas and protected species;<br>5. maintaining authority to stop work; and<br>6. outlining actions to be taken in the event of non-compliance.<br>Monitoring shall be conducted full time during the initial disturbances (site clearing) and be reduced to monthly following initial disturbances. | The Applicant shall retain an environmental monitor for all measures requiring environmental mitigation. | Prior to permit issuance for any future development within the project site. Compliance to be verified during construction activities. | Applicant; County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-1.2 | **Worker Environmental Training Program.** Prior to implementation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend a training to facilitate worker environmental awareness. The Worker Environmental Training shall be conducted by a County of San Luis Obispo-approved qualified biologist to help workers recognize special-status plants and animals to be protected in the project area. The training program shall include:<br>1. Identification of relevant sensitive species and habitats.<br>2. Description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and avoidance measures required to reduce impacts to biological resources within the work area.<br>3. Consequences for non-compliance.<br>4. Fact sheet with information covered in training for distribution to all contractors and other personnel involved with construction of the project.<br>5. Web-link to maps showing locations of special-status taxa on-site, and literature and photographs or illustrations of sensitive plants, animals, and habitats.<br>6. Documentation of each employee's participation in trainings and information presented.<br>7. Annual renewal training for the duration of the project.<br>The contractor shall set aside time for the project biologist to provide the Worker Environmental Training for all contractor's and subcontractor's | Construction personnel shall attend a worker awareness training and documentation of participation. | Prior to implementation of construction activities (including staging and mobilization). Compliance to be verified through submittal of documentation of each employee's participation to the County prior to construction activities. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | employees that will be on-site regarding resource protection. Topics will include regulatory framework and best practices to avoid and minimize impacts to protected plants, protected animals, and their habitats. Approximately 30 minutes shall be allocated for training. Each group of new personnel or individuals shall be provided with an environmental briefing by the project biologist. This training may be virtual. During morning safety briefings, the project biologist may provide updates related to environmental conditions affected by scheduled actions.<br>Contractor's and subcontractor's employees will be given a pocket-sized booklet by the project biologist in digital and/or paper format summarizing the Worker Environmental Training. The booklet prepared by the project biologist will include points of contact and protocol regarding emergencies and protected resource matters. Contractor's and subcontractor's employees shall be familiar with the information in the booklet and shall follow all rules and directions in the booklet while performing work for the project. Contractor's and subcontractor's employees shall always have a copy of the booklet while on the project site. | | | |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-1.3 | **Cover Excavations.** During construction, all trenches, holes, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope and 2 or more feet deep shall be covered when workers or equipment are not actively working in the excavation. If any such excavations remain uncovered, they shall have an escape ramp of earth or a non-slip material with a 1:1 (45 degree) slope or flatter. All excavated areas shall be inspected for wildlife before backfilling. | Environmental monitor shall monitor compliance with excavation covers. | During construction activities. Compliance to be verified during construction activities. | County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-1.4 | **Biodegradable Erosion Control.** During construction, use erosion control products made of natural fiber (biodegradable) to prevent wildlife from getting ensnared or strangled by monofilament, coir rolls, erosion control mats or blankets, straw or fiber wattles, or similar erosion control products. | Environmental monitor shall monitor compliance with biodegradable erosion control measures. | During construction activities. Compliance to be verified during construction activities. | County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-1.5 | **Public Education Program.** In support of the mitigation measures listed above, public education shall be provided to homeowners, commercial facility owners, and investors regarding protected plants, protected animals, and their habitat. A colorful booklet shall be distributed to homeowners, commercial owners, and occupants. Information in the booklet shall also be made available as an interactive website provided to the County of San Luis Obispo and the Homeowners' Association(s). Information shall include descriptions of sensitive plant and animal habitats impacted, protected, and mitigations implemented. Diagnostic information for sensitive plant and animal taxa and their habitats shall be provided in a reader-friendly format. Booklet and website text shall be prepared by technical experts and produced in cooperation with professional graphic artists and publication specialists. | Public education shall be provided to homeowners, commercial facility owners, and investors regarding protected plants, animals, and their habitat. | At the time of occupancy of subsequent developments. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-1.6 | **Prohibition of Invasive Plants.** The landscape architect shall provide a signed statement on the landscape plans that the planting plan does not include any plant that occurs on the California Exotic Pest Plant Council and the California Invasive Plant Council (Cal-IPC) Lists 1, 2, and 4. Plants considered to be invasive by the California Exotic Pest Plant Council and the Cal-IPC shall not be used on-site. | Landscape plans shall be submitted to the County. | Prior to issuance of building permits. Compliance to be verified following installation of landscaping. | County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-2.1 | **Incidental Take Permit.** Prior to any ground or vegetation disturbance that would impact Pismo clarkia (e.g., nearby tree removal, grading), the project applicant shall obtain all necessary approvals from the California Department of Fish and Wildlife. Concurrence shall be provided by the California Department of Fish and Wildlife that the project would result in take of a state-listed species and that an Incidental Take Permit, Conservation Easement, and Habitat Management Plan are required prior to disturbance under California Fish and Game Code Section 2081. A conservation easement over the Pismo clarkia habitat will include the California Department of Fish and Wildlife as a third-party beneficiary and may also include the County of San Luis Obispo. | Obtain all necessary approvals from CDFW and provide evidence of concurrence. | Prior to any ground or vegetation disturbance that would impact Pismo clarkia. | CDFW; County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-2.2 | **Avoidance.** Pismo clarkia patches identified on-site during 2019 and 2020 surveys shall be avoided to the maximum extent practicable.<br>Immediately prior to construction, appropriately timed surveys will be conducted by a qualified biologist to determine the extent of the distribution of plants during the construction year. The extant population boundaries mapped in 2019 and 2020, plus any expansions observed during surveys conducted in the year of construction, will be flagged by a qualified biologist. | Preconstruction surveys for Pismo clarkia. Avoidance of Pismo clarkia patches. | Immediately prior to construction activities and during construction activities. | County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-2.3 | **Mitigation.** Impacts to Pismo clarkia shall be mitigated at a 3:1 ratio of reoccupied habitat to occupied habitat impacted. The population extent and number of plants impacted will be equal to or will not exceed 0.02 acre and/or 40 individuals when seasonal climate conditions are similar to 2020 climate conditions. Additional surveys shall be conducted in 2022 and in the year immediately prior to construction to determine population size and the extent of impacts. In years less favorable than 2020 (appropriately timed and sufficient rainfall and temperature), the areal extent will remain the same.<br>Impacts to individual Pismo clarkia plants will occur after seed collection. On-site seed collection of remaining populations used to reestablish additional populations shall be limited to no more than 10% of each remaining patch. The topsoil of impacted patches will be collected prior to site grading in order to preserve the seed bank. Topsoil will be relocated to suitable unoccupied habitat areas to promote the expansion of occupied habitat.<br>Using seeds collected from the impacted population and preserved populations on-site, additional patches of the plant shall be reestablished at a 3:1 ratio along appropriate boundaries of preserved oak woodland habitat areas. | Pismo clarkia shall be reestablished at a 3:1 ratio along appropriate boundaries of preserved oak woodland habitat areas. | Following construction activities. Compliance to be verified until replanted pismo clarkia are successfully established onsite. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | A protective conservation easement shall be placed over on-site habitats that contain occupied and unoccupied habitat suitable for Pismo clarkia.<br>Genetic analysis will be conducted to determine the similarity or difference between the population of Pismo clarkia on the Dana Reserve with at least two other populations in the Arroyo Grande region. This research and findings will be submitted to a peer reviewed journal and be part of the public record during the mitigation monitoring period. | | | |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-3.1 | **Mitigation for Plants Ranked 1B (Rare or Endangered) by the California Native Plant Society.** Due to the highly endemic nature of the plant taxa being impacted and the loss of a significant portion of occupied habitat within their limited range, mitigation to offset impacts shall include a combination of preservation of existing populations either on- or off-site at a 1:1 ratio of individuals impacted to individuals preserved and the restoration of suitable habitat at a 2:1 ratio of individuals impacted to individuals restored. Prior to issuance of the grading permit, the applicant shall secure appropriate habitat with known populations of mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita and enough suitable habitat to reestablish 14,000 mesa horkelia, 100 Nipomo Mesa ceanothus, and 626 sand mesa manzanita.<br>The applicant shall also prepare and begin implementation of a Habitat Mitigation and Monitoring Plan to preserve and expand patches of mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita on- and off-site. The Habitat Mitigation and Monitoring Plan shall be prepared by a qualified individual acceptable to the Director of Planning and Building and shall conform to California Native Plant Society mitigation guidelines (California Native Plant Society 1998). Habitat Mitigation and Monitoring Plan implementation must demonstrate a trajectory toward successful mitigation (i.e., meeting annual performance criteria) prior to occupancy of the last phase. To meet the County of San Luis Obispo's policy of No Net Loss, any enhanced and/or created habitat would need to confirm establishment of individuals and suitable/occupied habitat such that there is no net loss. Maintenance, monitoring, and reporting to the County of San Luis Obispo would be required until the enhanced/created habitat has successfully established individuals at the required 2:1 ratio.<br>Measures within the Habitat Mitigation and Monitoring Plan shall include salvaging plant and seed material from impacted populations, habitat protection, herbicide avoidance, fencing, and propagation of pollinator plants appropriate to support native bees associated with pollination of these plants.<br>Prior to grading, plant and seed material shall be salvaged and used to enhance or establish populations in protected habitat areas. This should include the excavation and relocation of the root burls of sand mesa manzanita where practical since they are known resprout from burls as well as | Prepare and begin implementation of an off-site HMMP and preservation and restoration of impacted individuals. | Maintenance, monitoring and reporting to the County would be required until the enhanced/ created habitat has successfully established individuals at the required 2:1 ratio. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | from seed. The Habitat Mitigation and Monitoring Plan shall also establish a mitigation receptor site for the long term storage of salvaged material.<br>In addition to direct habitat preservation, the applicant may also fund Public Benefit restoration efforts on conserved land to be implemented and monitored by organizations such as The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, or Cambria Land Trust. The fee would be used to pay for mitigation planting, maintenance, and long-term monitoring in perpetuity. Material salvaged on-site should be incorporated into these mitigation planting efforts where possible.<br>Measures to protect and expand mesa horkelia, Nipomo Mesa ceanothus, and sand mesa manzanita within protected oak woodland shall also be incorporated in the On-Site Oak Woodland Habitat Protection and Management Plan. | | | |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-4.1 | **Mitigation for Plants Ranked CRPR 4 (Limited Distribution – Watch List) by the California Native Plant Society.** Restoration and/or enhancement of 45 acres of conserved sandy habitat suitable for California spineflower, sand buck brush, and sand almond shall occur to mitigate for impacts at a 1:1 ratio above the 10% impact threshold. Prior to issuance of the grading permit, a plan to conserve and/or restore off-site habitat for California spineflower, sand buck brush, and sand almond shall be prepared. The plan shall be prepared by a qualified individual acceptable to the Director of Planning and Building and approved prior to implementation. The plan shall include purchase for conservation of land containing impacted species and/or restoration of approximately 45 acres of grassland habitat with high microsite suitability for California spineflower, sand buck brush, and sand almond. The plan shall conform to California Native Plant Society guidelines for mitigation (California Native Plant Society 1998). The applicant may fund Public Benefit restoration efforts on conserved land to be implemented and monitored by organizations such as The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, or Cambria Land Trust. The funds would be used to pay for mitigation planting, maintenance, and long-term monitoring in perpetuity.<br>Sand buck brush and sand almond shall be planted at a ratio over 1:1 to achieve a no-net loss after 5 years. California spineflower shall be seeded in grassland habitat managed by mowing or grazing in a manner than supports spineflower reproduction in normal rainfall years. Plant material shall be derived from sources on the Nipomo Mesa.<br>Habitat protection and long-term maintenance shall be funded by an endowment sufficient to monitor and maintain habitat appropriate to attempt reestablishment or expansion of California spineflower on the restoration site. | Prepare a plan to conserve and/or restore off-site habitat for California spineflower, sand buck brush, and sand almond to be submitted to the County. | Prior to issuance of grading permits. Compliance to be verified until habitat restoration is successfully established. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-4.2 | **Michael's Rein Orchid.** Measures to avoid and protect Michael's rein orchid in on-site oak woodland areas proposed for protection shall be incorporated into an on-site Habitat Mitigation and Monitoring Plan. Since all observed individuals of Michael's rein orchid are located directly south of Pismo clarkia Patch 3, this species shall incidentally benefit from being included in Mitigation Measure BIO/mm 2.3. Construction workers and biological monitors shall also be made aware of and instructed to avoid this orchid during monitoring for Pismo clarkia (Mitigation Measures BIO/mm-2.1 and BIO-mm/2.2). | Measures to avoid and protect Michael's rein orchid in on-site oak woodland areas shall pe included on final construction and grading plans. | Prior to issuance of grading permits. Compliance to be verified during construction activities. | County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-5.1 | **Monarch Butterfly Preconstruction Survey.** Site disturbance and construction activity adjacent to suitable monarch butterfly overwintering habitat shall be avoided during the monarch butterflies' fall and winter migration (late October through February) to the greatest extent feasible. If tree or vegetation removal or site disturbance is necessary during the monarch butterflies' fall and winter migration, a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees on the site for overwintering. If monarch butterflies are detected, development will be postponed until after the overwintering period or until a qualified biologist determines monarch butterflies are no longer utilizing the trees on site for overwintering. | Conduct preconstruction monarch butterfly surveys. | Prior to construction activities between late October through February. | County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-6.1 | **Special-Status Reptiles Protection and Relocation.** Prior to issuance of the grading permit, the project applicant shall develop a Special-status Reptile Relocation Plan for northern California legless lizard and Blainville's (coast) horned lizard. The goal of the relocation plan is to establish guidelines and protocols for relocating special-status reptiles out of harm's way. The relocation plan shall include an overview of prior surveys for the species, figures of known and potential habitat areas, timing of relocation efforts, and details regarding capture and relocation methods. Additionally, the relocation plan shall identify and characterize suitable on-site relocation sites for each species. The following details shall be specifically incorporated and expanded upon in the relocation plan:<br>1. Relocation surveys for special-status reptiles shall be conducted during appropriate times of year when the species are active and can be located. Subject to expert refinement in the relocation plan, legless lizard cover board and raking surveys shall be conducted between January and July. Because legless lizards are not expected to move back into work areas after relocation, these surveys can be done well in advance of earthwork. Horned lizard surveys shall be conducted on warm days in April through August, immediately prior to commencement of earthwork. The relocation plan shall require a minimum of three surveys conducted during the time of year/day when each species is most likely to be observed.<br>2. Relocation surveys for legless lizards shall utilize a combination of cover boards and soil raking to find lizards in suitable habitat areas | Develop and implement a Special-Status Reptile Relocation Plan for northern California legless lizard and Blainville's (coast) horned lizard. | Prior to issuance of grading permits and during ground disturbance activities. Compliance to be verified through annual reporting. | County Department of Planning and Building; CDFW |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | prior to commencement of earthwork activities. Relocation surveys for horned lizards shall be completed by pedestrian transects on warm days utilizing narrow spacing to visually search for lizards on the surface of the soil. Special-status reptiles shall be captured by hand, stored in suitable wildlife relocation bins, and immediately relocated to approved habitat.<br>3. The relocation plan shall identify suitable legless lizard relocation habitat as any sandy soil area with suitable leaf litter under shrub or oak tree canopy. For horned lizard, suitable relocation habitat shall be identified as that which has friable soils, a detectable prey source, and sandy barrens for burrowing and basking.<br>4. The Special-Status Reptile Relocation Plan shall be submitted to the County of San Luis Obispo and California Department of Fish and Wildlife for approval no less than 60 days prior to any ground-disturbing activities within potentially occupied habitat.<br>5. A qualified biologist shall be present during ground-disturbing activities immediately adjacent to or within habitat that supports special-status reptiles.<br>6. Clearance surveys for special-status reptiles shall be conducted by a qualified biologist prior to the initiation of ground-disturbing construction each day, especially along the interface between open space and construction areas.<br>7. Results of the surveys and relocation efforts shall be provided to the County of San Luis Obispo and California Department of Fish and Wildlife in the annual mitigation status report. Collection and relocation of animals shall only occur with the necessary scientific collection and handling permits. | | | |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-7.1 | **Nesting Bird Preconstruction Survey and Nest Avoidance.** Within 1 week prior to ground-disturbing activities, if work occurs between February 1 and September 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may begin. If nesting birds are located, no construction activities shall occur within 100 feet of nests or within 500 feet of raptors until chicks have fledged. The project biologist may recommend a buffer decrease depending on site conditions (such as line-of-sight to the nest) and the birds' level of tolerance for construction activities. The biologist shall collect data on the birds' baseline behavior and their tolerance to disturbance by observing the birds at the nest prior to construction activities. If the birds are incubating, the biologist shall record how long they stay in the nest. If nestlings are present, the biologist shall record how frequently adults deliver food and visit the nest. The biologist shall also record the birds' reaction to the biologist and how close the biologist can get to the nest before the birds' behavior is altered or they show signs of stress or disturbance. The biologist shall set the reduced buffer distance based on these data. Nesting bird buffers may be reduced up to 50 feet, while raptor | Conduct preconstruction nesting bird surveys. If nesting birds are present, implement avoidance buffers and monitor the site. | Within 1 week prior to ground disturbance activities. If nesting birds are present, monitoring shall occur during construction activities. | County Planning and Building Department. |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | nest buffers may be reduced up to 250 feet. If nest buffers are reduced, the biologist shall monitor any construction activities that take place within 100 feet of nesting birds and 500 feet of raptor nests. If nesting birds show any signs of disturbance, including changes in behavior, significantly reducing frequency of nests visits, or refusal to visit the nest, the biologist will stop work and increase the nest buffer. | | | |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | BIO/mm-8.1 | **Bat Preconstruction Surveys and Passive Relocation.** Within 30 days of construction between April and September, structures and trees or snags to be removed or pruned that are greater than 20 inches diameter at breast height shall be inspected for bats. If a bat roost is found, the qualified biologist shall implement passive relocation measures, such as installation of one-way valves. Bat maternity colonies may not be disturbed. | Conduct preconstruction bat surveys. If present, a qualified biologist shall conduct passive relocation. | Within 30 days prior to construction between April and September. | County Planning and Building Department |
| Specific Plan Area<br>Cumulative | BIO/mm-9.1 | **Badger Den Preconstruction Survey and Relocation.** Preconstruction surveys shall be conducted within 30 days of beginning work on the site to identify if badgers are using proposed work areas. Survey results shall be submitted to the County with monthly construction update reports.<br>If suitable American badger dens are identified within the disturbance footprint, den openings shall be monitored with tracking medium or an infrared camera for 3 consecutive nights to determine current use. If the den is not in use, the den shall be excavated and collapsed to ensure that no animals are present during construction. If the den is occupied during the non-maternity period and avoidance is not feasible, badgers may be relocated by first incrementally blocking the den over a 3-day period, followed by slowly excavating the den (either by hand or with mechanized equipment under the direct supervision of a qualified biologist, removing no more than 4 inches at a time) before or after the rearing season (February 15–June 30). Passive relocation of American badgers shall be conducted under the direction of a qualified biologist.<br>If the preconstruction survey finds potential badger dens, the dens shall be inspected by the project biologist to determine whether they are occupied. If a potential badger den is too long to completely inspect from the entrance, a fiber optic scope may be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent reuse of dens during construction. If badgers occupy active dens in proposed work areas between February and July, nursing young may be present.<br>To avoid disturbance and the possibility of direct impacts to adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, American badger dens determined to be occupied during the breeding season (February 15–June 30) shall be flagged. Between February and July, no grading or ground-disturbing activities shall occur within 100 feet of active badger dens to protect adults and nursing young. Buffers may be modified by the qualified biologist, provided the badgers are protected, | Conduct preconstruction badger den surveys. If present, passive relocation and/or avoidance of individuals and/or active dens. | Within 30 days prior to construction and during construction activities. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | and buffers only removed after the qualified biologist determines that the den is no longer in use.<br>If a potential den is located outside of the disturbance footprint but within 500 feet of ground-disturbing activities (including staging areas), dens shall be avoided by installation of highly visible orange construction fencing a minimum of 100 feet from the den, designating the area an Environmentally Sensitive Area. Fencing shall be installed in a manner that allows badgers to move through the fencing at-will. No equipment, vehicles, or personnel shall be permitted within Environmentally Sensitive Areas without clear permission from a qualified biologist. | | | |
| Off-Site Improvements<br>Cumulative | BIO/mm-12.1 | **California Red-Legged Frog, Western Pond Turtle, and Two-Striped Gartersnake Surveys and Relocation.** All work areas within 100 feet of known California red-legged frog habitat shall be surveyed by a qualified biologist each day prior to the initiation of construction activities. As necessary, the qualified biologist shall physically relocate semiaquatic, special-status species (e.g., western pond turtle, two-striped gartersnake, etc.) and common semi-aquatic species (e.g., western toad, Pacific chorus frog, etc.) to suitable habitat areas located outside the construction zone(s). Exact procedures and protocols for relocation of the special-status species shall be based upon pre-project consultation with the California Department of Fish and Wildlife. In the event a California red-legged frog is identified in a work area, all work shall cease until the California red-legged frog has safely vacated the work area. At no time shall any California red-legged frog be relocated and/or affected by project operations without prior approval from the U.S. Fish and Wildlife Service. | Conduct preconstruction California red-legged frog surveys and monitoring during construction activities. If present, work shall cease. | Each day prior to construction activities and during construction activities. | County Planning and Building Department; CDFW |
| Off-Site Improvements<br>Cumulative | BIO/mm-13.1 | **Nesting Bird Surveys.** If construction activities are proposed during the typical nesting bird season (February 1–September 15), a nesting bird survey will be conducted by qualified biologists no more than 2 weeks prior to the start of construction to determine presence/absence of nesting birds within the project area and immediate vicinity (within 100 feet of the Nipomo Creek corridor). The County of San Luis Obispo will be notified if federally listed nesting bird species are observed during the surveys and Nipomo Community Services District will be responsible for facilitating coordination with the U.S. Fish and Wildlife Service, if necessary, to determine an appropriate avoidance strategy. Likewise, coordination with the California Department of Fish and Wildlife will be facilitated by the Nipomo Community Services District if necessary to devise a suitable avoidance plan for state-listed nesting bird species. | Conduct preconstruction nesting bird surveys. If nesting birds are present, implement avoidance buffers and monitor the site. | Within 2 weeks prior to ground-disturbing activities. If nesting birds are present, monitoring shall occur during construction activities. | County Planning and Building Department; NCSD; CDFW; USFWS |
| Specific Plan Area<br>Cumulative | BIO/mm-14.1 | **Mitigation for Burton Mesa Chaparral (*Arctostaphylos [purissima, rudis]* Shrubland Special Stands).** Prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces, the applicant shall permanently protect (conserve), enhance (increase suitability of a site as habitat), and/or restore (repair damaged habitat) Burton Mesa chaparral in | Protect, enhance, and/or restore Burton Mesa chaparral in maritime coastal California at a 2:1 | Prior to issuance of the CUP for Oak Tree Removal and Grading/Impervious Surfaces. | County Planning and Building Department; CDFW |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | maritime coastal California at a 2:1 ratio of habitat preserved to habitat lost. This ratio will achieve the "no-net loss" requirement in County of San Luis Obispo Conservation and Open Space Element Policy BR 1.4 of the County of San Luis Obispo Conservation and Open Space Element. Habitat appropriate for restoration will ideally be located on the Nipomo Mesa with climatic and soil conditions that match those found on Dana Reserve.<br><br>Conservation/enhancement/restoration of habitat areas contiguous with protected/restored *Quercus agrifolia* / *Adenostoma fasciculatum* – (*Salvia mellifera*) habitat shall be prioritized over isolated patches of mitigation. Areas contiguous with other protected maritime chaparral or oak woodland shall also be prioritized over isolated patches of mitigation. Where restoration is proposed, a restoration and enhancement plan approved by the California Department of Fish and Wildlife shall be submitted to the County prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces. A conservation easement over protected habitat shall be controlled by a qualified conservation organization approved by the County. Potential conservation organizations include, but are not limited to, The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, Cambria Land Trust, or the California Department of Fish and Wildlife. The County of San Luis Obispo shall review and approve additional analysis prior to final approval of any proposed conservation area.<br><br>If appropriate habitat is not available in San Luis Obispo County at a 2:1 ratio, the applicant may fulfill half of this mitigation requirement through restoring Burton Mesa chaparral in Santa Barbara County at an additional 2:1 ratio (e.g., if only 35 acres can be preserved/restored within San Luis Obispo County, then an additional 70 acres would be required to satisfy the mitigation if purchased in Santa Barbara County).<br><br>A combination of preservation and restoration at a 2:1 ratio would allow for a no-net-loss of cover by Burton Mesa chaparral constituent elements and maintain species diversity within the county. | ratio of habitat preserved to habitat lost. | | |
| Specific Plan Area<br><br>Cumulative | BIO/mm-15.1 | **Off-Site Mitigation for Coast Live Oak Woodland (*Quercus agrifolia* / *Adenostoma fasciculatum* – [*Salvia mellifera*]).** Prior to issuance of the Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces, the applicant shall permanently protect (conserve), enhance (increase suitability of a site as habitat), restore (repair damaged habitat), and/or recreate (revegetate previously lost habitat) *Quercus agrifolia* / *Adenostoma fasciculatum* – (*Salvia mellifera*) in coastal California at a 2:1 ratio within the range of Burton Mesa chaparral. This ratio will achieve the "no-net loss" requirement in County of San Luis Obispo Conservation and Open Space Element Policy BR 1.4 of the County of San Luis Obispo Conservation and Open Space Element. Conservation/enhancement/recreation of habitat areas shall be contiguous with mitigation for Burton Mesa chaparral. A combined approach for habitat mitigation shall include the preservation of | Protect, enhance, restore, and/or recreate *Quercus agrifolia* / *Adenostoma fasciculatum* – (*Salvia mellifera*) in coastal California at a 2:1 ratio within the range of Burton Mesa chaparral. | Prior to issuance of the CUP for Oak Tree Removal and Grading/Impervious Surfaces. | County Planning and Building Department; CDFW |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | expanded contiguous habitat of protected *Quercus agrifolia / Adenostoma fasciculatum* – (*Salvia mellifera*), recreate, restore, and/or enhance contiguous areas of *Quercus agrifolia / Adenostoma fasciculatum* – (*Salvia mellifera*). However, to comply with Senate Bill 1334, only half the mitigation requirement for loss of coast live oak can be achieved through recreation. Where restoration is proposed, a restoration and enhancement plan approved by the California Department of Fish and Wildlife shall be submitted to the County prior to issuance of the grading permit. A conservation easement over protected habitat shall be controlled by a qualified conservation organization approved by the County of San Luis Obispo. Potential conservation organizations include, but are not limited to, The Nature Conservancy, San Luis Obispo Land Conservancy, Greenspace, Cambria Land Trust, or the California Department of Fish and Wildlife. The County of San Luis Obispo shall review and approve additional analysis prior to final approval of the proposed off-site conservation area.<br>Preservation and recreation would allow for a no-net-loss of cover by *Quercus agrifolia / Adenostoma fasciculatum* – (*Salvia mellifera*) constituent elements and preserve the diversity of oak woodland habitats in the County consistent with County of San Luis Obispo Conservation and Open Space Element Policy BR 3.3.1. | | | |
| Off-Site Improvements<br>Cumulative | BIO/mm-16.1 | **Riparian Habitats.** The following measures shall be implemented for any grubbing, grading, and other ground-disturbing activities conducted within 100 feet of riparian habitat along Nipomo Creek or its tributaries to avoid potential project-related impacts to these resources and special-status species that may utilize these habitats:<br>1. All construction-related activities must observe a 100-foot setback from the Nipomo Creek riparian corridor, as measured from the outer edge of the riparian canopy. A minimum 50-foot setback shall be observed from the ephemeral drainages and flood channels, as measured from the outer edge of riparian vegetation.<br>2. If construction-related activities within the 100- or 50-foot buffers from Nipomo Creek or any other surface water resource, to the extent practicable, construction activities shall be conducted during the dry season (typically May 1–November 1), or as specified by resource agency permits and authorizations. This would reduce potential impacts to aquatic and semi-aquatic species that might be using the aquatic habitat and associated riparian vegetation as a movement/dispersal corridor.<br>3. Any construction activities conducted within 50 feet of Nipomo Creek, watercourses, pond, and riparian habitat shall be monitored by a qualified biologist.<br>4. If any special-status species are observed, the qualified biologist shall implement the measures described in BIO/mm-1.1 through BIO/mm 1.6 and BIO/mm-11.1. | Measures shall be included on all grading and construction plans. | Prior to issuance of grading and construction permits. Compliance to be verified during ground disturbance activities. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Off-Site Improvements<br><br>Cumulative | BIO/mm-17.1 | **Wetland Delineation.** Prior to construction in any undeveloped area where surface water resources or wetland indicators are present, the Nipomo Community Services District shall retain a qualified biologist to conduct a wetland delineation along the proposed alignment route, including at minimum a 50-foot buffer area and a 100-foot buffer along the Nipomo Creek riparian corridor. | A qualified biologist shall conduct a wetland delineation. | Prior to construction in any undeveloped area where surface water resources or wetland indicators are present. | County Planning and Building Department |
| Off-Site Improvements<br><br>Cumulative | BIO/mm-17.2 | Prior to construction within 50 feet of any stream or other surface water resource, the Nipomo Community Services District shall prepare project-specific plans for crossings. If construction activities require any earthwork within the banks of the drainages (including beneath the bed of the channel), the Nipomo Community Services District shall coordinate with the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board to obtain the appropriate permits for direct impacts to jurisdictional features. The Nipomo Community Services District shall implement all pre- and post-construction conditions identified in the permits issued. The plan shall be submitted to the County and applicable agencies 60 days prior to construction. | Prepare project-specific plans for stream/surface water crossings and obtain necessary permits. | Prior to construction within 50 feet of any stream or other surface water resource. The plan shall be submitted to the County for approval prior to issuance of grading and construction permits. | County Planning and Building Department; CDFW; USACE; RWQCB |
| Off-Site Improvements<br><br>Cumulative | BIO/mm-17.3 | Prior to construction within 50 feet of any stream or other surface water resource, the Nipomo Community Services District shall implement the following measures:<br>1. Prior to project implementation, the project area shall be clearly flagged or fenced so that the contractor is aware of the limits of allowable site access and disturbance. Areas within the designated project site that do not require regular access shall be clearly flagged as off-limit areas to avoid unnecessary damage to sensitive habitats or existing vegetation within the project area.<br>2. Prior to project implementation, a project Erosion Control Plan shall be prepared. During project activities, erosion control measures shall be implemented. Silt fencing, fiber rolls, and barriers (e.g., hay bales) shall be installed to establish a minimum 25-foot setback distance between the project impact areas and adjacent wetlands and other waters. At a minimum, silt fencing shall be checked and maintained on a daily basis throughout the construction period.<br>3. Prior to construction, the applicant shall prepare and submit to the Regional Water Quality Control Board or State Water Resources Control Board a Notice of Intent and prepare a Stormwater Pollution Prevention Plan in accordance with the requirements of the State General Order related to construction projects. The Stormwater Pollution Prevention Plan shall identify the selected stormwater management procedures, pollution control technologies, spill response procedures, and other means that will be used to minimize erosion and sediment production and the release of pollutants to | Measures shall be included on final grading and construction plans. | Prior to construction within 50 feet of any stream or other surface water resource and during construction. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | surface water during construction. The applicant shall ensure that sedimentation and erosion control measures are installed prior to any ground-disturbing activities.<br>4. Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant will identify required best management practices on all construction plans. These practices will be implemented prior to, during, and following construction activities as necessary to ensure their intended efficacy. Measures will include, but not necessarily be limited to, the placement of silt fencing along the down-slope side of the construction zone, on-site storage of a spill and clean-up kit at all times, and employment of both temporary and permanent erosion and sedimentation control measures (e.g., silt fencing, hay bales, straw wattles).<br>5. During project activities, if work occurring within stream channels is necessary, it shall be conducted during the dry season if possible (typically May 1–November 1).<br>6. Prior to construction, the applicant shall ensure preparation and implementation of a Spill Prevention and Contingency Plan that includes provisions for avoiding and/or minimizing impacts to sensitive habitat areas, including wetland and riparian areas and waterbodies due to equipment-related spills during project implementation. The applicant shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the applicant shall ensure that the plan allows a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measure to take should a spill occur. The plan shall include the following provisions:<br>a. All equipment fueling shall be conducted within the designated staging areas of the project site. Such areas shall consist of roadway or ruderal habitat. At no time shall any equipment fueling be conducted within 100 feet of any wetland and riparian habitat area or waterbody.<br>b. An overview of the containment measures to appropriately store and contain all fuels and associated petroleum products during the project shall be included in the plan. This shall include provisions for equipment staging areas, such as the need for drip pans underneath parked equipment and designated storage areas for fuel dispensing. | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area<br><br>Cumulative | BIO/mm-18.1 | **Prepare On-Site Tree Protection Plan for Trees Retained.** Prior to issuance of a grading permit for any future development within the Specific Plan Area, a qualified arborist shall prepare a Tree Protection Plan designed to protect retained oaks during construction. Tree protection guidelines and a root protection zone shall be established and implemented for each retained tree over 4 inches diameter at breast height within 50 feet of site disturbance. The following criteria shall be included:<br><br>1. **Preserve Oak Forest Habitat on Dana Reserve.** Designate oak forest habitat for open space preservation where limited recreational and open space uses may be allowed. Preserve a minimum of 17 acres of oak forest habitat on-site.<br><br>2. **Map and Number Trees to be Retained.** Tree canopies and trunks within 50 feet of proposed disturbance zones shall be mapped and numbered by a County of San Luis Obispo-approved arborist or biologist and a licensed land surveyor. Data for each tree shall include date, species, number of stems, diameter at breast height of each stem, critical root zone diameter, canopy diameter, tree height, health, habitat notes, and nests observed.<br><br>Impacts shall be identified for native oak trees with a diameter at breast height of 4 inches or greater, as measured at a height of 4.5 feet aboveground. Impacts include any ground disturbance within the critical root zone, trunk damage, or any pruning of branches 3 inches in diameter or greater.<br><br>A qualified arborist shall determine the critical root zone for each retained tree on a case-by-case basis, generally 1.5 times the average canopy radius (distance from trunk to edge of drip line). For example, a tree with a 24-foot-diameter canopy would have a 36-foot critical root zone, or approximately 18 feet from the trunk. Where the canopy has been pruned prior to evaluation, the critical root zone may be calculated as 1.5 feet per inch of the tree's diameter at breast height. For example, an 18-inch diameter at breast height tree would be assigned a 24-foot critical root zone. The extent of the critical root zone shall be used as the basis for a tree protection zone, such as the line of encroachment for the edge of a group of trees, shown on all construction plans.<br><br>3. **Preconstruction Meeting.** On-site preconstruction meetings for each phase that affects oak trees shall be attended by the arborist(s), owner(s), Planning staff, and earth-moving team. Explicit exhibits and discussion will focus on tree protection during construction and provisions of the Tree Protection Plan.<br><br>4. **Install Protective Fencing.** Tree protection fencing shall be installed at the perimeter of the tree protection zone. At a minimum, a tree protection zone shall be delineated as a no-construction zone. Preferably, fencing shall be installed 6 feet outside the tree | Preparation and implementation of a Tree Protection Plan to protect retained oaks during construction. | Prior to issuance of a grading permit. Compliance to be verified during construction. The success of each planting shall be verified through County inspection. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | protection zone. No construction equipment shall be staged, parked, or stored within 6 feet of any oak tree dripline.<br><br>The fence shall be installed with arborist field consultation before any construction or earth moving begins. The proposed fencing shall be shown on the grading plan. It must be a minimum of 4-foot-high chain-link, snow, or safety fence staked (with t-posts 8 feet on center). The owner/applicant shall be responsible for maintaining an erect fence throughout the construction period. (For trees to be protected longer than 4 months, metal fencing is preferred to minimize maintenance requirements.) The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval.<br><br>If plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. Weatherproof signs shall be permanently posted on the fences every 50 feet, with the following information: Tree Protection Zone. No personnel, equipment, materials, or vehicles allowed.<br><br>5. **Avoid and Minimize Tree Impacts.** Impacts to the oak canopy or critical root zone shall be avoided where feasible in light of project layout and the locations of physical structures, paved or otherwise altered surfaces, and infrastructure. Impacts include pruning branches over 3 inches in diameter, any ground disturbance or soil compaction within the dripline or critical root zone of the tree (whichever distance is greater), and trunk damage.<br><br>a. No Tree Attachments. Wires, signs, and other similar items shall not be attached to the oak trees.<br><br>b. Pruning. Pruning shall be implemented by, or under the direction of, a certified arborist. The purpose and type of pruning implemented shall be tracked by service date and class of pruning for each tree. A certified arborist shall direct all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned prior to any grading activities to avoid branch tearing. Unless a hazardous or unsafe situation exists, major trimming shall be done only during the summer months. (Coast live oaks, which retain their leaves year-round, are generally dormant July through October.)<br><br>i. Class 1 pruning emphasizes aesthetics, removal of dead, dying, and decaying weak branches and selective thinning to lessen wind resistance. | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | ii. Class 2 pruning is for structural integrity and tree health concerns. It consists of removal of dead, dying, decaying, interfering, obstructing, and weak branches and selective thinning to lessen wind resistance.<br>iii. Class 3 pruning is conducted for safety considerations and hazardous conditions.<br>iv. Class 4 pruning includes crown-reduction pruning, such as reduction of tops, sides, or individual limbs.<br>Removal of larger lower branches shall be minimized to avoid making tree tops heavy and more susceptible to "blow-overs," reduce large limb cuts that are susceptible to disease and infestation, retain wildlife habitat values associated with the lower branches, retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers), and retain the natural shape of the tree. The amount of trimming (roots or canopy) done in any one season shall be limited as much as possible to reduce tree stress/shock (10% or less is best, 25% maximum).<br>c. Surface Root Protection. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.<br>d. Utility Placement. All utilities, sewer, and storm drains shall be placed down the roads and driveways and, when possible, outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over roots larger than 3 inches in diameter. Boring under oaks is also acceptable.<br>e. Permeable Paving within 20 Feet of the Critical Root Zone. Paving shall be pervious material where access roads or driveways encroach within 20 feet of a retained oak tree's critical root zone.<br>f. Trenching within the Critical Root Zone. All trenching within the critical root zone of native trees shall be hand dug or implemented with an air spade or bore. All major roots shall be avoided whenever possible. All exposed roots larger than 1 inch in diameter shall be clean cut with sharp pruning tools and not left ragged. A mandatory | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | meeting between the arborists and grading contractor(s) must take place prior to work start.<br>g. Grading within the Critical Root Zone. Grading shall not encroach within the critical root zone unless authorized by the grading permit. Grading shall not disrupt the normal drainage pattern around the trees. Fills shall not create a ponding condition and excavations shall not leave the tree on a rapidly draining mound. Any exposed roots shall be covered the same day they were exposed if possible. If left exposed for more than a day, roots must be covered with burlap or another suitable material and wetted down two times per day until reburied.<br>h. Equipment Operation. Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also, there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless preapproved by the arborist.<br>i. Existing Surfaces. The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted, or impaired, unless shown on the grading plans and approved by the arborist. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts.<br>ii. Construction Materials and Waste. No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials. No waste or contaminated water shall be dumped on the ground or into any grate between the outer edge of the critical root zone and the base of the oak trees, or uphill from any oak tree where such substance might reach the roots through a leaching process.<br>iii. No Permanent Irrigation within the Dripline of Existing Oaks. No permanent irrigation shall occur within the dripline of any existing oak tree<br>6. **Correct Damage to Oaks.** The applicant shall be responsible for correcting any damage to oak trees on the property in a manner specified by an arborist approved by the County at the applicant's expense. | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | a. Impacted Root Treatment. Roots impacted during construction (e.g., trenching or grading operations) shall be treated by the arborist on a case-by-case basis using best practices, such as clean cuts accompanied by application of appropriate fungicides and insecticides by a licensed pest control applicator.<br>b. Soil Aeration Methods. Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2–3 feet apart with a 2–4-inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.<br>c. Chip Mulch. All impacted areas within the critical root zone of the trees shall receive a 4- to 6-inch layer of chip mulch to retain moisture, retain soil structure, and reduce the effects of soil compaction.<br>d. Landscape. All landscape within the critical root zone shall consist of drought-tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise aboveground drip irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation. For this site, it is strongly recommended that drought-tolerant native landscape is used with the approval of the arborist. This includes all sidewalk/greenbelt areas.<br>e. Fertilization and Cultural Practices. As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhizal inoculation applications that will benefit tree health. Application of mycorrhizal inoculum offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.<br>f. Post-Construction Tree Inspection. Prior to occupancy of each phase, a letter from the arborist(s) shall be required that verifies health/condition of all impacted trees and provides recommendations for additional mitigation. The letter shall verify that the arborist(s) or their designee were on-site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work in these areas was completed to the standards set forth above.<br>7. **Arborist Supervision and Treatment of Impacted Trees.** A licensed arborist shall supervise all ground disturbances within the | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | tree protection zone and activities that may impact branches. The arborist shall provide guidance such as temporary damaged root protection, use of air spades, timing between impact and root treatment by arborist, appropriate use of air spade or hand tools to minimize tree damage specific to the action proposed, and to treat root zone and branch damage.<br><br>During and upon completion of construction, the licensed arborist shall provide treatment, as the licensed arborist determines is appropriate, to maintain and improve the health of the tree, including pruning of the broken main stem, and soil supplement and watering programs. All root pruning shall be completed with sharpened hand pruners. Pruned roots shall be immediately covered with soil or moist fabric. Damaged roots shall be treated within 24 hours by a qualified tree specialist to inhibit fungus, insects, or other disease damage.<br><br>8. **Report Tree Impacts.** Damage to any tree during construction shall be reported to the project arborist within 24 hours. The damage should be treated as soon as possible, as appropriate, by an arborist or his/her designee approved by the County of San Luis Obispo to prevent disease or pest infestation. Damage will be reported to the County of San Luis Obispo and applicant during each month of construction.<br><br>All monitoring will be documented on the field report form, which will be forwarded to the project manager and County.<br><br>9. **Protect Replacement/Mitigation Oaks.** The following activities are not allowed within the root zone of newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plants for up to 7 years), grading (includes cutting and filling of material), compaction (e.g., regular use of vehicles), placement of impermeable surfaces (e.g., pavement), and disturbance of soil that impacts roots (e.g., tilling).<br><br>10. **Notes on Plans.** The standards in BIO/mm-18.1(1–7) shall be noted and shown on all grading and building plans, as well as an additional map sheet recorded with any Final Map in order to describe the activities prohibited outside the approved construction envelopes. All trees to be retained within 50 feet of impact areas shall be shown with tree protection zone for groups of trees and critical root zone for individual trees.<br><br>11. **Prepare and Implement On-Site Oak Tree Protection, Replacement, and Habitat Restoration Plan.** Prior to recordation of a Final Map for a land division on the property, the developer shall submit a Tree Protection Plan, Tree Replacement Plan (BIO/mm-18.2), and Oak Woodland Habitat Restoration Plan (BIO/mm-18.3) for the review and approval by the County of San Luis Obispo Planning and Building Director. The Oak Tree | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | Protection, Replacement, and Habitat Restoration Plan will be approved by the County of San Luis Obispo and provided to all contractors and subcontractors that work within or adjacent to the critical root zone of native trees. Provisions of the Oak Tree Protection, Replacement, and Habitat Restoration Plan shall be included in the Worker Environmental Training Program to confirm that workers and supervisors are trained in maintaining fencing, protecting root zones, and conforming to all tree protection goals. Each contractor must sign and acknowledge the plan. Any future changes (within the critical root zone) will need project arborist review and implementation of potential mitigation measures before proceeding.<br>12. **Mitigate Impacts to Preserved Trees.** Damage that occurs to protected retained trees or sensitive habitats resulting from construction activities shall be mitigated in a manner approved by the County of San Luis Obispo Planning and Building Director. Impacts to less than 10% of the tree's critical root zone and canopy shall be mitigated at a 2:1 ratio (plant two trees for each tree impacted). Impacts over 10% and less than 50% of the tree's critical root zone and/or canopy shall be mitigated at a 3:1 ratio. Impacts to more than 50% of the trees' critical root zone shall require mitigation at a 4:1 ratio. See BIO/mm-18.2 for replacement tree performance criteria.<br>Mitigation for impacted trees shall be tracked with the following information: tree tag number, location (latitude/longitude WGS84 datum), number of trunks, diameter at breast height of main trunk, proposed critical root zone impact percent, proposed mitigation ratio, actual impact percent, date of impact (month/year), document if accounted for in approved plans, actual replacement ratio, actual replacement number, date of planting (month/year), location of mitigation planting (Phase and general location), and expected year performance criteria to be met.<br>Quarterly impact and proposed mitigation documentation shall be provided to the County during the active phases of construction. Annual reports shall be provided until the project is completed. | | | |
| Specific Plan Area<br>Cumulative | BIO/mm-18.2 | **Tree Replacement Plan.** Prior to issuance of a grading permit for any future development within the Specific Plan Area, a qualified arborist shall prepare and submit an Oak Tree Replacement Plan for the review and approval by the County of San Luis Obispo Planning and Building Director. The Oak Tree Replacement Plan will be approved by the County of San Luis Obispo and will include a plan for adding native oaks to the landscape planting plan for streets and recreational open spaces.<br>The Oak Tree Replacement Plan shall specify the number of oak trees to be planted based on the following mitigation ratios: | The landscape planting plan shall include native oaks and other plants. | Prior to issuance of grading permits. Compliance to be verified prior to occupancy. The success of each planting shall be verified through County inspection. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | 1. **Mitigation for Removed Trees.** Oak trees removed from habitat types not mapped as oak woodland or oak forest in Figure 4.4-2, shall be mitigated for by planting replacement trees at a 4:1 ratio (four trees for each tree removed, e.g., 120 oaks planted for 30 removed).<br>2. **Mitigation for Impacts to Preserved Trees.** Per BIO/mm-18.1, damage that occurs to protected retained trees resulting from construction activities shall be mitigated for at the following ratios:<br>a. Impacts to less than 10% of a tree's critical root zone and canopy shall be mitigated at a 2:1 ratio (plant two trees for each tree impacted).<br>b. Impacts over 10% and less than 50% of a tree's critical root zone and/or canopy shall be mitigated at a 3:1 ratio (plant three trees for each tree impacted).<br>c. Impacts to more than 50% of a trees' critical root zone and/or canopy shall require mitigation at a 4:1 ratio (plant four trees for each tree impacted).<br>3. **Criteria for Replacement Trees:**<br>a. Mitigation trees may be planted to enhance the on-site oak woodland and/or included in the landscape planting plan but are not allowed in the preserved oak forest habitat.<br>b. If on-site planting areas are not available, off-site oak habitat mitigation areas shall be calculated at two times 1,750 square feet per tree (assuming a 47-foot-diameter average canopy of trees removed from grassland habitats).<br>c. Replacement trees shall not be planted within designated fire fuel management zones (i.e., within 100 feet of structures).<br>d. A minimum of 25% of the oak trees planted in mitigation areas and in on-site restoration areas shall be propagated from acorns collected from on-site oak trees, preferably from those proposed to be removed. All mitigation trees propagated from acorns must reach at least 1-inch in diameter prior to the removal of mature trees.<br>e. All other mitigation trees must be from Central Coast acorns. All replacement trees shall be at least 1-inch in diameter.<br>f. Mitigation trees shall be maintained and monitored for a minimum of 7 years and must have reached a minimum height of 6 feet prior to certification of completion. | | | |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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g. The following activities are not allowed within the root zone of newly planted oak trees: Year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plants for up to 7 years), grading (includes cutting and filling of material), compaction (e.g., regular use of vehicles), placement of impermeable surfaces (e.g., pavement), and disturbance of soil that impacts roots (e.g., tilling).

In addition to oaks, the Oak Tree Replacement Plan shall include plants typical of Nipomo Mesa native oak woodlands in open space planting palettes, as well as herbs and shrubs that thrive near oaks, and generally require less irrigation than some of the landscaping commonly employed on the Central Coast. The table below provides appropriate plants associated with oak trees, including species found on the Dana Reserve. This list includes several with California Rare Plant Rank status. The landscape planting plan shall include common native understory species, such as western nettle and California plantain, as they may be naturally present in native landscapes and allowed to be retained by maintenance crews during restoration and site maintenance. Special-status species should be encouraged to be represented in the native plant landscape plan, especially in areas where already present or in the vicinity.

***Recommended Native Plant Species for Landscaping***

| Scientific Name | Common Name | Special Status |
|---|---|---|
| ***Shrubs – 12 Native Taxa*** | | |
| *Artemisia californica* | California sagebrush | -- |
| *Ceanothus impressus* var. *nipomensis* | Nipomo Mesa ceanothus | CRPR 1B.2 |
| *Ceanothus cuneatus* var. *fascicularis* | Sand buck brush | CRPR 4.2 |
| *Cercocarpus betuloides* var. *betuloides* | Birch-leaf mountain-mahogany | -- |
| *Frangula californica* | California coffee berry | -- |
| *Heteromeles arbutifolia* | Toyon | -- |
| *Prunus ilicifolia* | Hollyleaf cherry | -- |
| *Prunus fasciculata* var. *punctata* | Sand almond | CRPR 4.3 |

| Project Component | Mitigation Measure | Requirements of Measure | | | Compliance Method | Verification Timing | Responsible Party |
|---|---|---|---|---|---|---|---|
| | | *Rhamnus crocea* | Spiny redberry | -- | | | |
| | | *Salvia mellifera* | Black sage | -- | | | |
| | | *Sambucus nigra* ssp. *caerulea* | Blue elderberry | -- | | | |
| | | *Symphoricarpos mollis* | Creeping snowberry | -- | | | |
| | | ***Forbs – Annual and Perennial Native Taxa*** | | | | | |
| | | *Acmispon americanus* | American bird's foot trefoil | -- | | | |
| | | *Acmispon glaber* | Deer weed | -- | | | |
| | | *Anaphalis margaritacea* | Pearly everlasting | -- | | | |
| | | *Asclepias eriocarpa* | Kotolo | -- | | | |
| | | *Cirsium occidentale* | Cobweb thistle | -- | | | |
| | | *Clarkia purpurea* ssp. *viminea* | Wine cup Clarkia | -- | | | |
| | | *Claytonia parviflora* ssp. *parviflora* | Miner's lettuce | -- | | | |
| | | *Corethrogyne filaginifolia* | Common tansyaster | -- | | | |
| | | *Dichelostemma capitatum* ssp. *capitatum* | Blue dicks | -- | | | |
| | | *Diplacus aurantiacus* | Sticky monkeyflower | -- | | | |
| | | *Helianthemum scoparium* | Broom rose | -- | | | |
| | | *Hesperocnide tenella* | Western nettle | -- | | | |
| | | *Heterotheca grandiflora* | Telegraph weed | -- | | | |
| | | *Horkelia cuneata* var. *puberula* | Mesa horkelia | CRPR 1B.1 | | | |
| | | *Lupinus bicolor* | Miniature lupine | -- | | | |
| | | *Lupinus nanus* | Sky lupine | -- | | | |
| | | *Lupinus truncatus* | Blunt leaved lupine | -- | | | |
| | | *Paeonia californica* | California peony | -- | | | |
| | | *Pedicularis densiflora* | Warrior's plume | -- | | | |

| Project Component | Mitigation Measure | Requirements of Measure | | | Compliance Method | Verification Timing | Responsible Party |
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| | | *Phacelia ramosissima* | Branching phacelia | -- | | | |
| | | *Phacelia tanacetifolia* | Lacy phacelia | -- | | | |
| | | *Pholistoma auritum* | Fiesta flower | -- | | | |
| | | *Piperia michaelii* | Michael's rein orchid | CRPR 4.2 | | | |
| | | *Plantago erecta* | California plantain | -- | | | |
| | | *Pseudognaphalium californicum* | Ladies' tobacco | -- | | | |
| | | *Pterostegia drymarioides* | Fairy mist | -- | | | |
| | | *Silene laciniata* | Cardinal catchfly | -- | | | |
| | | *Solanum americanum* | Common nightshade | -- | | | |
| | | *Solanum xanti* | Chaparral nightshade | -- | | | |
| Specific Plan Area<br><br>Cumulative | BIO/mm-18.3 | **Protect On-Site Oak Woodland Resources Intended to be Retained and Preserved On-Site.** Prior to issuance of a grading permit for any future development within the Specific Plan Area, the applicant shall submit an Oak Woodland Protection and Restoration Plan to be reviewed and approved by the County of San Luis Obispo Planning and Building Department. Coast live oak forest, woodland, and retained trees within 50 feet of development shall be shown on all grading and development plans. The plan shall be prepared by a qualified individual acceptable to the County of San Luis Obispo Director of Planning and Building. The plan shall specify short- and long-term management actions necessary to preserve and enhance the on-site biological open space and will include sections for (1) habitat protection, (2) monitoring during project construction, (3) reporting, (4) oak tree replacement planting, (5) rare plant mitigation planting and protection, and (6) wildlife habitat protection. The plan shall include (7) a fuel management component that provides measures to protect native understory vegetation and downed woody debris in a manner that optimizes wildlife habitat protection and reduces fire risk to neighborhoods.<br><br>Fire fuel management shall address reduction of fire fuel loads within 100 feet of structures. The first 30 feet from residences/structures (e.g., the back of yards) shall be maintained to remove dead plant material, and trees shall be maintained to keep branches 10 feet from other trees. In the next 70 feet, annual grass shall be cut or grazed to a maximum average height of 4 inches. A horizontal space shall be created between patches of native shrubs. Fallen branches, twigs, and bark shall be removed to reduce total fuel load. Patches of live shrubs shall be retained, and patches of annual wildflowers shall be mowed/grazed after seeds have set. Young trees that are in shrub-form shall be shaped to minimize fuel load but allow for trees to protect their trunks during the growth period. Heavy branches of mature trees at least 6 feet from | | | Prepare and implement an Oak Woodland Protection and Restoration Plan. | Prior to issuance of grading permits. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | the ground shall be removed per California Department of Forestry and Fire Protection's "Prepare for Wildfire" recommendations to maintain defensible space. Management of defensible space (100 feet from structures and 10 feet from roads) must protect special-status plant and wildlife taxa as specified in Mitigation Measures BIO/mm 1.1 through BIO/mm-1.1 through BIO/mm-1.6, BIO/mm-2.1 through BIO/mm-2.3, BIO/mm-3.1, BIO/mm-4.1 and BIO/mm-4.2, BIO/mm-5.1, BIO/mm-6.1, BIO/mm-7.1, BIO/mm-8.1, BIO/mm-9.1, and BIO/mm-14.1. | | | |
| Specific Plan<br>Cumulative | BIO/mm-18.4 | **Off-Site Preservation.** Prior to recordation of a Final Map for a land division over the Specific Plan Area, the applicant shall protect coast live oak forest (*Quercus agrifolia* / *Toxicodendron diversilobum* association) and coast live oak woodland (*Quercus agrifolia* / *Adenostoma fasciculatum* – [*Salvia mellifera*] association) at a ratio of 2:1 (2 acres conserved for each acre removed). A conservation easement over the protected habitat shall be controlled by a qualified conservation organization approved by the County of San Luis Obispo. Potential conservation organizations include, but are not limited to, The Nature Conservancy, Land Conservancy of San Luis Obispo County, Greenspace, or Cambria Land Trust.<br>Applicant-Proposed Mitigation: The applicant proposes to conserve 187 acres of coast live oak woodland and 67.5 acres of coast live oak forest that is intermixed with the 95.9 acres of chamise chaparral, 19.2 acres of La Panza manzanita chaparral, and 26.4 acres of annual grassland on the Dana Ridge Ranch. This property is located southeast of Dana Reserve (see Figure 4.4-13). Habitat descriptions, a plant list, and figures associated with this off-site mitigation location are detailed in Althouse and Meade (2021). The project proposes to impact 21.7 acres of coast live oak forest and 75.3 acres of coast live oak woodland (97.0 acres total). The applicant's proposed mitigation on Dana Ridge Ranch would yield a mitigation ratio of 3.1:1 for coast live oak forest and 2.5:1 for coast live oak woodland habitats. No restoration or replacement of removed oak trees is proposed. | The applicant shall protect coast live oak forest (*Quercus agrifolia* / *Toxicodendron diversilobum* association) and coast live oak woodland (*Quercus agrifolia* / *Adenostoma fasciculatum* – [*Salvia mellifera*] association) at a ratio of 2:1 (two acres conserved for each acre removed). | Prior to issuance of grading permits. | County Planning and Building Department; qualified conservation organization(s) |
| Off-Site Improvements<br>Cumulative | BIO/mm-19.1 | **Oak Tree Monitoring.** Impacts to oak trees shall be avoided where feasible. Impacts include any ground disturbance or soil compaction within the dripline or critical root zone of the trees (whichever distance is greater). A qualified arborist shall determine the critical root zone for each oak tree within the path of the pipeline alignments. Ground disturbance shall be supervised by a licensed arborist if excavation is proposed within the critical root zone of an oak tree. The arborist shall supervise all trenching within the critical root zone. The arborist shall provide guidance such as temporary damaged root protection, use of air spades, timing between impact and root treatment by arborist, appropriate use of air spade or hand tools to minimize tree damage specific to the action proposed, and to treat root zone and branch damage. During and upon completion of construction, the licensed arborist shall provide treatment, as the licensed arborist determines is appropriate, to maintain and improve the health of the tree, including pruning of the broken main stem, and soil supplement and watering programs. All root pruning shall be completed | Avoid and protect oak trees. | During construction activities for off-site improvements. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | with sharpened hand pruners. Pruned roots shall be immediately covered with soil or moist fabric. Damaged roots shall be treated within 24 hours by a qualified tree specialist to inhibit fungus, insects, or other disease damage. | | | |
| ***Cultural Resources*** | | | | | |
| Off-Site Improvements<br>Cumulative | CR/mm-1.1 | **Historical Resources Evaluation.** Prior to development of off-site improvements, a qualified architectural historian will conduct a review to determine the presence of historical resources and/or the potential for the improvements to affect historical resources and prepare a report that details the evaluation methodology, findings, and recommended mitigation measures to avoid and/or minimize potential impacts. The report shall be submitted to the Nipomo Community Services District for implementation and to the County of San Luis Obispo Planning and Building Department for verification of compliance with this measure. | A qualified architectural historian shall conduct a review to determine the presence of historical resources. | Prior to development of off-site improvements. | County Planning and Building Department |
| Specific Plan Area<br>Cumulative | CR/mm-2.1 | **Environmentally Sensitive Areas.** The Extended Phase I study identified areas within each resource that contain subsurface deposits, which have higher potential to yield important information. Although abundant within the project area, non-diagnostic surface artifacts generally lack significant data potential. As such, the localized portions of each respective resource that contain evidence of subsurface deposits shall be avoided.<br>These areas shall be labeled as Environmentally Sensitive Areas on construction plans for initial site preparation and infrastructure establishment, as well as construction plans for all future phases of the project. Highly visible temporary construction fencing shall be installed along the boundary and shall remain in place during initial ground disturbance. To the greatest extent feasible, no ground disturbance, construction worker foot traffic, storage of materials, or storage or use of equipment shall occur within 50 feet of the Environmentally Sensitive Areas. If an Environmentally Sensitive Area will be accessible by occupants or visitors to the development, the Environmentally Sensitive Area shall be clearly marked, and designated trails will be established to ensure that no future impacts to the Environmentally Sensitive Areas occur as a result of the project. Where feasible, native vegetation shall be planted and maintained in a way that protects off-trail activity within the Environmentally Sensitive Area(s) and minimizes impacts from planting, irrigation, and use for the life of the project. | Environmentally Sensitive Areas shall be printed on final construction and grading plans. Avoidance of Environmentally Sensitive Areas. | Prior to issuance of grading and construction permits and during construction activities. Compliance to be verified during construction activities. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area<br><br>Cumulative | CR/mm-2.2 | **Data Recovery Plan.** If a resource cannot be protected and avoided as an Environmentally Sensitive Area as described in CR/mm-2.1, the applicant shall retain a County of San Luis Obispo-qualified archaeologist to conduct and implement resource-specific data recovery prior to initial site preparation and infrastructure establishment, as well as prior to construction of all future phases of the project occurring within 50 feet of an Environmentally Sensitive Area. Prior to implementation of data recovery, a County-qualified archaeologist shall prepare a Data Recovery Plan outlining the goals and methods for conducting and reporting on the work. The Data Recovery Plan will include, but not be limited to:<br>1. Research design;<br>2. Excavation methodology;<br>3. Curation or repatriation plan;<br>4. Treatment of human remains;<br>5. Proposed sample size;<br>6. Proposed excavation locations; and<br>7. Coordination with local tribal groups.<br>The Data Recovery Plan will be tailored to the level of physical disturbance at each resource (if any). As the full extent of proposed disturbance cannot be determined at this time, it is not practical to include the preparation of the Data Recovery Plan as part of this Environmental Impact Report. The Data Recovery Plan will be prepared in direct coordination with local tribal groups and shall be submitted to the County of San Luis Obispo Planning and Building Department for review and approval. | If a resource will not be protected as an Environmentally Sensitive Areas, a County-qualified archaeologist shall prepare a Data Recovery Plan. | Prior to issuance of construction and grading permits. Prior to implementation of data recovery. | County Planning and Building Department |
| Specific Plan Area<br><br>Off-Site Improvements<br><br>Cumulative | CR/mm-2.3 | **Cultural Resources Protection Plan.** In addition to the resource-specific Data Recovery program, a County of San Luis Obispo -qualified archaeologist shall prepare a Cultural Resources Protection Plan to ensure impacts to unknown resources are avoided or minimized during all future phases of the project, including off-site improvements. The Cultural Resources Protection Plan shall include, but not be limited to, the following provisions:<br>1. List of personnel involved in the observation and oversight activities;<br>2. Description of how monitoring will occur;<br>3. Description of frequency of monitoring (e.g., full-time, part time, spot checking);<br>4. Description of what resources are expected to be encountered;<br>5. Description of circumstances that would result in the halting of work at the project site (e.g., what is considered significant archaeological resources?);<br>6. Description of procedures for halting work on the site and notification procedures; | A County-qualified archaeologist shall prepare a Cultural Resources Protection Plan. | Prior to issuance of construction and grading permits and during construction. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | 7. Description of reporting procedures; and<br>8. Consultation with appropriate Chumash tribal representatives.<br>The Cultural Resources Protection Plan shall outline how and when archaeological and/or tribal monitoring may occur during initial project activities. The intent of the Cultural Resources Protection Plan is to ensure avoidance of adverse impacts to resources protected as Environmentally Sensitive Areas and to ensure proper treatment in the case unknown resources are inadvertently discovered during project implementation. | | | |
| Specific Plan Area<br>Off-Site Improvements<br>Cumulative | CR/mm-2.4 | **Worker Awareness Training.** Prior to construction activities, the applicant shall have a County of San Luis Obispo-qualified archaeologist and a tribal representative conduct a cultural resources training for all construction personnel, including the following:<br>1. Review the types of archaeological artifacts that may be uncovered;<br>2. Provide examples of common archaeological artifacts to examine;<br>3. Review what makes an archaeological resource significant to archaeologists and local Native Americans;<br>4. Describe procedures for notifying involved or interested parties in case of a new discovery;<br>5. Describe reporting requirements and responsibilities of construction personnel;<br>6. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and,<br>7. Describe procedures that would be followed in the case of discovery of disturbed and/or intact human burials and burial-associated artifacts. | A County-qualified archaeologist and a tribal representative shall conduct a cultural resources training for all construction personnel and participation shall be documented. | The training and documentation of participation shall be conducted and submitted prior to construction activities. | County Planning and Building Department |
| Off-Site Improvements<br>Cumulative | CR/mm-3.1 | **Retain Archaeologist.** Prior to development of off-site improvements, a County of San Luis Obispo-qualified archaeologist shall be retained by the applicant to conduct a review of California Historical Resources Information System records search data to determine the presence of known resources and determine if the off-site improvement areas have been previously subject to archaeological study, and whether the study adequately addresses the potential for archaeological resources to occur within the disturbance area associated with implementation of the project.<br>If it is determined a study has not been conducted or existing research does not meet California Environmental Quality Act requirements for the identification and treatment of California Register of Historical Resources-eligible resources, a new study shall be conducted. The study shall identify archaeological resources that have the potential to be impacted by future development and provide mitigation measures to avoid and/or minimize potential impacts. Additional tasks, such as Native American coordination, Phase II archaeological testing, Phase III data recovery, and historic research, shall be conducted as necessary. The study shall identify cultural resources | A County-qualified archaeologist shall be retained to determine the presence of archaeological resources. | Prior to development of off-site improvements. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | that have the potential to be impacted by future development and identify resource-specific mitigation measures to avoid and/or minimize potential impacts. The study shall be submitted to the County of San Luis Obispo Planning and Building Department prior to initiation of site preparation for off-site improvements. | | | |
| ***Geology and Soils*** | | | | | |
| Specific Plan Area | GEO/mm-1.1 | **Foundations.** The following recommendations shall be incorporated into the design criteria for future development of the Specific Plan Area:<br>1. Conventional continuous and spread footings bearing on compacted soils may be used to support the new structures. Grade beams shall also be placed across all large entrances into the buildings. Footings and grade beams shall have a minimum depth of 12 inches below lowest adjacent grade; however, footings and grade beams for commercial buildings and residential buildings two stories or greater shall have a minimum depth of 18 inches below lowest adjacent grade. All spread footings shall be a minimum of 2 square feet. Footing and grade beam dimensions shall also conform to the applicable requirements of Section 1809 of the 2019 California Building Code. Footing reinforcement shall be in accordance with the requirements of the architect/engineer; minimum continuous footing and grade beam reinforcement shall consist of two No. 4 rebar, one near the top and one near the bottom of the footing.<br>2. Footings shall be designed using a maximum allowable bearing capacity of 2,000 pounds per square foot (psf) dead plus live load. The allowable bearing capacity may be increased by 200 psf for each additional 6 inches of embedment below a depth of 12 inches below lowest adjacent grade. The allowable bearing capacity shall not exceed 3,000 psf dead plus live loads. Using these criteria, maximum total and differential settlement under static conditions are expected to be on the order of 3/4-inch and 1/4-inch in 25 feet, respectively. Footings shall also be designed to withstand total and differential dynamic settlement of 1/2-inch and 1/4-inch across the largest building dimension, respectively.<br>3. Lateral loads may be resisted by soil friction and by passive resistance of the soil acting on foundations. Lateral capacity is based on the assumption that backfill adjacent to foundations is properly compacted. A passive equivalent fluid pressure of 375 pounds per cubic foot (pcf) and a coefficient of friction of 0.39 may be used in design. No safety, load, and/or other factors have been applied to any of the values.<br>4. The allowable bearing capacity may be increased by one-third when transient loads, such as wind or seismicity, are included if the structural engineer determines they are allowed per Sections | Design recommendations shall be shown on final construction and building plans. | Prior to issuance of construction and building permits. | County Planning and Building Department |

<table>
<tr><th>Project Component</th><th>Mitigation Measure</th><th>Requirements of Measure</th><th>Compliance Method</th><th>Verification Timing</th><th>Responsible Party</th></tr>
<tr><td></td><td></td><td>1605.3.1 and 1605.3.2 of the 2019 California Building Code. The following seismic parameters are presented for use in structural design.<br><br>
<table>
<tr><th colspan="2">2019 Mapped CBC Values</th><th colspan="2">Site Class “D” Adjusted Values</th><th colspan="2">Design Values</th></tr>
<tr><th>Seismic Parameters</th><th>Values (g)</th><th>Site Coefficients</th><th>Values (g)</th><th>Seismic Parameters</th><th>Values (g)</th><th>Seismic Parameters</th><th>Values (g)</th></tr>
<tr><td>$S_S$</td><td>1.056</td><td>$F_a$</td><td>1.078*</td><td>$S_{MS}$</td><td>1.138</td><td>$S_{DS}$</td><td>0.759*</td></tr>
<tr><td>$S_1$</td><td>0.386</td><td>$F_V$</td><td>1.914</td><td>$S_{M1}$</td><td>0.739</td><td>$S_{D1}$</td><td>0.493</td></tr>
</table>
Peak Mean Ground Acceleration ($PGA_M$) = 0.527g<br><br>
Seismic Design Criteria = D<br><br>
*$F_a$ should be taken as 1.4 and $S_{DS}$ as 0.996 if the Simplified Lateral Force Analysis Procedure in Section 12.14.8 of the American Society of Civil Engineers Publications is used in structural design<br><br>
5. Foundation excavations shall be observed by the geotechnical engineer prior to placement of reinforcing steel or any formwork. Foundation excavations shall be thoroughly moistened prior to Portland cement concrete placement and no desiccation cracks shall be present.</td><td></td><td></td><td></td></tr>
<tr><td>Specific Plan Area</td><td>GEO/mm-5.1</td><td>Site Preparation.<br><br>1. The existing ground surface in the building and surface improvements areas shall be prepared for construction by removing existing improvements, vegetation, large roots, debris, and other deleterious material. Any existing fill soils shall be completely removed and replaced as compacted fill. Any existing utilities that will not remain in service shall be removed or properly abandoned; the appropriate method of utility abandonment will depend upon the type and depth of the utility. Recommendations for abandonment can be made as necessary.<br><br>2. Voids created by the removal of materials or utilities, and extending below the recommended overexcavation depth, shall be immediately called to the attention of the geotechnical engineer. No fill shall be placed unless the geotechnical engineer has observed the underlying soil.</td><td>Design recommendations shall be shown on final construction and building plans.</td><td>Prior to issuance of construction and building permits.</td><td>County Planning and Building Department</td></tr>
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| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area | GEO/mm-5.2 | **Grading.**<br>1. Following site preparation, the soils in the building area for one- and two-story buildings shall be removed to a level plane at a minimum depth of 3 feet below the bottom of the deepest footing or 4 feet below existing grade, whichever is deeper. The soils in the building area for three- and four-story buildings shall be removed to a level plane at a minimum depth of 4 feet below the bottom of the deepest footing or 5 feet below existing grade, whichever is deeper. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.<br>2. In addition to the recommendations of measure 1, all cut or cut/fill transition areas shall be overexcavated such that a minimum of 5 feet of compacted fill is provided within all the building areas. Also, the minimum depth of the fill below the building area shall not be less than half of the maximum depth of fill below the building area. For example, if the maximum depth of fill below the building area is 20 feet, then the minimum depth of fill below the same building area grades shall be no less than 10 feet. In no case shall the depth of fill be less than 5 feet on the building areas.<br>3. Following site preparation, the soils in the surface improvement area shall be removed to a level plane at a minimum depth of 1 foot below the proposed subgrade elevation or 2 feet below the existing ground surface, whichever is deeper. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.<br>4. Following site preparation, the soils in fill areas beyond the building and surface improvement areas shall be removed to a depth of 2 feet below existing grade. During construction, locally deeper removals may be recommended based on field conditions. The resulting soil surface shall then be scarified, moisture conditioned, and compacted prior to placing any fill soil.<br>5. Voids created by dislodging cobbles and/or debris during scarification shall be backfilled and compacted, and the dislodged materials shall be removed from the area of work.<br>6. On-site material and approved import materials may be used as general fill. All imported soil shall be non-expansive. The proposed imported soils shall be evaluated by the geotechnical engineer before being used, and on an intermittent basis during placement on the site.<br>7. All materials used as fill shall be cleaned of any debris and rocks larger than 6 inches in diameter. No rocks larger than 3 inches in diameter shall be used within the upper 3 feet of finish grade. When | Design recommendations shall be shown on final construction and building plans. | Prior to issuance of construction and building permits. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | fill material includes rocks, the rocks shall be placed in a sufficient soil matrix to ensure that voids caused by nesting of the rocks will not occur and that the fill can be properly compacted.<br>Soils are estimated to shrink by approximately 15% to 20% when prepared and graded as recommended above. | | | |
| Specific Plan Area | GEO/mm-5.3 | **Project Design, Construction Observation, and Testing.**<br>1. A geotechnical engineer shall be retained to provide consultation during the design phase, aid in incorporating recommendations of this report in future project design, review final plans once they are available, interpret this report during construction, and provide construction monitoring in the form of testing and observation.<br>2. At a minimum, the geotechnical engineer shall be retained to provide:<br>a. Review of final grading, utility, and foundation plans;<br>b. Professional observation during grading, foundation excavations, and trench backfill;<br>c. Oversight of compaction testing during grading; and<br>d. Oversight of special inspection during grading;<br>3. Special inspection of grading shall be provided as per California Building Code Section 1705.6 and Table 1705.6. The special inspector shall be under the direction of the geotechnical engineer. Special inspection of the following items shall be provided by the special inspector:<br>a. Stripping and clearing of vegetation<br>b. Overexcavation to the recommended depths<br>c. Scarification, moisture conditioning, and compaction of the soil<br>d. Fill quality, placement, and compaction<br>e. Utility trench backfill<br>f. Retaining wall drains and backfill<br>g. Foundation excavations<br>h. Subgrade and aggregate base compaction and proof rolling<br>4. A program of quality control shall be developed prior to beginning grading. The contractor or project manager shall determine any additional inspection items required by the architect/engineer or the governing jurisdiction.<br>5. Locations and frequency of compaction tests shall be as per the recommendation of the geotechnical engineer at the time of construction. The recommended test location and frequency may be | Design recommendations shall be shown on final construction and building plans. | Prior to issuance of construction and building permits. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | subject to modification by the geotechnical engineer, based on soil and moisture conditions encountered, size and type of equipment used by the contractor, the general trend of the results of compaction tests, or other factors.<br>6. The geotechnical engineer shall be notified at least 48 hours prior to beginning construction operations. | | | |
| Specific Plan Area<br>Off-Site Improvements | GEO/mm-8.1 | **Preparation of a Paleontological Resources Monitoring and Mitigation Plan.** A qualified paleontologist, meeting the standards of the Society of Vertebrate Paleontology (2010), shall be retained prior to the approval of grading permits. The qualified paleontologist shall develop a Paleontological Resources Monitoring and Mitigation Plan for all ground-disturbing activities, provide mitigation measures to reduce potential impacts when existing information indicates that a site proposed for development may contain paleontological resources, and report to the site in the event potential paleontological resources are encountered. | A qualified paleontologist shall develop a Paleontological Resources Monitoring and Mitigation Plan for all ground-disturbing activities to be submitted to the County. | Prior to the issuance of grading permits. | County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements | GEO/mm-8.2 | **Worker Environmental Awareness Program.** The qualified paleontologist shall conduct a Worker Environmental Awareness Program for all construction workers prior to the start of ground-disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. This information may be presented to contractors and their staff through the use of in-person “tailgate” meetings or other mechanisms (e.g., handouts). Documentation shall be retained demonstrating that all construction personnel attended the training. | A qualified paleontologist shall conduct a Worker Environmental Awareness Program for all construction personnel and participation shall be documented. | The training and documentation of participation shall be conducted and submitted prior to construction activities. | County Planning and Building Department |
| Specific Plan Area<br>Off-Site Improvements | GEO/mm-8.3 | **Paleontological Monitoring and Handling of Resources Inadvertently Discovered during Ground-Disturbing Activities.** Part-time/on-call paleontological resources monitoring shall be conducted by a qualified paleontologist who meets the standards of the Society of Vertebrate Paleontology (2010), for all ground-disturbing activities that occur in previously undisturbed sediments, as outlined in the Paleontological Resources Monitoring and Mitigation Plan prepared to satisfy Mitigation Measure GEO/mm-8.1. If required per the requirements of the Paleontological Resources Monitoring and Mitigation Plan, the qualified paleontologist shall spot check the excavation on an intermittent basis and recommend whether the depth of required monitoring shall be revised based on his/her observations. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils in order to recover the fossil specimens. Any significant fossils collected during project-related excavations shall be prepared to the point of identification and curated into an accredited repository | Conduct paleontological resources monitoring and reporting. | During ground-disturbance activities. Compliance to be verified through submittal of a final monitoring report. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | with retrievable storage as designated in the Paleontological Resources Monitoring and Mitigation Plan. Monitors shall prepare daily logs detailing the types of activities and soils observed and any discoveries. The qualified paleontologist shall prepare a final monitoring and mitigation report to document the results of the monitoring effort.<br>If construction or other project personnel discover any potential fossils during construction, regardless of the depth of work or location, work at the discovery location shall cease in a 50-foot radius of the discovery until the qualified paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. If the find is deemed significant, it shall be salvaged following the standards of the Society of Vertebrate Paleontology (2010) and curated with a certified repository. | | | |
| ***Greenhouse Gas Emissions*** | | | | | |
| Specific Plan Area | GHG/mm-1.1 | The following measures shall be implemented to reduce project-generated emissions of greenhouse gases:<br>1. To the extent practical, the proposed project shall reuse and recycle construction waste, including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard.<br>2. The servicing of residential development by natural gas shall be prohibited. To the extent possible, nonresidential development shall install electrically powered appliances and building mechanical equipment in place of natural gas-fueled equipment.<br>3. Encourage future land uses to participate in Central Coast Community Energy as the electricity provider if it is an option that would be available at the time of occupancy.<br>4. The project shall provide organic waste pick up and shall provide the appropriate on-site enclosures consistent with County requirements.<br>5. The project shall be designed to incorporate drought-resistant and native plants.<br>6. The project shall be designed to incorporate water-efficient irrigation systems.<br>7. The project shall be designed to incorporate low-flow water fixtures.<br>8. The project shall install high-reflectance roofing materials (e.g., U.S. Environmental Protection Agency “Energy Star”-rated), to the extent practical, to reduce building heat absorption and summer energy costs.<br>9. The electrical systems for single-family homes shall be designed with sufficient capacity to accommodate Level 2 residential-use electric vehicle chargers. | Measures shall be shown on final site plans and construction permits. | Prior to issuance of grading and building permits. Compliance to be verified prior to occupancy. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| ***Hazards and Hazardous Materials*** | | | | | |
| Off-Site Improvements | HAZ/mm-7.1 | Prior to initiation of vegetation removal, demolition activities, or any earth-moving activities within 1,000 feet of any open hazardous materials site pursuant to California Government Code Section 65962.5, the project contractor shall prepare and implement a Hazardous Materials Management Plan that details procedures that will be taken to ensure the appropriate handling, stockpiling, testing, and disposal of excavated materials to prevent the inadvertent release of contaminated soil and demolished materials to the environment during construction activities. Elements of the plan shall include, but would not necessarily be limited to, the following:<br>**Worker Health and Safety**<br>1. Accident prevention measures.<br>2. The requirement that all construction crew members be trained regarding best practices for the appropriate handling, stockpiling, testing, and disposal of excavated materials prior to beginning work.<br>**Soil Contamination**<br>1. Procedures for the proper handling, stockpiling, testing, and disposal of excavated materials in accordance with California Code of Regulations Title 14 and Title 22.<br>2. Soil contamination evaluation and management procedures, including how to properly identify potential contamination (e.g., soil staining, odors, buried material), the requirement that construction activities within a 50-foot radius of potentially contaminated soil be halted until the hazard has been assessed and appropriately addressed, the requirement that access to potentially contaminated areas be limited to properly trained personnel, and procedures for notification and reporting, including internal management and local agencies (e.g., California Department of Forestry and Fire Protection, County of San Luis Obispo Environmental Health Services), as needed.<br>3. Monitoring of ground-disturbing activities for soil contamination may include visual and organic vapor monitoring by personnel with appropriate hazardous materials training, including 40 hours of Hazardous Waste Operations and Emergency Response (HAZWOPER) training.<br>4. If visual and organic vapor monitoring indicates signs of suspected contaminated soil, then soil samples shall be collected and analyzed to characterize soil quality.<br>5. Evaluation of all potentially contaminated materials encountered during project construction activities in accordance with applicable federal, state, and local regulations and/or guidelines governing hazardous waste. All materials deemed to be hazardous shall be | The project contractor shall prepare and implement a Hazardous Materials Management Plan to be submitted to the County. | Prior to initial ground disturbing activities for off-site improvements within 1,000 feet of any open hazardous materials site. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | remediated and/or disposed of following applicable regulatory agency regulations and/or guidelines. Disposal sites for both remediated and non-remediated soils shall be identified prior to beginning construction. All evaluation, remediation, treatment, and/or disposal of hazardous waste shall be supervised and documented by qualified hazardous waste personnel. | | | |
| ***Noise*** | | | | | |
| Specific Plan Area<br>Off-Site Improvements | N/mm-1.1 | The following mitigation measures shall be implemented to reduce exposure to short-term construction noise.<br>1. Unless otherwise provided for in a validly issued permit or approval, noise-generating construction activities should be limited to between the hours of 7:00 a.m. and 7:00 p.m. Noise-generating construction activities should not occur on Sundays or legal holidays.<br>2. Construction equipment should be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment-engine shrouds should be closed during equipment operation.<br>3. Equipment shall be turned off when not in use for an excess of 5 minutes, except for equipment that requires idling to maintain performance.<br>4. Construction haul truck routes shall be routed away from nearby noise-sensitive land uses to the extent possible.<br>5. Staging and queuing areas shall be located at the farthest distance possible from nearby noise-sensitive land use identified in the project area at the time of construction.<br>6. Stationary equipment (e.g., generators, compressors) shall be located at the farthest distance possible from nearby noise-sensitive land use identified in the project area at the time of construction.<br>7. A public liaison shall be appointed for project construction and shall be responsible for addressing public concerns related to construction-generated noise, including excessive noise. As needed, the liaison shall determine the cause of the concern (e.g., starting too early, bad muffler) and implement measures to address the concern. Where necessary, additional measures, such as equipment repairs, equipment enclosures, or temporary barriers, shall be implemented to address local concerns.<br>8. Signage shall be placed at the project site construction entrance(s) to advise the public of anticipated dates of construction. The signage shall include the phone number of the public liaison appointed to address construction-related noise concerns. | Measures shall be printed on final grading and building plans. | Prior to issuance of building and grading permits. Compliance to be verified during construction activities. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area | N/mm-1.2 | The following mitigation measures shall be implemented to reduce long-term exposure to transportation and non-transportation noise:<br>1. The County of San Luis Obispo shall require acoustical assessments to be prepared as part of the County development review process for future noise-sensitive land uses located within the projected 60 A-weighted decibels Community Noise Equivalent Level noise contour of U.S. Route 101 (i.e., within 1,005 feet from the centerline of U.S. Route 101, refer to Figure 4 in Environmental Impact Report Appendix I). The acoustical assessments shall address compatibility with the County of San Luis Obispo's noise standards for transportation noise sources. Where the acoustical assessments determine that transportation noise levels would exceed applicable County noise standards, noise-reduction measures shall be incorporated sufficient to reduce operational noise levels to below applicable noise standards. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, or berms. The emphasis of such measures shall be placed upon site planning and project design. (Refer to Table 4.13-6 of this Environmental Impact Report for noise-sensitive land uses and corresponding noise standards.)<br>2. The County shall require acoustical assessments to be prepared as part of the environmental review process for future commercial land uses involving the proposed installation of exterior noise-generating equipment, including, but not limited to, back-up power generators, trash compactors, amplified public address systems, and commercial-use air conditioning condensers. The acoustical assessments shall evaluate potential noise impacts attributable to the proposed project in comparison to applicable County noise standards for stationary noise sources (refer to Table 4.13-7). The acoustical assessment shall evaluate impacts to nearby existing off-site, as well as future planned on-site, noise-sensitive land uses. Where the acoustical analysis determines that stationary-source noise levels would exceed applicable County noise standards, noise-reduction measures shall be incorporated sufficient to reduce operational noise levels to below applicable noise standards. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, berms, hourly limitations, or equipment enclosures. The emphasis of such measures shall be placed upon site planning and project design (see Table 4.13-7 of this Environmental Impact Report for applicable County of San Luis Obispo noise standards). | Prepare acoustical analyses for future development of noise-sensitive land uses. | At the time of building permit applications for subsequent development of noise-sensitive land uses. If noise-reduction measures are necessary, compliance to be verified prior to occupancy. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| ***Public Services*** | | | | | |
| Specific Plan Area<br>Cumulative | PS/mm-1.1 | **Provision of Land for a New Fire Station.** The project applicant shall be required to coordinate with the County of San Luis Obispo and California Department of Forestry and Fire Protection to identify and dedicate land for the future construction and operation of a new fire station in the community of Nipomo. The dedication of land for the new fire station shall be included in the Development Agreement between the project applicant and the County of San Luis Obispo. | Dedication of land for a future fire station. | Included in the Development Agreement between the project applicant and the County prior to issuance of building permits. | County Planning and Building Department; CAL FIRE |
| ***Transportation*** | | | | | |
| Specific Plan Area<br>Cumulative | TR/mm-3.1 | A transportation demand management program or identification of transportation demand management strategies to implement would be required of each applicant. The residential, commercial, education, and/or hotel development applicant in consultation with the County of San Luis Obispo will choose feasible transportation demand management strategies and tailor to the development proposal. Potential measures to reduce vehicle miles traveled include, but are not limited to:<br>1. Improve or increase access to transit<br>2. Increase access to common goods and services<br>3. Incorporate affordable housing into the project<br>4. Orient the project towards transit, bicycle, and pedestrian facilities<br>5. Improve bicycle and/or pedestrian facilities and/or transit services<br>6. Limit or eliminate parking supply<br>7. Implement or provide access to commute reduction programs<br>8. Provide car-, bike-, and ride-sharing programs<br>9. Provide transit passes<br>10. Provide on-site amenities at places of work | Measures shall be shown on final site plans and construction permits. | Prior to issuance of grading and building permits. Compliance to be verified prior to occupancy. | County Planning and Building Department |
| ***Tribal Cultural Resources*** | | | | | |
| Specific Plan Area<br>Cumulative | TCR/mm-1.1 | **Deeded Repatriation Location.** A specific location, protected by a deed restriction, shall be dedicated to repatriate cultural materials encountered during future archaeological study, development, and occupation within the Specific Plan Area. An accessible vault, protected from the elements, and accessible to the tribes shall be constructed within the boundary of DR-001. The specific location, size, and construction methodology of the vault will be developed in direct consultation with the consulting tribes. | Dedication of a location to repatriate cultural materials. | Prior to the issuance of grading and building permits. | County Planning and Building Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| Specific Plan Area<br>Cumulative | TCR/mm-1.2 | **Project Design Considerations.** The applicant shall incorporate, to the extent feasible, themes, infrastructure, and placenames associated with local Chumash tribes into the overall project design throughout all phases of future development. These design considerations shall include, but not be limited to the following aspects:<br>1. Designated areas for local Chumash tribes to use for various purposes, such as ceremonial gatherings, education, and events;<br>2. Planting of native vegetation, specifically species varieties that have significance to the local Chumash tribes;<br>3. Incorporation of informative and interpretive signage;<br>4. Incorporation of tribal names, placenames, and phrases for appropriate project design features; and<br>5. Development of designated trails outside of the boundaries of known resources to limit unauthorized use and reduce potential for looting. | Measures shall be shown on final building and design plans. | Prior to issuance of building permits. Compliance to be verified prior to occupancy. | County Planning and Building Department |
| ***Utilities and Service Systems*** | | | | | |
| Specific Plan Area<br>Cumulative | USS/mm-3.1 | Prior to issuance of development permits for any project phase, the project developer shall be required to provide proof of water supply sufficient to meet the estimated water demand for proposed development based on the demand projections included in the Dana Reserve WSA. The proof of water supply shall include an affirmative concurrence from the NCSD that they have adequate water supply to serve the development and shall be subject to review and approval by the County of San Luis Obispo prior to issuance of any development permits. | Provide proof of water supply sufficient to meet the estimated water demand for proposed development. | Prior to issuance of development permits for any project phase. | County Planning and Building Department |
| ***Wildfire*** | | | | | |
| Specific Plan Area | WF/mm-1.1 | Prior to occupancy of any Dana Reserve Specific Plan neighborhoods, the master Dana Reserve Homeowner's Association shall coordinate with individual Dana Reserve Specific Plan neighborhood Homeowner's Associations and County of San Luis Obispo Fire Department to identify temporary refuge areas throughout the community. Temporary refuge areas shall be documented and available for residents and guests within the Specific Plan Area. Refuge areas may include the following:<br>1. Parking lots in commercial and multi-family residence areas<br>2. Neighborhoods parks<br>3. Public parks<br>4. Neighborhood pocket parks<br>The master Homeowner's Association shall also coordinate with individual Dana Reserve Specific Plan neighborhood Homeowner's Associations and County of San Luis Obispo Fire Department to develop a method of public | Refuge areas shall be identified on final building and design plans. | Prior to issuance of building permits. Compliance to be verified prior to occupancy of any DRSP neighborhoods. | County Planning and Building Department; DRSP HOA; County Fire Department |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | outreach to provide information regarding emergency planning and alerting within the Specific Plan Area. Information to be provided to the public shall include, but not be limited to, the following:<br>1. Location of established refuge areas<br>2. Emergency entry and exit points within the community<br>3. Nearest emergency entry and exit points to each specific neighborhood<br>4. Family emergency planning<br>5. Types of emergency alerting and methods to receive emergency notifications<br>6. Emergency supply kit necessities<br>7. Care options for pets and other animals in an emergency<br>Public outreach shall be conducted annually and include any updated emergency planning information, as necessary. Compliance shall be documented with the County of San Luis Obispo. | | | |
| Specific Plan Area | WF/mm-3.1 | Prior to project occupancy, the master Homeowner's Association shall adopt Covenants, Conditions, and Restrictions that include requirements for the maintenance and protection of the open space areas that ensure that these spaces are maintained in perpetuity. Prior to adoption by the master Homeowner's Association, Covenants, Conditions, and Restrictions shall be created in coordination with the County to ensure feasibility of open space management practices. The Covenants, Conditions, and Restrictions shall be enforced by the master Homeowner's Association throughout the lifetime of the project. Language regarding protection and management of open space areas as it pertains to wildfire may include, but shall not be limited to:<br>1. Smoking, use of cooking equipment, or any other ignition source is prohibited in the open space areas.<br>2. Safety precautions are required when using equipment capable of creating a spark; this includes spark arrestors.<br>3. All fireworks or other devices that could cause an ignition of a fire are prohibited throughout the Dana Reserve.<br>4. Overnight camping is prohibited.<br>5. Motorized vehicles are not permitted in the open space areas. (except emergency vehicles, vehicles permitted by the Homeowner's Association to conduct official business, and single-rider motorized vehicles adapted for recreational use by people with disabilities).<br>6. Discharging or carrying firearms, crossbows, fireworks, or projectile weapons of any kind is not permitted (except law enforcement officials) in the Dana Reserve. | Adoption of Declaration of CC&Rs. | Prior to project occupancy. | County Planning and Building Department; DRSP HOA |

| Project Component | Mitigation Measure | Requirements of Measure | Compliance Method | Verification Timing | Responsible Party |
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| | | 7. The Homeowner's Association will maintain fire prevention signage in fire-prone areas near or on trails.<br>8. The Homeowner's Association will conduct vegetation management in the open spaces, in the retention basins, on trails, and near U.S. Route101 that prevent or reduce the ability for a wildfire to spread to other properties in proximity. Methods used will provide for the protection of the open space environment.<br>9. Fencing or barriers adjoining the open space areas, whether owned privately or by the Homeowner's Association, will be constructed of a fire-resistive material so that it will not convey or contribute to the spread of fire from or to the open space areas (exception may include an open-type fence, such as a split-rail fence). Combustible fence material will not be used within 5 feet of structures.<br>10. Vegetation management will be consistent with Dana Reserve's County of San Luis Obispo-approved oak woodland habitat management plan.<br>11. The Homeowner's Association is authorized to enter into contracts and agreements for vegetation management in and near the open space areas that includes hand, mechanical, animal, prescribe fire, herbicide, and other methods consistent with accepted vegetation management practices.<br>12. The Homeowner's Association is authorized to increase assessment and fines necessary to protect and maintain the open space areas. This may include funds for the hiring of staff and contracts.<br>13. The Homeowner's Association is authorized to enter into agreements with agencies, land conservancies, and other organizations who also have a mutual concern for the protection of the open space areas. | | | |

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# 8.3 REPORT PREPARATION

This EIR has been prepared by the County of San Luis Obispo Planning and Building Department (CEQA Lead Agency), in association with SWCA Environmental Consultants; AMBIENT Air Quality & Noise Consulting; Robert Carr, ASLA, Visual Resources Specialist; and Todd Groundwater.

## 8.3.1 CEQA Lead Agency

County of San Luis Obispo
Planning and Building Department
976 Osos Street, Room 200
San Luis Obispo, CA 93408

Jennifer Guetschow, Senior Planner

## 8.3.2 SWCA Environmental Consultants

SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

Emily Creel, Project Manager

## 8.3.3 AMBIENT Air Quality & Noise Consulting

AMBIENT Air Quality & Noise Consulting
612 12th Street, Suite 201
Paso Robles, CA 93446

Kurt Legleiter, Principal

## 8.3.4 Robert Carr, ASLA, Visual Resources Specialist

Robert Carr, ASLA
4345 Poinsettia Street
San Luis Obispo, CA 93401

Robert Carr, Visual Resource Consultant

## 8.3.5 Todd Groundwater

Todd Groundwater
2490 Mariner Square Loop, Suite 215
Alameda, CA 94501

Katherine White, Senior Engineer

# 8.4 EIR PREPARERS

The following is a list of individuals responsible for preparation of the EIR.

| Responsibilities | EIR Preparer |
|---|---|
| Executive Summary<br>Introduction<br>Project Description<br>Environmental Setting<br>Environmental Impact Analysis<br>Alternatives Analysis<br>Other CEQA Considerations<br>Mitigation Monitoring and Reporting Plan<br>References and Report Preparation | Emily Creel, Project Manager, SWCA<br>Cassidy Williams, Project Environmental Planner, SWCA<br>Annika Kiemm, Staff Environmental Planner, SWCA<br>Jaimie Jones, Technical Editor, SWCA |
| Aesthetics | Robert Carr, ASLA, Visual Resource Consultant |
| Agriculture and Forestry Resources<br>Hazards and Hazardous Materials | Annika Kiemm, Staff Environmental Planner, SWCA |
| Air Quality<br>Energy<br>Greenhouse Gas Emissions<br>Noise | Kurt Legleiter, Principal, AMBIENT Air Quality & Noise Consulting<br>Peter Mye, Lead Environmental Planner, SWCA<br>Annika Kiemm, Staff Environmental Planner, SWCA |
| Biological Resources | Rebecca Doubledee, Senior Biologist, SWCA |
| Cultural Resources | Leroy Laurie, Principal Cultural Resources Team Lead, SWCA<br>Morgan Bird, Staff Archaeologist, SWCA |
| Geology and Soils | Annika Kiemm, Staff Environmental Planner, SWCA<br>Georgia Knauss, Lead Paleontologist, SWCA<br>Andrew Gerwitz, Staff Paleontologist, SWCA |
| Hydrology and Water Quality<br>Mineral Resources | Kara Laurenson-Wright, Project Environmental Planner, SWCA |
| Land Use and Planning | Cassidy Williams, Project Environmental Planner, SWCA |
| Population and Housing | Emily Creel, Project Manager, SWCA<br>Jacqueline Markley, Senior Environmental Planner, SWCA<br>Cassidy Williams, Project Environmental Planner, SWCA |
| Public Services<br>Utilities and Service Systems | Emily Creel, Project Manager, SWCA<br>Jacqueline Markley, Senior Environmental Planner, SWCA<br>Annika Kiemm, Staff Environmental Planner, SWCA |
| Recreation<br>Wildfire | Jacqueline Markley, Senior Environmental Planner, SWCA<br>Annika Kiemm, Staff Environmental Planner, SWCA |
| Transportation | Peter Mye, Lead Environmental Planner, SWCA<br>Annika Kiemm, Staff Environmental Planner, SWCA |
| Tribal Cultural Resources | Leroy Laurie, Principal Cultural Resources Team Lead, SWCA |
| Graphics and Mapping | Sarah Halpern, Staff Geospatial Scientist, SWCA |
| Technical Editing and Document Production | Jaimie Jones, Project Technical Writer, SWCA |