



Notice of Preparation Environmental Impact Report

To:

Interested Parties

From:

County of San Luis Obispo
976 Osos Street Room 200
San Luis Obispo, CA 93408

CEQA Lead Agency:

County of San Luis Obispo
976 Osos Street Room 200
San Luis Obispo, CA 93408
Contact: Kylie Hensley, Planner
Phone: (805) 781-4979
Email: khensley@co.slo.ca.us

Subject: Notice of Preparation (NOP) of an Environmental Impact Report for the Paso Basin Land Use Planning Ordinance (County File LRP2021-00001)

In accordance with the California Environmental Quality Act (CEQA), the County of San Luis Obispo (County), as CEQA Lead Agency, will prepare an Environmental Impact Report (EIR) for the project identified below. The County is soliciting information from all responsible and trustee agencies, all other public agencies with jurisdiction by law with respect to the project, as well as public input regarding the topics and alternatives that should be included in the EIR.

The County has prepared an Initial Study for the project, which identifies potentially significant environmental impacts to be assessed in the EIR, and is available on the project website: www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Paso-Basin-Land-Use-Ordinance.aspx.

30-DAY SCOPING PERIOD: August 12 – September 13, 2021

Please send any comments relative to the scoping of the EIR analysis within 30 days of this NOP publication date (by September 13, 2021) to Kylie Hensley, Planner, at the contact information shown above.

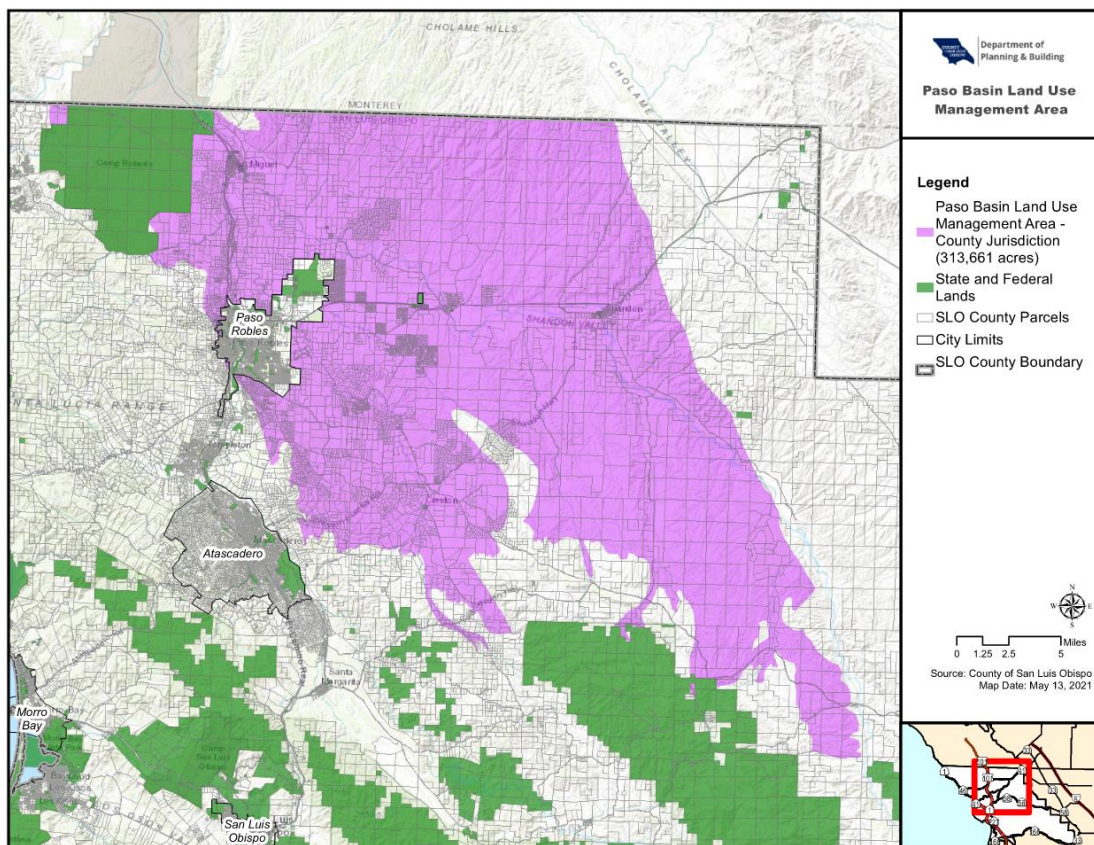
VIRTUAL SCOPING MEETING: September 1, 2021 at 6:00-7:30PM

The proposed project may have statewide, regional, or areawide significance; therefore a CEQA scoping meeting is required pursuant to Public Resources Code (PRC) Section 21083.9(a)(2) and State CEQA Guidelines Section 15082(c)(1). A virtual CEQA scoping meeting will be held by teleconference and by telephone on Wednesday, September 1, 2021 at 6:00-7:30PM. To join,

- Visit <https://zoom.us/join> or call [669-900-9128](tel:669-900-9128), and
- Enter the **Meeting ID: 898 9088 1384**.

PROJECT DESCRIPTION: The San Luis Obispo County Board of Supervisors has directed staff to develop a land use ordinance and amend General Plan policies to require ministerial land use approval (“a planting permit”) until 2045 for new or expanded planting of irrigated crops irrigated with water from groundwater wells located within the Paso Basin Land Use Management Area (see attached map), with a two-tier framework: 1) plantings using up to 25 acre-feet per year (AFY) of total groundwater per site, and 2) plantings maintaining neutral groundwater use on site with a 6-year rolling lookback period. Plantings using groundwater outside of these two tiers would not be allowed. General Plan elements to be revised include the Agricultural Element and Conservation and Open Space Element.

PROJECT LOCATION: The Paso Basin Land Use Management Area includes 313,661 acres located within the County’s jurisdiction in the North County Planning Area and includes the communities of Shandon, San Miguel, Creston, and Whitley Gardens. The area is shown in the map below. **A larger GIS version of the map with USGS information is available at the project website listed above.**



The County appreciates your attention to this NOP.

Project Title: Paso Basin Land Use Planting Ordinance

Project Applicant: County of San Luis Obispo

Date: August 9, 2021

Signature: /s/ Kylie Hensley

Kylie Hensley, Planner



Preliminary Initial Study – Environmental Checklist

Paso Basin Land Use Planting Ordinance ED21-040 (LRP2021-00001)

Preliminary Initial Study in Support of the Project Notice of Preparation (NOP)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. The purpose of the following discussion is to provide a summary of the environmental impact issue areas that will be analyzed further in the proposed project Environmental Impact Report (EIR).

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Kylie Hensley		August 6, 2021
Prepared by (Print)	Signature	Date
Airlin Singewald		August 11, 2021
Reviewed by (Print)	Signature	Date

Preliminary Initial Study – Environmental Checklist

Project Environmental Analysis

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

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

A. Project

DESCRIPTION: A request by the County of San Luis Obispo to adopt the Paso Basin Land Use Management Area Planting Ordinance ("Planting Ordinance"), consisting of: amendments to the County Land Use Ordinance (Title 22) and Agriculture and Conservation and Open Space Elements of the County General Plan (LRP2021-00001) to require ministerial land use approval ("a planting permit") until 2045 for new or expanded planting of irrigated crops irrigated with water from groundwater wells located within the Paso Basin Land Use Management Area (PBLUMA), as shown in Figure 1 below, with a two-tier framework:

- Tier 1 – authorizing plantings estimated to allow up to 25 acre-feet per year (AFY) of total groundwater use for crop irrigation per site, including existing crop plantings, and
- Tier 2 - authorizing plantings estimated to maintain neutral groundwater use on site based on a 6-year rolling lookback period from the application date.

New or expanded plantings not falling within Tier 1 or Tier 2 would not be allowed. The estimated water use for crop irrigation is to be based on crop-specific water duty factors (AFY/acre) and crop acreage.

In this context, "water neutrality" refers to a balanced water supply inventory, where new uses (of groundwater) that are replacing previous uses or relying on unused water supply credits do not result in an overall increase in water demands to the groundwater basin.

It is assumed the new and expanded plantings allowed by the proposed ordinance would be predominantly in the rural agricultural areas of the PBLUMA rather than the urban and village areas based on the primary intended land use.

Preliminary Initial Study – Environmental Checklist

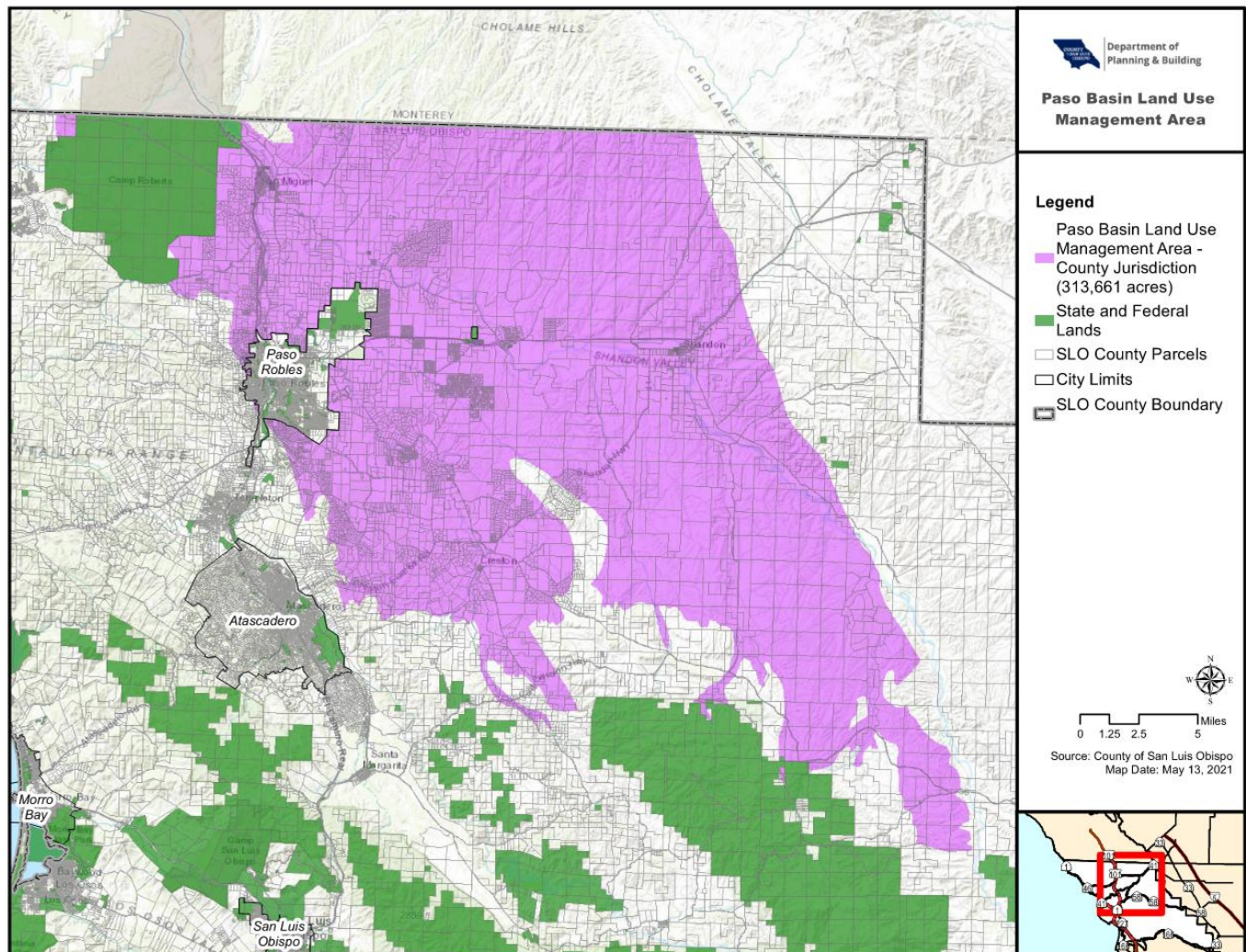


Figure 1: Paso Basin Land Use Management Area (PBLUMA)

Like the current Agricultural Offset Requirements, implementation of the amendments may require simultaneous minor amendments to other County ordinances to ensure enforcement. For example, the references in Section 8.40.040 (of the Well Construction Ordinance) requiring submission of evidence of compliance with Section 22.30.204 (Agricultural Offset Requirements) will likely need to be updated to reference the amendments.

The proposed ordinance would only regulate new or expanded planting of irrigated crops using groundwater from the PBLUMA. Existing uses of groundwater from this area for irrigated crop plantings would be allowed to continue their existing water uses and are not included in the scope of this environmental review.

Project Goal

The goals of the project are to 1) allow farms to plant irrigated crops that have not been able to under the Agricultural Offset Requirements and 2) to continue to exercise the County's land use authority to regulate planting of irrigated crops utilizing groundwater from within the PBLUMA.

Preliminary Initial Study – Environmental Checklist

AUTHORIZATION

This project was initially authorized by the County Board of Supervisors ("Board") on January 26, 2021. The Board provided further direction on the ordinance framework on April 6, 2021 and approved funding for staffing and an EIR consultant and an EIR contract with Rincon Consultants on June 22, 2021.

ASSESSOR PARCEL NUMBER(S): Many

Latitude: 35° 44' 48.264" N **Longitude:** 120° 41' 43.692" W **SUPERVISORIAL DISTRICT #** 1, 5

B. Existing Setting

Plan Area: North County **Sub:** Shandon-Carrizo (North), El Pomar-Estrella, Salinas River, Las Pilitas, Los Padres (North), Adelaida, and Nacimiento **Comm:** Shandon, San Miguel, Creston, Whitley Gardens

Land Use Category: Agriculture Rural Lands Residential Rural

Combining Designation: Airport Review, Flood Hazard, Geologic Study, Sensitive Resource Area

Parcel Size: Not applicable

Topography: Nearly level to steeply sloping

Vegetation: Oak woodland, Chaparral, Grasses

Existing Uses: agricultural uses, undeveloped, seasonal grazing, residential, industrial, commercial

Surrounding Land Use Categories and Uses:

North: Monterey County / agriculture

East: Agriculture / grazing

South: Agriculture, Rural Lands, Open Space, Residential Rural / agriculture, single family residences, Los Padres National Forest

West: Agriculture, Public Facilities, Rural Lands, Residential Rural / agriculture, single family residences, Camp Roberts, City of Paso Robles, City of Atascadero

Paso Basin Land Use Management Area (PBLUMA)

The PBLUMA includes 313,661 acres located within the Shandon-Carrizo (North), El Pomar-Estrella, Salinas River, Las Pilitas, Los Padres (North), Adelaida, and Nacimiento Sub Areas of the North County Planning Area and includes the communities of Shandon, San Miguel, Creston, and Whitley Gardens. The PBLUMA was created using the boundary from the 2002 Fugro groundwater study (excluding the Atascadero Sub-basin), per Board direction, modified to exclude State and Federal lands and land within the City of Paso Robles and Monterey County. The PBLUMA would be defined in the new planting ordinance adopted by the County Board of Supervisors and differs from and is not to be confused with the Salinas Valley – Paso Robles Area Subbasin (Paso Robles Subbasin) boundary defined by the California Department of Water Resources (DWR) and used for Sustainable Groundwater Management Act (SGMA) purposes (see below). In this document, the term Paso Basin will be used to refer to the groundwater resource, the term Paso Robles Subbasin will be used to refer to SGMA efforts, and the term PBLUMA will refer to the area subject to the proposed Paso Basin Land Use Planting Ordinance.

Preliminary Initial Study – Environmental Checklist

Sustainable Groundwater Management Act (SGMA)

California depends on groundwater for a major portion of its annual water supply, particularly during times of drought. This reliance on groundwater has resulted in unsustainable groundwater usage in many of California's basins, including the Paso Basin in San Luis Obispo County.

On September 16, 2014, California Governor Jerry Brown signed into law a three-bill legislative package (composed of Assembly Bill [AB] 1739, Senate Bill [SB] 1168, and SB 1319), collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA was enacted to bring all groundwater basins in California into sustainable conditions, with balanced levels of use and recharge. To accomplish this, SGMA identifies deadlines for the formation of Groundwater Sustainability Agencies (GSAs), development of Groundwater Sustainability Plans (GSPs), and achievement of sustainable groundwater conditions, with deadlines corresponding to basin designations and priority rankings determined by DWR and published in DWR's Bulletin 118. SGMA requires that all high- and medium-priority groundwater basins be managed by a designated GSA or collection of GSAs in accordance with a GSP (or coordinated GSPs) or GSP alternative, unless the basin is identified as an exempt adjudicated area (and thereby managed in accordance with an Adjudication Judgement) and certain conditions are met.

SGMA requires each GSA of a basin identified by DWR as subject to critical conditions of overdraft to adopt a GSP for its basin by January 31, 2020, and achieve sustainable groundwater conditions within 20 years, by 2040. The critically overdrafted designation is applied by DWR to basins where continuation of current water management practices would likely result in significant adverse effects associated with groundwater overdraft, including the consideration of environmental, social, and economic impacts; such typically result from a chronic lowering of groundwater levels, which indicate a persistent depletion of supply if continued over the planning and implementation horizon. For high- and medium-priority groundwater basins (not critically overdrafted), GSAs must adopt a GSP by January 31, 2022 and achieve sustainable groundwater conditions by 2042. The long-term planning required by SGMA is meant to provide a buffer between the effects of drought and climate change on available water supplies, and the reliability of such water supplies through droughts of varying intensities.

Existing Paso Basin Conditions

DWR has designated the Paso Robles Subbasin as one of 21 groundwater basins in the state that are critically overdrafted. As noted above, GSPs for critically overdrafted basins were required to be adopted by January 31, 2020. There are currently four local agencies within the Paso Basin that have become GSAs under the process described in SGMA and that are collectively responsible for implementing a basin-wide GSP, including: the County of San Luis Obispo, City of Paso Robles, Shandon-San Juan Water District, and San Miguel Community Services District, shown in Figure 2 below. On February 11, 2019, DWR published its Final 2018 Basin Boundary Modifications, which revised the Paso Robles Subbasin boundary that was previously established in DWR's 2003 Bulletin 118; this is important to note because SGMA applies DWR's most recent boundaries, which are not reflected in maps of the Paso Basin that were published before 2019. As currently defined by DWR and therefore applied under SGMA, the northern boundary of the Paso Basin (as a subbasin of the Salinas Valley Groundwater Basin) coincides with the San Luis Obispo County-Monterey County boundary such that the Paso Basin is located entirely within San Luis Obispo County and formal consultation between the San Luis Obispo County GSAs and the Monterey County GSA is optional.

Preliminary Initial Study – Environmental Checklist

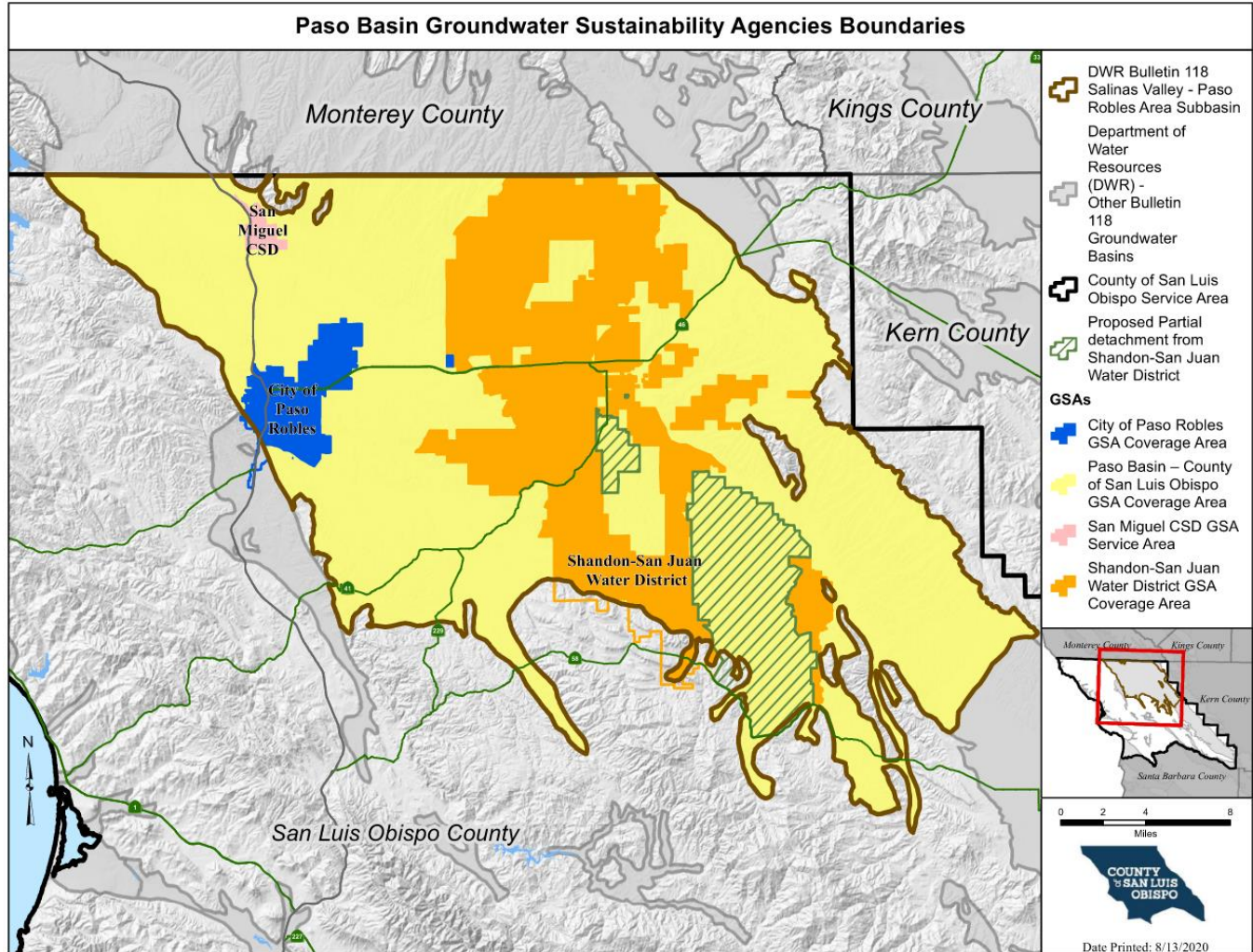


Figure 2: Paso Robles Subbasin GSAs

The Paso Basin is designated as a water supply with a Level of Severity (LOS) III pursuant to the County's Resource Management System, indicating that water demand in the basin equals or exceeds the dependable supply, or the time required to correct the problem is longer than the time available before the dependable supply is reached; this is consistent with the DWR's determination that the Paso Basin is critically overdrafted. The Paso Robles Subbasin GSAs published a GSP for the Paso Basin on November 13, 2019 and each individually adopted the GSP as required by SGMA for submittal to DWR before the January 31, 2020 deadline. The GSP projects a 13,700-acre-feet per year (AFY) deficit in groundwater storage in the Paso Basin (i.e., each year, approximately 13,700 acre-feet more water exits the Paso Basin than is recharged to it). The Paso Robles Subbasin Water Year 2020 Annual Report¹ prepared to meet SGMA reporting requirements estimates 90% of groundwater extractions is used for the agriculture sector.

¹ The Paso Robles Subbasin Water Year 2020 Annual Report is available at:
[https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Sustainable-Groundwater-Management-Act-\(SGMA\)/Paso-Robles-Groundwater-Basin/Annual-Reports/Paso-Basin-WY2020-Annual-Report.pdf](https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Sustainable-Groundwater-Management-Act-(SGMA)/Paso-Robles-Groundwater-Basin/Annual-Reports/Paso-Basin-WY2020-Annual-Report.pdf)

Preliminary Initial Study – Environmental Checklist

Existing Agricultural Offset Requirements

The proposed Planting Ordinance would follow the County's existing agricultural offset requirements currently set to expire on January 1, 2022 and remain in effect until 2045. The County Board of Supervisors has directed the existing offset requirements be extended to avoid a gap between the new Planting Ordinance.

The County adopted an urgency ordinance for the Paso Basin in August 2013 before SGMA went into effect in response to declining groundwater levels, groundwater wells going dry, drought conditions, and large acreages of new irrigated crop plantings being planted on properties overlying the groundwater basin. The urgency ordinance required new development and new irrigated crop plantings to offset new water use at a 1:1 ratio. The urgency ordinance expired in August 2015.

The County adopted Agricultural Offset Requirements (Land Use Ordinance, Title 22, Section 22.30.204) in October 2015 to continue exercising land use authority to maintain water neutrality for irrigated crop production in the Paso Basin. In this context, "water neutrality" refers to a balanced water supply inventory, where new uses (of groundwater) that are replacing previous uses or relying on unused water supply credits do not result in an overall increase in water demands to the groundwater basin. The existing ordinance requires growers in the Paso Basin to apply for and receive Agricultural Offset Clearance from the County Department of Planning and Building (Department) before planting new or expanded irrigated crops, and requires water use for the crops to be offset at a 1:1 ratio per the crop-specific water duty factors specified in the ordinance.

In addition, the ordinance allows an exemption for the continuation of annual and rotational crop production and replanting of the same crop type and acreage if the crops have been irrigated within the last 5 years ("lookback period") and a one-time planting using up to 5 AFY per site for unirrigated properties outside areas identified by the County monitoring network to be experiencing severe groundwater elevation decline.

The ordinance was intended to be a temporary measure set to expire when the GSP was adopted. In November 2019, the ordinance was amended to extend the termination date to January 1, 2022 to avoid a gap in management actions, accounting for the time needed to implement the GSP. The ordinance was also amended at this time to no longer allow transferring of planting credits between sites (known as "Off-Site Offsets").

Paso Robles Subbasin GSP and GSA Authority

The Paso Robles Subbasin GSP calls for the development and implementation of an area-specific pumping reduction program and certain basin-wide management actions (i.e. monitoring and outreach and promotion of best management practices, stormwater capture and voluntary fallowing) to achieve groundwater sustainability by 2040. GSP implementation requires development of a long-term governance structure as well as developing and adopting the regulations for identified programs and management actions. Regulations adopted by individual GSAs related to pumping limitations would need to be substantially identical to assure a consistent methodology for identifying those areas across the Subbasin. The specific GSP policies and monitoring program are to be discussed in more detail in the Agriculture and Hydrology and Water Quality analysis sections of this Initial Study and the EIR.

GSP implementation by GSA authorities would occur in tandem with administration of the proposed Planting Ordinance by County land use authority. SGMA specifies that nothing in SGMA or in a GSP shall be interpreted as superseding county land use authority; however, GSAs have the express statutory authority to control groundwater extractions by regulating or limiting extractions from individual wells, subject to certain limitations and water rights considerations. Therefore, GSA management actions may limit the ability of

Preliminary Initial Study – Environmental Checklist

groundwater pumpers to irrigate plantings allowed by the proposed planting ordinance. In addition, the project will likely regulate plantings in certain areas where water use is unlikely to be limited by the GSAs (only area-specific pumping limitations are contemplated in the GSP) and regulate plantings for which an adequate allocation exists under GSP regulations.

A planting permit issued under the proposed ordinance would not be construed as bestowing any vested right or entitlement to pump groundwater from the Paso Basin. In addition, the use of groundwater from the Paso Basin in connection with allowed planting would be subject to the Paso Robles Subbasin GSP and any amendments thereto as well as any regulations and requirements that may be adopted to implement said Plan, including, but not limited to, monitoring and reporting requirements, groundwater pumping fees, and mandatory pumping limitations. For more information about the GSP, visit www.slocounty.ca.gov/sgma.

County Grading Standards

The County's grading standards include measures to minimize environmental impacts and streamline permitting for agricultural operations. In most cases, agricultural grading activities do not require a formal permit from the County and can take place as part of an exemption, self-reporting program ("Agricultural Grading"), or through collaboration with the local Resource Conservation District ("Alternative Review"). The PBLUMA is within the jurisdiction of the Upper Salinas-Las Tablas Resource Conservation District. Agricultural Grading requires applicants to complete an educational program, certification program, or enroll in the irrigated agricultural discharge waiver program to promote best practices to reduce sedimentation and preserve water quality.

The following activities are exempt from requiring a County permit:

- Small agricultural projects with less than 50 cubic yards of cut and less than 50 cubic yards of fill and less than 1 acre of native vegetation removal,
- Cultivation of land,
- Grading on previously cultivated lands,
- Removal of vegetation in an area previously grazed,
- New agricultural roads within or on the perimeter of fields for crops,
- Water sources and water lines, and
- Drainage improvements for existing fields.

The following activities require an Agricultural Grading permit:

- Grading to create a new field,
- Drainage improvements for new fields up to 30% slope, and
- Ponds, dams, and reservoirs less than 1 acre-foot and water is retained entirely below grade.

The following activities require Alternative Review:

- Vineyards and orchards on slopes over 30%,
- New agricultural roads,
- Widening/lengthening and existing agricultural road outside of fields,
- Drainage improvements for new fields exceeding 30% slope, and

Preliminary Initial Study – Environmental Checklist

- Ponds, dams, and reservoirs 1 acre-foot or more or if a dam is proposed to retain water above natural grade.

More complex projects such as nursery facilities and grading for an agricultural structure require a regular grading permit subject to environmental review, subject to mitigation measures for environmental impacts, such as monitoring for cultural resources and sensitive species.

C. Environmental Analysis

The Preliminary Initial Study Checklist ("Initial Study") provides introductory information about the potential environmental impacts of the proposed project that will be analyzed in the EIR. Impacts determined in this Initial Study to be less than significant will not be further discussed in the EIR.

The EIR will include a description of the physical environmental conditions in the PBLUMA (Figure 1), as they exist at the time the Notice of Preparation is published, for impact areas determined in this Initial Study to be potentially significant. This description of the physical environmental conditions will serve as the baseline physical conditions by which the County determines whether the impacts of the proposed ordinance are considered significant. Since agriculture is dynamic, the EIR may look at the recent trend in irrigated crop production, rather than a single snapshot in time, to establish the existing baseline environmental setting. The current agricultural offset ordinance has influenced the existing environmental setting because it limits new or expanded irrigated crops.

The EIR will also outline assumptions to characterize a realistic scenario for the scope of Tier 1 and Tier 2 permits that would be issued under the proposed ordinance to inform the impact analysis, considering factors such as soil type, parcel size, and existing land use. It is assumed the new and expanded plantings allowed by the proposed ordinance would be predominantly in the rural agricultural areas of the PBLUMA rather than the urban and village areas based on the primary intended land use.

I. AESTHETICS

	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The PBLUMA (Figure 1) is characterized by agricultural and open spaces punctuated with the rural communities of San Miguel, Shandon, Creston, and Whitley Gardens. The agricultural uses are predominately wine grape vineyards and grazing lands. The open spaces range from rolling, wooded hills to steep, grassy hills.

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas.

The County of San Luis Obispo General Plan Conservation and Open Space Element (COSE) identifies several goals for visual resources in rural parts of the county, listed below:

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

County planning documents do not identify sensitive resource areas for visual resources in the PBLUMA. There are no officially designated state scenic highways in the project area, although the PBLUMA includes a portion of State Route (SR) 46 that is listed as eligible for designation as a state scenic highway by the California Department of Transportation (Caltrans). No standards regulating planting of irrigated crops are associated with this designation. Portions of the PBLUMA along Highway 101 between the communities of San Miguel and Templeton are subject to the Salinas River Highway Corridor Design Standards of the County Land Use Ordinance (Section 22.10.095); these standards do not apply to the planting of irrigated crops.

The County Land Use Ordinance (Section 22.14.080) includes a combining designation for Historic Sites ("H") and requires Minor Use Permit approval for all new structures and uses within an H combining designation, and also for any modifications to existing historic structures within an H combining designation, including

Preliminary Initial Study – Environmental Checklist

restoration or alteration that changes the historic or architectural character of the structure, demolition or relocation, except for minor exterior or interior alterations that do not materially change the historic character of the structure. The standards also require an environmental determination evaluating the potential effect of the proposed project upon the visual character of the historic site or district.

Discussion

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

The new and expanded plantings of irrigated crops allowed by the proposed ordinance would maintain an agricultural landscape and preserve rural separation between communities, consistent with the goals of the County COSE. The Planting Ordinance would allow planting irrigated crops on fallowed lands that meet the permit criteria, as well as on lands that have been historically uncultivated. This impact would be less than significant.

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

The new and expanded plantings of irrigated crops allowed by the proposed ordinance would maintain an agricultural landscape. There are no officially designated state scenic highways in the project area, although the PBLUMA includes a portion of State Route (SR) 46 that is listed as eligible for designation as a state scenic highway by the California Department of Transportation (Caltrans). County planning documents do not identify sensitive resource areas for visual resources in the PBLUMA. Therefore, this impact would be less than significant.

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

It is assumed the new and expanded plantings allowed by the proposed ordinance would be predominantly in the rural agricultural areas of the PBLUMA rather than the urban and village areas based on the primary intended land use. The new and expanded plantings of irrigated crops allowed by the proposed ordinance would maintain an agricultural landscape and preserve rural separation between communities, consistent with the goals of the County COSE. The Planting Ordinance would allow planting irrigated crops on fallowed lands that meet the permit criteria, as well as on lands that have been historically uncultivated. This impact would be less than significant.

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

Cultivation of irrigated crops may involve temporary intermittent night lighting, which is consistent with current agricultural practices in the PBLUMA and would be a less than significant impact to nighttime views.

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II. AGRICULTURE AND FORESTRY RESOURCES

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

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Setting

Farmland

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

Agriculture Element

The County General Plan Agriculture Element includes goals and policies to conserve agricultural resources and protect agricultural lands. These goals and policies will be included in the EIR. The EIR will also identify any amendments needed to address any potential inconsistencies with the proposed project, such as updating references to the Agricultural Offset Ordinance with references to the proposed ordinance.

Land Use Policies

The County Land Use Ordinance (Title 22), Article 2, Section 22.06 allows crop production in all land use designations and identifies crop production as exempt from requiring a land use permit, except for new and expanded irrigated crops using water from the Paso Basin, which require an Agricultural Offset Clearance (Section 22.30.204), and hemp production, which needs to meet the requirements of the hemp cultivation standards (Section 22.30.244). The proposed project would replace the Agricultural Offset Clearance Requirements. The Land Use Ordinance also includes minimum parcel size requirements intended to preserve agricultural properties and prohibits land divisions in the Paso Basin until the water supply is certified as Level of Severity I.

California Land Conservation Act

The California Land Conservation Act (LCA) of 1965, also known as the Williamson Act, offers financial incentives for landowners to maintain their properties in agricultural production to encourage the preservation of the state's agricultural lands and prevent their premature conversion to urban uses. Under provisions of the Williamson Act, private landowners may voluntarily enter into a long-term contract (minimum of 10 years) with cities and counties to form agricultural preserves and maintain their property in agricultural or open space uses in return for a reduced property tax assessment based on the agricultural value of the property. The term of an LCA contract is generally ten years and the contract automatically renews itself for another ten-year period, unless a Notice of Non-Renewal is filed or the contract is cancelled. State Government Code Section 51282 provides specific findings that must be made for the approval of LCA contract cancellations. The EIR will include a summary of land in the County under land conservation contract.

Forest Land

Forest land is defined in Public Resources Code section 12220(g) as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." The County General Plan COSE identifies the PBLUMA as containing oak woodlands and includes goals to maintain the acreage of native woodlands, forests, and trees at 2008 levels (BR 3).

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Timberland

The subject area does not include a significant amount of land that is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products.

Discussion

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

The new and expanded plantings of irrigated crops allowed by the proposed ordinance would maintain an agricultural landscape and preserve rural separation between communities, consistent with the goals of the County COSE. The Planting Ordinance would allow planting irrigated crops on fallowed lands that meet the permit criteria, as well as on lands that have been historically uncultivated. The ordinance would also limit the amount of irrigated crops that could be planted on each site and contribute to groundwater supply impacts, which could potentially impact agricultural operations. This impact would be potentially significant and will be assessed in the EIR.

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

The Planting Ordinance would not change any land use designations. The Planting Ordinance would allow planting irrigated crops on fallowed lands that meet the permit criteria, as well as on lands that have been historically uncultivated. The ordinance could prevent properties under Williamson Act contract from re-establishing irrigated crops to maintain contract compliance if they have not been irrigating for more than 6 years and if they need more than the 25 AFY allowed by a Tier 1 Planting Permit. This impact is potentially significant and will be discussed further in the EIR.

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

The Planting Ordinance would not change any land use designations. This impact would be less than significant.

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

The removal of oak woodlands to allow for irrigated crop production would be subject to the Oak Woodland Ordinance, as described in the Biological Resources section. This standard requires a discretionary permit subject to environmental review for clear-cutting of an acre or more. Compliance with this standard would reduce the potential impact to less than significant.

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

The Planting Ordinance would allow planting irrigated crops on fallowed lands that meet the permit criteria, as well as on lands that have been historically uncultivated. The ordinance would allow greater groundwater extraction for crop irrigation than the current baseline conditions. Water supply impacts could impact the ability of agricultural operations to continue, which may result in the conversion of Farmland to non-agricultural use. This impact is potentially significant and will be further evaluated in

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the EIR. The potential for conversion of forest land to non-forest use due to the groundwater supply impacts would be less than significant.

III. AIR QUALITY

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

Setting

Air quality is defined by the concentration of pollutants in relation to their impact on human health. Concentrations of air pollutants are determined by the rate and location of pollutant emissions released by pollution sources, and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, and sunlight. Therefore, ambient air quality conditions within the local air basin are influenced by natural factors, such as topography, meteorology, and climate, in addition to the amount of air pollutant emissions released by existing air pollutant sources.

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

San Luis Obispo County Clean Air Plan

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM10 (fine particulate matter 10 microns or less in diameter). The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under

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current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Based on the SLOAPCD Naturally Occurring Asbestos screening map, the project would not be within close proximity to any serpentine rock outcrops and/or soil formations which may have the potential to contain naturally occurring asbestos. The San Andreas fault is within one to twelve miles of the eastern border of the PBLUMA.

Discussion

New stationary emissions sources associated with the project include increased operation of the pumps and generators used to withdraw groundwater from the basin and deliver it to the planting fields for the new and expanded plantings. Other emissions may result from increased trips for transporting labor, materials, and harvested crops on unpaved agricultural roads and diesel particulate emissions from diesel-powered equipment associated with the ongoing cultivation of new and expanded crops (e.g., grading, tilling, harvesting).

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

The Planting Ordinance may result in agricultural grading and use of heavy farm equipment, which would generate diesel emissions and reactive organic gases (ROG), resulting in ozone. This is a potentially significant cumulative impact and will be assessed further in the EIR to determine consistency with applicable thresholds in the CAP.

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

The Planting Ordinance may result in agricultural grading and use of heavy farm equipment, which would generate diesel emissions and ROG, resulting in ozone. This is a potentially significant cumulative impact and will be assessed further in the EIR.

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

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity or exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. New plantings allowed by the proposed project could be within close proximity (approx. 1,000 feet) to sensitive receptors including school sites and single-family residences. This is a potentially significant impact and will be assessed in the EIR.

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

Farming activities, including irrigated crop production, often create emissions leading to odors (e.g., due to crop type or chemical application); however, these odors are consistent with existing agricultural practices and temporary and intermittent and would occur in rural and agricultural areas with low residential density. Therefore, this impact would be less than significant.

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IV. BIOLOGICAL RESOURCES

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

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Setting

Riparian, woodland and grassland habitats are primary resources of the planning area, especially due to their importance as wildlife movement corridors. Habitat in the planning area supports diverse flora and fauna, including endangered species such as the San Joaquin Kit Fox, the California Red-Legged Frog, and the Least Bell's Vireo.

The EIR will include a programmatic review of the biological resources that occur within the PBLUMA (Figure 1), including vegetation and land cover; known locations of special status species and federally designated critical habitats; sensitive natural communities; wildlife movement corridors; and wetlands, drainages, and riparian habitats. The COSE identifies biological resources within the planning areas of the county, considering Federal and State regulations and policies and local policies (COSE Chapter 3 and Appendix 3). The EIR will evaluate any updates in identified resources based on State and Federal designations and findings from environmental surveys and CEQA documents subsequent to preparation of the COSE. The EIR will include consideration of the Paso Robles Subbasin GSP identification of groundwater-dependent ecosystems in this evaluation, defined as ecological communities or species that depend on groundwater emerging from aquifers or occurring near the ground surface (GSP Section 4.7.2 and Appendix C).

The County Land Use Ordinance (Title 22) was amended in April 2017 to include an Oak Woodland Ordinance (Section 22.58) to regulate the clear-cutting of oak woodlands. This ordinance applies to sites located outside of urban or village reserve lines within the inland portions of the county. "Clear-cutting" is defined as the removal of 1 acre or more of contiguous trees within an oak woodland from a site or portion of a site for any reason, including harvesting of wood, or to enable the conversion of land to other land uses. The ordinance applies to clear-cutting of oak woodland only and does not apply to the removal of other species of trees, individual oak trees (except for Heritage Oaks), or the thinning, tree trimming, or removal of oak woodland trees that are diseased, dead, or creating a hazardous condition.

Discussion

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

The proposed Planting Ordinance would allow for more pumping than under the existing ordinance, which could result in the loss of habitat for candidate, sensitive, or special status species. This is a potentially significant impact that will be assessed further in the EIR.

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

The proposed Planting Ordinance could adversely affect riparian habitats by allowing for more pumping than under the existing ordinance. This is a potentially significant impact that will be assessed further in the EIR.

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

The proposed Planting Ordinance could adversely affect wetlands by allowing for more pumping than under the existing ordinance. This is a potentially significant impact that will be assessed further in the EIR.

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

The proposed Planting Ordinance could adversely affect wildlife movement by allowing for more pumping than under the existing ordinance. This is a potentially significant impact that will be assessed further in the EIR.

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

The Planting Ordinance will not supersede any local policies or ordinances protecting biological resources. Besides the current offset ordinance and hemp cultivation standards, the County land use ordinance does not require permits for crop production. This impact would be less than significant.

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

There is no approved local, regional, or state habitat conservation plan for the PBLUMA. This impact would be less than significant.

V. CULTURAL RESOURCES

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

Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, and immigrant settlers. Cultural resources include sites of important events, traditional cultural places and sacred sites, and places associated with an important person and may lack obvious physical characteristics.

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Discussion

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

The PBLUMA contains listed historic sites within the community of San Miguel and within and north of the community of Creston. Some of these sites are located on lands designated for Agriculture land use with and without existing irrigated crop production. This impact would be potentially significant and will be evaluated further in the EIR.

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

The Planting Ordinance may lead to grading on previously uncultivated lands, which would be exempt from requiring a grading permit that would be subject to environmental review and necessitate an archaeology report. This grading could disturb archaeological resources, especially near creeks where archaeological resources are more likely to be present. The cumulative impacts could be potentially significant and will be evaluated further in the EIR.

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

The Planting Ordinance may lead to grading on previously uncultivated lands, which would be exempt from requiring a grading permit that would be subject to environmental review and necessitate an archaeology report. This grading could disturb archaeological resources, especially near creeks where archaeological resources are more likely to be present. The cumulative impacts could be potentially significant and will be evaluated further in the EIR.

VI. ENERGY

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

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within San Luis Obispo County. Approximately 39% of electricity provided by Pacific Gas and Electric (PG&E) is sourced from renewable resources and an additional 47% is sourced from non-renewable greenhouse gas (GHG)-free resources (PG&E 2019).

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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.

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

Discussion

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

The plantings allowed by the Planting Ordinance would use energy resources to operate pumps to extract and distribute groundwater, and to operate agricultural equipment. This impact is potentially significant and will be assessed further in the EIR.

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

The Planting Ordinance would not change land use designations or otherwise conflict with or obstruct the development of renewable energy facilities or implementation of energy efficiency plans. This impact would be less than significant.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(iii) Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The eastern boundary of the PBLUMA is located within one to twelve miles from the San Andreas Fault. Faults generally produce damage in two ways: surface rupture and ground shaking.

Surface Rupture

Surface rupture refers to displacement of the ground surface along a fault trace, and is a potential hazard where future development would cross or be constructed astride known fault zones. Damage associated with fault-related surface rupture is normally confined to a narrow band along the trend of the fault, and fault displacement usually involved forces so great that it is generally not feasible (structurally and economically) to design and build structures to accommodate this rapid displacement.

Ground Shaking

Seismically induced ground shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. Ground shaking has the potential to result in the damage or destruction of buildings, infrastructure, and possible injury or loss of life. Ground shaking can

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also trigger secondary seismic phenomenon such as liquefaction, lateral spreading, seismically induced settlement and slope instability.

Liquefaction

Liquefaction is defined as the sudden loss of soil strength due to a rapid increase in soil pore water pressure resulting from seismic ground shaking. Liquefaction potential is dependent on such factors as soil type, depth to ground water, degree of seismic shaking, and the relative density of the soil. When liquefaction of the soil occurs, buildings and other objects on the ground surface may tilt or sink, and lightweight buried structures (such as pipelines) may float toward the ground surface. The County's Liquefaction map indicates the rural and agricultural portion of the PBLUMA ranges from low to high liquefaction potential.

Landslides

Landslides result when the driving forces that act on a slope (i.e., the weight of the slope material, and the weight of objects placed on it) are greater than the slope's natural resisting forces (i.e., the shear strength of the slope material). Slope instability may result from natural processes, such as the erosion of the toe of a slope by a stream, or by ground shaking caused by an earthquake. The County's Landslide Risk map indicates the rural and agricultural portion of the PBLUMA ranges from low to very high potential for landslides, with the higher risk areas being along steeper slopes.

Expansive Soils
During periods of water saturation, soils with high clay content tend to expand. Conversely, during dry periods, the soils tend to shrink. These volume changes with moisture content can cause cracking of structures built on expansive soils.

Erosive Soils

Soil erosion is the removal of soil by water and wind. The rate of erosion is estimated from four soil properties: texture, organic matter content, soil structure, and permeability. Other factors that influence erosion potential include the amount of rainfall and wind, the length and steepness of the slope, and the amount and type of vegetative cover.

Federal and State Regulations

The Alquist-Priolo Earthquake Hazard Zone Act was developed by the State to regulate development near active faults and mitigate the surface fault rupture and other hazards. The Act identifies active earthquake fault zones and restricts building habitable structures over known active or potentially active faults.

Local Regulations

San Luis Obispo County has mapped and established a Geologic Study Area (GSA) combining designation in potentially hazardous areas to ensure new development considers geologic and soil conditions that may create a danger to life and property. There are no Geologic Study Areas in the PBLUMA outside of the urban and village reserve lines. The County Grading standards are outlined in detail in the Existing Setting section. A County grading permit subject to environmental review or approval by the local Resource Conservation District is required for vineyards and orchards on slopes over 30%; new and expanded agricultural roads; and ponds, dams, and reservoirs 1-acre foot or more. The Resource Conservation District approval is contingent on the following findings:

- The proposed grading design meets Natural Resources Conservation Service (NRCS) Field Office Technical Guide Criteria;
- The proposed grading design is consistent with the characteristics and constraints of the site;

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- The extent and nature of proposed grading is appropriate for the use proposed and will not create site disturbance to an extent greater than that required to establish use;
- Proposed grading will not result in accelerated erosion, stream sedimentation, significantly reduced groundwater recharge or other adverse effects or hazards to life or property;
- Proposed erosion and sedimentation control measures are appropriate for the degree of site disturbance proposed and characteristics of the site and will result in the establishment of a permanent vegetative cover on denuded areas not otherwise permanently stabilized; and
- The project, as proposed, will not cause a significant environmental impact.

Discussion

(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.*

The Planting Ordinance only regulates the planting of irrigated crops. The Alquist-Priolo Earthquake Hazard Zone Act developed by the State identifies active earthquake fault zones and restricts building habitable structures over known active or potentially active faults, reducing this impact to less than significant.

(ii) *Strong seismic ground shaking?*

There are no properties in the County's Geologic Study Area in the rural and agricultural portions of the PBLUMA. The Planting Ordinance only regulates the planting of irrigated crops and development of associated infrastructure, which could be damaged by ground shaking. This impact is potentially significant and will be assessed in the EIR.

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

The Planting Ordinance could allow new and expanded plantings in areas of the PBLUMA with low to high risk of liquefaction, which could damage irrigation pipelines and associated infrastructure. This impact is potentially significant and will be assessed in the EIR.

(iv) *Landslides?*

The Planting Ordinance could allow new and expanded plantings in areas of the PBLUMA with low to very high risk of landslides, which could damage supporting infrastructure. This impact is potentially significant and will be assessed in the EIR.

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

The following activities associated with new plantings would require an Agricultural Grading permit, which requires an education component to promote best practices to conserve topsoil and minimize soil erosion: grading to create a new field; drainage improvements for new fields up to 30% slope; and constructing ponds, dams, and reservoirs less than 1 acre-foot with retention entirely below grade.

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The following activities require Alternative Review in collaboration with the local Resource Conservation District to preserve resources such as topsoil and minimize environmental impacts such as soil erosion: vineyards and orchards on slopes over 30%; new agricultural roads; widening/lengthening and existing agricultural road outside of fields; drainage improvements for new fields exceeding 30% slope; and constructing ponds, dams, and reservoirs 1 acre-foot or more or if a dam is proposed to retain water above natural grade.

The following activities associated with new plantings would be exempt from permitting requirements: grading on previously cultivated lands and removal of vegetation in an area previously grazed.

Activities associated with crop production with the potential to result in substantial soil erosion or the loss of topsoil require either an Agricultural Grading permit or Alternative Review based on County grading standards, which require best practices to conserve topsoil and minimize soil erosion. These measures would reduce the impact of the Planting Ordinance to less than significant.

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

The Planting Ordinance would allow for plantings that may require grading. There are no Geologic Study Areas in the PBLUMA outside of the urban and village reserve lines. Any grading on slopes over 30% would require approval by the local Resource Conservation District or a grading permit from the County. In addition, the Paso Robles Subbasin GSP does not identify subsidence as a significant issue of concern. Therefore, the impact of the Planting Ordinance would be less than significant.

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

New irrigated crops on expansive soil would not create substantial direct or indirect risks to life or property. Any grading to construct agricultural structures or agricultural worker housing would require a County grading permit subject to environmental review, which would evaluate risk from expansive soils. The impact associated with the Planting Ordinance would be less than significant.

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

As discussed in more detail in the Utilities section below, any wastewater disposal systems used for agricultural workers associated with the plantings allowed by the proposed ordinance – whether for the agricultural operations or for agricultural worker housing – would be subject to the standards of the Environmental Health Department and the Local Agency Management Plan on-site wastewater system permitting standards. The Local Agency Management Plan requires permit approval for on-site wastewater treatment system according to standards based on soil capability that have been approved by the Regional Water Quality Control Board. This impact would be less than significant.

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

Agricultural grading associated with plantings allowed by the proposed ordinance may disturb a paleontological resource. This impact may be potentially significant and will be assessed further in the EIR.

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VIII. GREENHOUSE GAS EMISSIONS

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

Setting

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

In October 2008, the California Air Resources Board (CARB) published the Climate Change Proposed Scoping Plan, which is the state's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state's GHG reduction goals and require CARB to regulate sources of GHGs to meet the following goals:

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

The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The most recent update released by CARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. The EWP, adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. Therefore, the EWP is

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not considered a qualified GHG reduction strategy for assessing the significance of GHG emissions generated by projects with a horizon year beyond 2020.

Discussion

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

The irrigated crop production allowed by the proposed ordinance would lead to increased consumption of fossil fuels for agricultural operations, including operation of agricultural equipment and transportation of materials, labor, and harvested crops. The EIR will evaluate the potential contribution of the proposed project to cumulative impacts related to climate change, and will detail the criteria for determining a project's contribution to cumulative GHG emissions/climate change impacts, as well as take into consideration statewide reduction requirements of AB 32 and SB 32. This impact is potentially significant and will be assessed further in the EIR.

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

The GHG emissions associated with the consumption of fossil fuels for plantings allowed by the proposed ordinance may exceed significance thresholds in the EWP and 2017 Climate Change Scoping Plan released by the CARB. This impact is potentially significant and will be assessed further in the EIR.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Irrigated crop production often involves use of pesticides, which are hazardous materials, and pose health risks to agricultural workers and sensitive receptors near application sites.

The County has adopted general emergency plans for multiple potential natural disasters, including the Local Hazard Mitigation Plan, County Emergency Operations Plan, Earthquake Plan, Dam and Levee Failure Plan, Hazardous Materials Response Plan, County Recovery Plan, and Tsunami Response Plan. The PBLUMA specifically is at high to very high risk for fires, drought, and extreme temperatures. Portions of the PBLUMA north and south of the community of San Miguel are subject to risk from dam inundation.

Discussion

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

Increased irrigated crop production would lead to an increase in the transportation and use of pesticides. Pesticide application is subject to federal Worker Protection Standards and the California pesticide safety regulations for workers, developed by the California Department of Pesticide Regulation and implemented by the County Agricultural Commissioner's office. These regulations are intended to maintain worker health and safety and prevent pesticide illness. Transportation of hazardous waste is regulated by the Hazardous Materials Transportation Act. The impact would be

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less than significant due to federal and state regulations to facilitate safe transport of hazardous materials and agricultural worker health and safety.

- (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?*

Increased irrigated crop production would lead to an increase in the transportation and use of pesticides. The impact would be less than significant due to federal and state regulations to facilitate safe transport of hazardous materials and agricultural worker trainings for pesticide handling protocols.

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

In 2017, the Department of Pesticide Regulation (DPR) adopted regulations (California Code of Regulations, Title 3, Sections 6690-6692) addressing agricultural pesticide applications within ¼ mile of public K-12 schools and licensed child day care centers. Effective January 1, 2018, these regulations provide minimum distance standards for certain agricultural pesticide applications within ¼ mile of a school during the hours of 6:00 a.m. and 6:00 p.m. Monday through Friday and require annual grower notifications to school sites. Impact would be less than significant with compliance with existing regulations for pesticide application within the vicinity of a 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?*

The Hazardous Waste and Substances Site List (Cortese List), which is a list of hazardous materials sites compiled pursuant to California Government Code (CGC) Section 65962.5, is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. The PBLUMA includes several sites from the Cortese List in the community of San Miguel – two military evaluation sites that need evaluation and one voluntary cleanup site with no further action needed (California Department of Toxic Substance Control [DTSC] 2021). It is not anticipated that sites within the community of San Miguel would apply for permits to plant under the proposed ordinance, given the urban nature of the sites. The impact would be less than significant.

- (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?*

A portion of the PBLUMA northeast of the City of Paso is within two miles of the Paso Robles Municipal Airport. The City of Paso Robles planning documents indicate these PBLUMA properties are within the 55 decibel (dBA) airport noise contours. The County noise standards set a 70 dBA maximum for daytime exterior noise levels. This impact would be less than significant because none of the agricultural properties within the PBLUMA are within the 60-75 dBA airport noise contours.

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

The proposed ordinance would not alter land use designations or interfere with emergency response or evacuation plans. Any new road construction associated with plantings allowed by the Planting Ordinance would be subject to the County grading standards (described in detail in the Geology and Soils section), which require CAL FIRE and Public Works review on a project-by-project basis to ensure emergency access requirements are met. This impact would be less than significant.

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

As discussed in more detail in the Wildfire section below, the PBLUMA is located in high and very high Fire Hazard Severity Zones (CAL FIRE 2021). Irrigated cropland can serve as a buffer between wildlands and urban areas, helping to reduce the risk of loss, injury, or death from wildland fires. This impact would be less than significant.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Setting*Groundwater Policies

The GSP and current offset ordinance are described in detail in the project description above.

The COSE includes the following water resources policies regarding use of groundwater for agriculture:

Policy WR 1.7 Agricultural operations. Groundwater management strategies will give priority to agricultural operations. Protect agricultural water supplies from competition by incompatible development through land use controls. In groundwater basins certified at [Level of Severity] II or III for water supply, establish groundwater management strategies (including adjudications) that consider all groundwater use.

Policy WR 1.14 Avoid net increase in water use. Avoid a net increase in non-agricultural water use in groundwater basins that are certified at Level of Severity II or III for water supply. In addition, place limitations on further land divisions in these areas and establish and implement water offset programs for all groundwater users until plans are in place and funded to ensure that the safe yield will not be exceeded.

The County Health and Sanitation Ordinance (Title 8), Chapter 8.95 – Exportation of Groundwater requires a permit for the exportation of more than 0.5 AFY per site of groundwater outside its groundwater basin boundary or outside of the County. Permit approval requires findings that the export will not cause or contribute to significant detrimental impacts to groundwater resources, including impacts to health, safety, and welfare of overlying property owners.

Any new groundwater wells constructed to serve new or expanded irrigated crops allowed by the proposed ordinance would be subject to the County Health and Sanitation Ordinance (Title 8), Chapter 8.40 – Construction, Repair, Modification and Destruction of Wells incorporates State standards (DWR Bulletin No.

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74) to prevent improperly constructed wells from causing groundwater quality deterioration. A hydrogeologist report is required for applications to construct wells at certain proposed depths to evidence (as required by an incorporated State standard) that multiple aquifers of varying qualities will not be penetrated or, where they will, the strata producing the lower-quality water will be adequately sealed. The ordinance also requires evidence of compliance with the Agricultural Offset Clearance Requirements for permit applications. The project will update the ordinance to require compliance with the new Planting Ordinance instead.

Groundwater Storage Deficit

The Paso Robles Subbasin GSP (Section 6.5.3.3 Future Sustainable Yield) projects a long-term imbalance between inflows (e.g., recharge) and outflows (e.g., pumping) and an average groundwater storage deficit of 13,700 AFY. The Paso Robles Subbasin Water Year 2020 Annual Report prepared to meet SGMA reporting requirements identifies the following emerging Subbasin conditions:

- *Groundwater levels are declining in some parts of the Subbasin, indicating that the amount of groundwater pumping is more than the natural recharge; and*
- *The calculated water budget of the Paso Robles Formation aquifer indicates that the amount of groundwater in storage is in decline and will continue to decline in the near future if there is no net decrease in groundwater demand on the aquifer.*

The annual report estimates above-average precipitation water years for 2017 and 2019; 45,400 AFY increase in groundwater storage from 2017-2020; and 80,800 AFY decrease in groundwater storage in water year 2020.

Drought

On July 13, 2021, the County adopted a resolution issuing a proclamation of local emergency due to drought conditions. The proclamation stated the following:

- *In February 2020 and 2021, the County of San Luis Obispo recorded the driest back-to-back months in 150 years; ...*
- *According to the U.S. Drought Monitor on June 24, 2021, the entire County of San Luis Obispo is listed as suffering from “extreme” drought conditions, classified as drought level category D3, indicating major crop and pasture losses within the agricultural community and widespread water shortages or restrictions;*
- *On March 5, 2021, the United States Department of Agriculture issued a Drought Disaster Designation for all 58 counties in California, designating 47 as primary disaster areas and 11 as contiguous disaster areas, including San Luis Obispo County, which will likely move to a primary disaster area over the next several weeks; and*
- *The long-term ramifications of the drought will have a significant impact on San Luis Obispo County and pose a danger to the health and welfare of its residents, livestock, and agriculture.*

Discussion

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

Any new or expanded plantings of irrigated crops allowed by the proposed ordinance would be subject to the requirements of the Central Coast Regional Water Quality Control Board's Irrigated Lands Program, which regulates discharges from irrigated agricultural lands to protect surface water and groundwater and applies to owners and operators of irrigated land used for commercial crop production.

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Any new groundwater wells constructed to serve new or expanded irrigated crops allowed by the proposed ordinance would be subject to the County Health and Sanitation Ordinance (Title 8), Chapter 8.40 – Construction, Repair, Modification and Destruction of Wells incorporates State standards (DWR Bulletin No. 74) to prevent improperly constructed wells from causing groundwater quality deterioration, as described in more detail above.

The groundwater pumping allowed by the Planting Ordinance could cause changes in groundwater quality due to variances of water chemistry at different depths and locations within the groundwater basin. This impact is potentially significant and will be addressed in the EIR.

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

Tier 1 permits would allow for increased groundwater pumping beyond what is allowed under the current regulation, up to 25 AFY per site throughout the PBLUMA. This impact is potentially significant and will be assessed further in the EIR.

- (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;*

Compliance with the County grading standards described in the project description would reduce this potential impact to less than significant, as discussed in threshold b of the Geology and Soils section.

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

The plantings allowed by the proposed ordinance may require new agricultural roads, drainage improvements, and other grading activities that could increase surface runoff, but are subject to grading standards to minimize surface runoff and the risk of flooding. Drainage improvements for new fields up to 30% slope require an Agricultural Grading permit, which encourages best management practices to reduce the risk of surface runoff. Drainage improvements for new fields exceeding 30% slope and new agricultural roads require approval from the local Resource Conservation District. These permitting pathways require growers to follow best management practices to address drainage concerns on-site, which reduce the impact of new and expanded plantings of irrigated crops resulting in flooding on- or off-site; therefore, this impact would be less than significant.

- (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*

The Irrigated Lands program requires monitoring of stormwater runoff and implementing measures to minimize pollutants for irrigated agricultural operations. The County grading standards require an Agricultural Grading permit for drainage improvements for new fields. Compliance with the Regional Water Board Irrigated Lands program and the County grading requirements (outlined in the project description) would reduce this risk associated with activities serving new plantings allowed by the Planting Ordinance to less than significant levels.

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(iv) *Impede or redirect flood flows?*

Drainage improvements and grading associated with plantings allowed by the proposed ordinance would be subject to the County grading requirements outlined in the project description. These standards require growers to follow best management practices to address drainage concerns and stormwater on-site, which reduce the potential impact to less than significant.

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

The PBLUMA is located in the inland portion of the County and not subject to tsunami or seiche risk. Portions of the PBLUMA along waterways may be subject to flood hazard; however, use of hazardous agricultural materials such as pesticides are subject to regulations regarding safe storage protocols. The Regional Water Quality Control Board's Irrigated Lands Program requires growers to conduct sampling of stormwater for rain events that reduce the potential for the release of pollutants due to flood inundation to less than significant levels.

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

Although the GSP does not assume that the County will continue to restrict new crops beyond expiration of the current regulation, it does assume no net increase in pumping demand on the basin in its future water budget analysis. Therefore, the increased pumping that would be allowed by the Tier 1 permits under the proposed Planting Ordinance is not accounted for in the GSP. The GSP currently projects an average annual groundwater storage deficit of 13,700 AFY, which would increase to account for Tier 1 permits issued under the proposed ordinance. The increased pumping may lead to increased negative outcomes for the sustainability indicators of the GSP monitoring network, which may include: chronic lowering of groundwater levels, reduction in groundwater storage, degraded water quality, land subsidence, and depletion of interconnected surface water. This impact will be further evaluated in the EIR, as it is potentially significant.

XI. LAND USE AND PLANNING

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

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Setting

The Land Use, COSE, and Agriculture Elements of the County General Plan include goals and policies intended to balance environmental protections with support of agricultural production. The County Land Use Ordinance (Title 22) includes the following standards related to irrigated crop production and water use in the PBLUMA:

Article 2 – Allowable Land Uses and Permit Requirements

The County Land Use Ordinance (Title 22), Article 2, Section 22.06 allows crop production in all land use designations and identifies crop production as exempt from requiring a land use permit, except for crops which require an Agricultural Offset Clearance (Section 22.30.204), and hemp production, which needs to meet the requirements of the hemp cultivation standards (Section 22.30.244). The project would amend these standards to reference the new planting ordinance instead of the Agricultural Offset Clearance Requirements.

Article 4 – Standards for Specific Land Uses

The proposed ordinance is replacing Section 22.30.204, the Agricultural Offset Clearance Requirements.

Article 9 – Planning Area Standards

The planning area standards for the Paso Robles Groundwater Basin (Section 22.94.025) prohibit General Plan amendments that would result in a net increase in water use for non-agricultural purposes and all land divisions except for public use or conservation purposes until the Paso Basin water supply is certified as Level of Severity I.

Discussion

(a) Physically divide an established community?

The new plantings allowed by the proposed ordinance would not physically divide an established community because the PBLUMA is primarily rural and agricultural with distinct urban and village areas protected by land use standards in the land use ordinance and community plans. It is assumed the new plantings would be in the rural and agricultural areas of the PBLUMA. Impacts related to physically division of an established community would be less than significant.

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

The EIR will include a compatibility analysis for the proposed ordinance with County General Plan policies and implementing regulations. This impact is potentially significant and will be assessed further in the EIR.

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XII. MINERAL RESOURCES

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

Setting

The County Land Use Ordinance provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County of San Luis Obispo General Plan Land Use Element from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production. The land use standards require a discretionary land use permit for any proposed land uses not directly related to energy or extraction operations with required findings that the proposed use will not adversely affect the continuing operation or expansion of the energy or extraction use. Crop production is exempt from this permit requirement. A small portion of the PBLUMA is located within an EX or EX1 combining designation – the property with APN 071-101-001 located south of Highway 58 on the southern PBLUMA boundary and west of Creston Road between Feenstra Road and Highway 41.

Discussion

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

The County land use ordinance includes standards to protect mineral resources from land uses that would adversely affect the continuing operation or expansion of the extraction use. These standards exempt crop production from requiring discretionary review to ensure mineral resources are protected. Crop production does not damage underlying mineral resources or restrict the ability of the resources to be extracted in the future. This impact would be less than significant.

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

As outlined in the setting above, the PBLUMA contains extractive resource areas, as defined in the County General Plan. Crop production in these areas does not interfere with the availability of the site to be used for mineral extraction in the future. The impact would be less than significant.

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XIII. NOISE

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

Setting

Noise sources in the PBLUMA include traffic on state highways and other major roadways; railroad operations; airport operations; military training activities at Camp Roberts; and industrial, commercial and agricultural activities. 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 minimize future noise impacts. Among the most significant policies of the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses and performance standards for new commercial and industrial uses that might adversely impact noise-sensitive land uses.

Noise-sensitive uses identified by the County include the following:

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

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- Libraries and museums;
- Hotels and motels;
- Bed and breakfast facilities;
- Outdoor sports and recreation; and
- Offices.

The County Land Use Ordinance establishes acceptable standards for exterior and interior noise levels and describe how noise shall be measured. Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the Noise Element. Exterior noise levels are measured from the property line of the affected noise-sensitive land use. The maximum allowable exterior noise level standards will be outlined in the EIR.

The County General Plan Noise Element Policy 3.3.5.a. states: "Noise from agricultural operations conducted in accordance with accepted standards and practices is not required to be mitigated." The noise standards in the Land Use Ordinance do not apply to noise sources associated with agricultural land uses, including but not limited to wind machines used for direct climate control, water well pumps and pest-repelling devices, provided that the pest-repelling devices are used in accordance with accepted standards and practices.

Discussion

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

Agricultural activities associated with the plantings allowed by the produced ordinance would generate noise, such as from the operation of pumps and diesel equipment. The County General Plan Noise Element Policy 3.3.5.a. states: "Noise from agricultural operations conducted in accordance with accepted standards and practices is not required to be mitigated." The noise standards in the Land Use Ordinance do not apply to noise sources associated with agricultural land uses, including but not limited to wind machines used for direct climate control, water well pumps and pest-repelling devices, provided that the pest-repelling devices are used in accordance with accepted standards and practices. Noise generated from any construction activities for ag worker housing, etc, that may be induced by the ordinance would be subject to the County noise standards and noise thresholds. Therefore, this impact would be less than significant.

- (b) *Generation of excessive groundborne vibration or groundborne noise levels?*

Construction and agricultural operations may generate groundborne vibration or groundborne noise levels that could exceed federal standards. This impact is potentially significant and will be assessed 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?*

As stated in the Hazards section above, a portion of the PBLUMA northeast of the City of Paso Robles is within two miles of the Paso Robles Municipal Airport. The City of Paso Robles planning documents indicate these PBLUMA properties are within the 55 decibel (dBA) airport noise contours. The County noise standards set a 70 dBA maximum for daytime exterior noise levels. This impact would be less

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than significant because none of the agricultural properties within the PBLUMA are within the 60-75 dBA airport noise contours.

XIV. POPULATION AND HOUSING

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

Setting

The majority of residential development in the PBLUMA is on rural properties. The County Land Use Ordinance includes residential density standards that limit the number of residences that may be built per parcel based on land use designation. Properties in the Agriculture land use designation are generally allowed two primary residences, one accessory dwelling unit, and one junior accessory unit per parcel. The standards for Agricultural Worker housing allow additional residences if certain minimum parcel size and agricultural use requirements are met. Properties under Williamson Act contract are allowed one primary residence per minimum parcel size for conveyance. Any agricultural worker housing needed to house workers to serve the new plantings allowed by the Planting Ordinance would be subject to these standards.

Discussion

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

The Planting Ordinance would regulate irrigated crop production only. Any increase in population from any housing construction induced by the ordinance, such as to serve agricultural workers, would be within County growth projections. This impact would be less than significant.

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

The Planting Ordinance would regulate irrigated crop production only. The Planting Ordinance would not directly displace people or housing, although groundwater supply impacts may affect residential groundwater wells, which is discussed further in the Hydrology and Water Quality section and the Utilities-Water Supply section. This impact is considered less than significant.

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XV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County to provide full-service fire protection since 1930.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The PBLUMA includes multiple school districts.

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

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

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Discussion

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

Fire projection?

The Planting Ordinance would regulate irrigated crop production only. Any new housing or agricultural roads associated with new plantings allowed by the Planting Ordinance would be subject to County standards for new construction and grading that require consultation with CAL FIRE to ensure emergency access standards are met. Agricultural uses are already allowed within the PBLUMA. The Planting Ordinance would not significantly increase activities beyond the capacities of CAL FIRE services. This impact would be less than significant.

Police protection?

Agricultural activities are already allowed in the PBLUMA. The Planting Ordinance would regulate irrigated crop production only, consistent with existing land use patterns in the area, and would not result in a substantial increase in needed services from the County Sheriff's Office. This impact would be less than significant.

Schools?

The Planting Ordinance would regulate irrigated crop production only. Any new housing induced by the Planting Ordinance would be consistent with the County's residential density and agricultural worker housing standards and would be subject to impact fees to the relevant school district. This impact would be less than significant.

Parks?

The Planting Ordinance would regulate irrigated crop production only. Any new housing induced by the Planting Ordinance would be consistent with the County's residential density and agricultural worker housing standards and would be subject to impact fees to the Parks Department to comply with the Quimby Act. This impact would be less than significant.

Other public facilities?

Agricultural activities are already allowed in the PBLUMA. The Planting Ordinance would regulate irrigated crop production only, consistent with existing land use patterns in the area, and would not result in a substantial increase in needed public facilities. Impacts would be less than significant.

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XVI. RECREATION

	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities.

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding (County of San Luis Obispo 2016). The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents.

Discussion

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

The Planting Ordinance would regulate irrigated crop production only. Any new housing induced by the Planting Ordinance would be consistent with the County's residential density and agricultural worker housing standards and would be subject to impact fees to the Parks Department to comply with the Quimby Act that may be used to maintain recreational facilities. This impact would be less than significant.

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

The Planting Ordinance would regulate irrigated crop production only. The Planting Ordinance does not include the construction of recreational facilities. Any housing development induced by the ordinance would be subject to County development standards, including payment of impact fees for recreational facilities. This impact would be less than significant.

XVII. TRANSPORTATION

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

Setting

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. Caltrans maintains annual traffic data on state highways and interchanges within the county, and the San Luis Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA) for the PBLUMA, SLOCOG is responsible for conducting a comprehensive, coordinated transportation program; preparing a Regional Transportation Plan (RTP); programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. 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.

In 2013, SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning

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and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of 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] of the CEQA Guidelines). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The County's Framework for Planning (Inland) includes the County of San Luis Obispo General Plan Land Use and Circulation Elements. The framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. In addition, projects are required to pay standard road improvement fees to address their fair share of cumulative growth impacts and future infrastructure needs.

Discussion

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

The Planting Ordinance would not remove or block any existing or planned circulation system or change land use designations or residential density standards. Any agricultural road or housing construction induced by the Planting Ordinance would be consistent with existing land use and circulation planning documents. This impact would be less than significant.

- (b) *Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

There are vehicle miles associated with the new and expanded plantings that would be allowed by the Planting Ordinance, such as transporting agricultural workers, materials, and harvested crops. The increase in VMT could potentially be significant and will be addressed in the EIR.

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

The new plantings allowed by the proposed ordinance would use farm equipment. It is assumed the plantings will occur in rural and agricultural areas where such equipment is compatible with the existing land use and circulation patterns. Any construction of new agricultural roads would be subject to the County grading standards and require approval by the local Resource Conservation District. This level of review would minimize hazardous design features such as sharp curves. This impact would be less than significant.

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

The Planting Ordinance would allow plantings consistent with existing land use designations. Any road grading or housing construction induced by the Planting Ordinance would be subject to County grading and construction standards that require consultation with CAL FIRE and County Public Works to ensure emergency access requirements are met on a project-by-project basis. This impact would be less than significant.

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XVIII. TRIBAL CULTURAL RESOURCES

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

Setting

Pursuant to the requirements of Senate Bill 18 (SB 18 – 2004), any city or county that is considering an amendment to a General Plan or Specific Plan must invite representatives from affected local tribes to participate in meaningful consultation with the local government for the purpose of discussing tribal concerns related to the proposed project. The proposed project would include amendments to the County General Plan's Agriculture Element and COSE.

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

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- a. Included or determined to be eligible for inclusion in the CRHR; or
 - b. Included in a local register of historical resources as defined in California PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth California PRC Section 5024.1(c).

Recognizing that tribes have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area.

Discussion

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

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

The EIR will include an analysis of historical tribal cultural resources within the PBLUMA that could be affected by the proposed ordinance, informed by any tribal consultation. This impact could be potentially significant.

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

The County will conduct outreach to California Native American tribes that are traditionally and culturally affiliated with the PBLUMA prior to the release of a Draft EIR, pursuant to the requirements of AB 52 and SB 18. The EIR will include an analysis of tribal cultural resources within the PBLUMA that could be affected by the proposed ordinance, informed by any tribal consultation.

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XIX. UTILITIES AND SERVICE SYSTEMS

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

Setting

The PBLUMA contains several community water providers that serve urban and village communities (e.g., San Miguel Community Services District, Green River Mutual Water Company, Shandon County Service Area 16). The majority of residences and agricultural operations in the PBLUMA rely on on-site groundwater wells and individual on-site wastewater treatment systems. Groundwater wells are subject to construction and modification standards per Title 8 of the County Code, as discussed in the Hydrology and Water Quality section above. On-site wastewater treatment systems are regulated by the County Local Agency Management Plan (LAMP), approved by the Regional Water Quality Control Board.

The initial version of the current offset ordinance adopted as an urgency ordinance in 2013 was partially in response to reports of residential wells going dry from declining groundwater levels. During the current

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drought, residents are reporting wells going dry. The state maintains a tracking website for dry wells: <https://mydrywatersupply.water.ca.gov>.

The GSP identifies six potential sources of water for projects to make new water supplies available to the Paso Robles Subbasin: recycled water from wastewater treatment plants operated by the San Miguel Community Services District and the City of Paso Robles, State Water Project water, Nacimiento Water Project water, Salinas Dam/Santa Margarita Reservoir water, local recycled water, and flood flows/stormwater from local rivers and streams (GSP Section 9.5) but does not recommend any supplemental water projects for immediate implementation. The GSP states these conceptual projects may be implemented by willing entities and depends on them and the success of any required funding votes. The GSP focuses on reducing groundwater extractions through voluntary fallowing and area-specific pumping reductions, discussed in more detail in the project description and Agricultural Resources section above.

PG&E is the primary electricity provider and both PG&E and SoCalGas provide natural gas services for urban and rural communities within the county. There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the city of San Luis Obispo; Chicago Grade Landfill, located near the community of Templeton; and Paso Robles Landfill, located east of the city of Paso Robles. Solid waste generated in the PBLUMA goes to the Chicago Grade Landfill and the Paso Robles Landfill.

State Bill (SB) 1383 is a statewide effort to reduce emissions of short-lived climate pollutants. The law requires reduction of statewide disposal of organic waste by 50% by January 1, 2020 and 75% by January 1, 2025 based on 2014 levels and recovery of a minimum of 20% of edible food safe for human consumption, which is currently being disposed of, by 2025. Agricultural waste is organic waste and may include edible food safe for human consumption, depending on the crop. The County Integrated Waste Management Authority (IWMA) is coordinating local efforts to meet the SB 1383 mandates, and the Food Bank Coalition of San Luis Obispo County administers a gleaning program that allows farmers to donate unused produce to be harvested by volunteers and distributed to food insecure populations for a tax write-off instead of disposing in a landfill.

Discussion

- (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?*

The proposed ordinance may result in the construction of new groundwater wells, pumps, and distribution pipelines for irrigation, stormwater drainage improvements, electric power connections, and natural gas connections to serve new and expanded plantings. The impact regarding these facilities may be significant and will be addressed in the EIR. Irrigated crops do not typically require wastewater treatment or the construction of new telecommunications facilities; therefore, the impact for these facilities would be less than significant.

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

Because the Paso Basin already has a 13,700 AFY projected average groundwater storage deficit (i.e., each year, approximately 13,700 acre-feet more water exits the Paso Basin than is recharged to it), facilitating additional use could result in adverse effects on water supply to other existing uses of the basin (agricultural and non-agricultural). This impact is potentially significant and will be assessed further in the EIR.

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

Irrigated crop production does not require wastewater treatment. Any wastewater associated with agricultural operations or agricultural worker housing in support of the new plantings would likely be served by on-site wastewater treatment systems rather than a wastewater treatment provider, due to rural location, and be subject to the Local Agency Management Plan and Environmental Health Standards. This impact is less than significant.

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

New and expanded irrigated crop production may increase the generation of solid agricultural waste. Agricultural waste management systems require approval by the local Resource Conservation District based on County grading standards, and agricultural operations will need to comply with the SB 1383 mandate; therefore, the impact would be less than significant.

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

New and expanded irrigated crop production may increase the generation of solid agricultural waste. Agricultural waste management systems require approval by the local Resource Conservation District based on County grading standards, and agricultural operations will need to comply with the SB 1383 mandate; therefore, the impact would be less than significant.

XX. WILDFIRE

	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact to be Addressed in the EIR	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

In central California, the fire season usually extends from roughly May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZs) are defined by CAL FIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as "Very High," "High," or "Moderate." The PBLUMA is located in high and very high FHSZs (CAL FIRE 2021). Emergency response times for sites within the PBLUMA range from less than 5 to 15-20 minutes.

The *San Luis Obispo County Emergency Operations Plan* (EOP) addresses several overall policy and coordination functions related to emergency management. The Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger.

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

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

The proposed ordinance would not alter land use designations or interfere with emergency response or evacuation plans because the proposed project would be limited to water usage by new or expanded crops and would not include the removal or blockage of roadways designated in such plans. Also, irrigated cropland can serve as a buffer between wildlands and urban areas, helping to reduce the risk of loss, injury, or death from wildland fires. This impact would be less than significant.

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

The Planting Ordinance does not include the construction of housing but may induce housing that would be subject to fire safety codes. Irrigated cropland can serve as a buffer between wildlands and urban areas, helping to reduce the risk of loss, injury, or death from wildland fires. This impact would be less than significant.

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

Establishing new irrigated crops as allowed by the proposed ordinance may require installation of new agricultural roads. These roads would be consistent with existing development patterns and subject to County grading standards and would therefore not exacerbate fire risk or result in significant temporary or ongoing environmental impacts. In addition, irrigated cropland can serve as a buffer between wildlands and urban areas, helping to reduce the risk of loss, injury, or death from wildland fires. This impact would be less than significant.

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

The new and expanded crops would not result in runoff from the agricultural lands, based on discussion in Hydrology and Water Quality section; therefore, if the land around new or expanded crop areas are burned by a wildfire, there should not be water runoff from the croplands that would result in runoff, post-fire slope instability, or drainage changes off-site. This impact would be less than significant.