



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

PLN-2039  
04/2019

**Cool Development Plan/Coastal Development Permit ED21-109 (DRC2020-00152)**

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

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

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

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

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

Brandi Cummings, SWCA

Prepared by (Print)

*Brandi Cummings*

Signature

November 19, 2021

Date

for Steve McMasters, Principal  
Environmental Specialist

Reviewed by (Print)

Signature

Date

## Initial Study – Environmental Checklist

### Project Environmental Analysis

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

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

### A. Project

**DESCRIPTION:** A request by **COOL PROPERTIES, LLC** for a Development Plan/Coastal Development Permit (DRC2020-00152) to allow for the phased development of two residences, one guesthouse, and an agricultural barn. Phase 1 consists of the demolition of an existing collapsed barn, construction of an agricultural barn (4,000 sf) with one residence located in the upper story, a new asphalt driveway, two 5,000-gallon water tanks, and septic system (project; Figures 1-3). The agricultural barn would be located near and oriented parallel to Avila Beach Drive on the less steep portion of the site. Phase 1 would also include site improvements, including the extension of utility lines to the site, installation of two 5,000-gallon water tanks, installation of a septic tank and leach field, and grading for the proposed driveway and building pads for the lower and upper residences. The project proposes supporting infrastructure including water mains, waterlines, sewer lines, and electric lines within the proposed asphalt driveway. The asphalt driveway would be improved as part of the project and would connect to an existing shared driveway from Avila Beach Drive. This project includes the creation of two building envelopes ranging from 12,500 sf to 21,000 sf. Phase 1 is expected to result in 1.61 acres of site disturbance and 6,500 sf of impervious surface area.

Phase 2 consists of the construction of two new single-family residences (between 2,500-4,500 sf) and, prior to occupancy of the third residence, the residential unit in the agricultural barn would be converted to a guesthouse. The lower residence would be located immediately southwest of the Phase 1 agricultural barn. Phase 2 is expected to result in 33,500 square feet (0.77 acre) of site disturbance, within the disturbed footprint of Phase 1, and 14,900 sf of impervious surface area.

Water for the project would be supplied by an existing shared well and wastewater would be disposed onsite in a private septic system. In addition, the project proposes to implement landscape screening along the portion of Avila Beach Drive to help screen the proposed barn. The project includes the removal of two eucalyptus trees onsite and impacts to one oak tree; the project proposes to replant 4 oak trees to mitigate for the impacted oak tree.

The project includes a coastal public trail easement and a request to modify the front yard setback standard for an agriculture accessory structure. The applicant is also requesting a Variance to allow grading on slopes greater than 30%. The project requires approval of a Development Plan due to the request for a Variance of

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the grading standards identified in section 23.01.045 of the CZLUO, limiting grading to slopes less than 30%. A Coastal Development Permit is required due to the project's location in the Coastal Zone.

The project would result in approximately 1.61 acres of total site disturbance including 6,700 cubic yards (cy) of cut and 2,500 cy of fill (total of 9,200 cy of earthwork with 4,200 cy of export) on a 54.95-acre parcel. The project is located in the Rural Lands land use category, on the south side of Avila Beach Drive at the intersection with Ontario Road (across from the Avila Valley Barn), east of the community of Avila Beach, in the San Luis Bay Coastal Planning Area and the Coastal Zone.

**ASSESSOR PARCEL NUMBER(S):** 076-231-074

**Latitude:** 35° 11' 00.39" N      **Longitude:** 120° 42' 27.96" W      **SUPERVISORIAL DISTRICT #** 3

### B. Existing Setting

**Plan Area:** San Luis Bay(Coastal)      **Sub:** None      **Comm:** Avila Beach

**Land Use Category:** Rural Lands,

**Combining Designation:** Sensitive Resource Area Geologic Study Wetlands, Local Coastal Plan/Program, Archaeologically Sensitive, , ,

**Parcel Size:** 54.95acres

**Topography:** Gently sloping to very steeply sloping

**Vegetation:** Oak woodland , Eucalyptus trees, Monterey pines, Wetland

**Existing Uses:** Vacant,

**Surrounding Land Use Categories and Uses:**

**North:** Recreation; retail commercial (Avila Valley Barn)      **East:** Rural Lands; open space

**South:** Recreation; City of Pismo Beach      **West:** Rural Lands; scattered residences

## Initial Study – Environmental Checklist

**Figure 1. Vicinity Map**





## Initial Study – Environmental Checklist

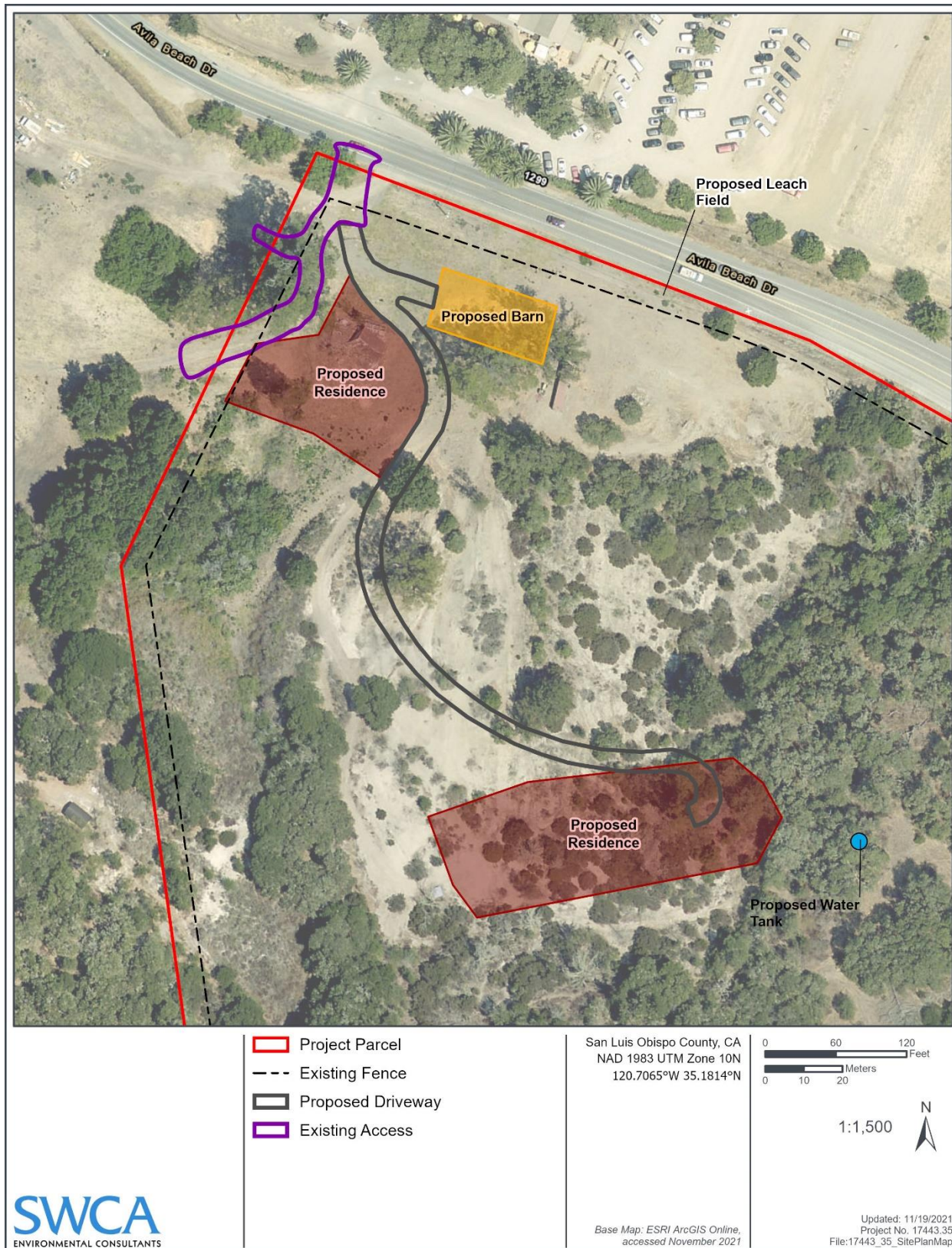
Figure 2. Location Map





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Figure 3. Site Plan





## Initial Study – Environmental Checklist

Figure 4. Biological Resources Map



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### Baseline Conditions

The approximately 55-acre parcel consists of gentle to steep wooded slopes and the average slope of the parcel is 40%. Proposed development would be located on gentle to moderate slopes (18% or less), and the remainder of the steep wooded project parcel, which extends south toward Avila Ridge, would remain undeveloped. The project parcel is designated as Rural Lands and is surrounded by Recreational Lands to the north and south, Rural Lands to the east and Open Space/Rural Lands to the west. The parcel located adjacent to the western boundary of the project site consists of rural residential development and the parcel located north of the project site consists of retail agricultural development (Avila Valley Barn). The project parcel is located within the coastal zone, a Geologic Study Area, an Archaeologically Sensitive Area, and a Sensitive Resource Area (SRA) (CZLUO 23.07.160).

The project parcel is currently vacant with remnants of an old collapsed farmhouse/barn. Historical uses of the site included rock and gravel quarry activities, ranching, an equine center, and residential uses. There is existing fencing along the northern parcel boundary (along Avila Beach Drive), that would remain as part of project. The parcel consists of gentle to steep wooded slopes which supports native trees including coast live oak woodlands and other oaks, pines, Santa Margarita manzanita, and willows. The project site also supports eucalyptus trees within the northwestern portion of the parcel. The project site supports wetland areas within the central northern and northeastern portion of the parcel and along the western portion of the parcel, and due to their location within the coastal zone, the identified wetlands are considered Environmentally Sensitive Habitat Areas (ESHA).

A portion of the Ontario Ridge Trail runs atop the steep hillside along the southern border of the property. In 2019 the County made a General Plan conformity determination regarding the acquisition of two separate easements (one on this parcel and one on the parcel to the west) recognizing the current alignment of the Ontario Ridge Trail. The easement is of varying width but not less than 20-feet wide at any point. The proposed development would be located approximately 1,400 feet north of the existing trail alignment, which is a public access trail within the larger 53-acre Ontario Ridge Open Space and is managed by a coordinated effort between the City of Pismo Beach and the County.

### C. Environmental Analysis

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



## Initial Study – Environmental Checklist

### I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Setting

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

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

The California Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. Within the County Coastal Zone, there is one officially designated state scenic highway and several eligible state scenic highways. Portions of U.S. Route (US) 101, SR 46, SR 41, SR 166, and a southern portion of SR 1 are also classified as Eligible State Scenic Highways – Not Officially Designated. The project site is located approximately 0.5 mile west of US 101/SR 1.

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The County of San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO) establishes regulations for visual resources that apply to all projects that are visible from the shoreline, public beaches, the Morro Bay estuary, and any of the roads specified in the applicable planning area standards for Critical Viewsheds, Scenic Corridors or Sensitive Resource Areas (SRAs) intended to protect visual resources (CZLUO 23.04.210). Structures that are not visible from these locations or agricultural structures that are 600 sf or less in area or other minor agriculturally related development are exempt from these standards. The County CZLUO also includes a section detailing standards for all outdoor night-lighting sources, with the exception of streetlights located within public rights-of-way and all uses established in the Agriculture land use category (CZLUO 23.04.320).

The *County of San Luis Obispo General Plan Conservation and Open Space Element* (COSE) provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. COSE provides a number of goals and policies to protect the visual character and identify of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designation of scenic corridors along public roads and highways, retaining existing access to scenic vista points, and ensuring that new development in Urban and Village areas are consistent with the local character, identity, and sense of place. Policies in the County COSE supplement CZLUO policies, except when the County COSE policies conflict with CZLUO policies, for which the County CZLUO policies would control (COSE 9.2). The County's CZLUO identifies requirements for development within an SRA within the Coastal Zone (23.04.210), which includes that the project be constructed in a manner that would avoid unnecessary impairment of scenic views (County of San Luis Obispo 2009a).

The project is located on an existing parcel within the Coastal Zone and is partially within a sensitive resource area (SRA) combining designation related to Ontario Ridge. This SRA protects the Ontario Ridge, which forms a scenic backdrop for the coastal areas of Avila Beach and Pismo Beach. The County's San Luis Bay Area Plan (Coastal) Planning Area Standards identifies goals to preserve and create landscape that reflects the context of its use and the natural setting of the area with minimal impacts to scenic viewsheds (County of San Luis Obispo 2018).

The project site is located on a north-facing slope that extends south toward Avila Ridge Trail. The project parcel consists of topography that is relatively level in the northern portion of the project parcel near Avila Beach Drive to steeply sloping in the southern portion of the parcel near Avila Ridge Trail. The parcel is accessed from Avila Beach Drive, which also serves as a primary public viewing area of the project area. The project parcel is currently vacant with remnants of an old collapsed farmhouse, which is visible from Avila Beach Drive. There is existing fencing along the northern parcel boundary (along Avila Beach Drive), that would remain as part of project. The parcel consists of gentle to steep wooded slopes which supports native trees including coast live oak woodlands and other oaks, pines, Santa Margarita manzanita, and willows. The project site also supports eucalyptus trees within the northwestern portion of the parcel. The project site supports wetland areas within the central northern and northeastern portion of the parcel and along the western portion of the parcel. The average slope of the parcel is approximately 40 percent.

### Discussion

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

The project is not located within an identified scenic vista, visually sensitive area, or scenic corridor. The project is located within the Rural Lands land use designation within the Coastal Zone. The project would be consistent with the Rural Lands designation as the project proposes low density residential



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development and proposes to maintain the rural character of the hillside and wooded areas of the parcel. Since the project is not located within a designated scenic vista, no *impacts* would occur.

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

The project is located approximately 0.3 mile west of the US 101, which is an Eligible State Scenic Highway. Although the project parcel is in close proximity to the US 101, views of the project site are not substantially visible from the highway due to intervening topography and natural vegetation. Therefore, implementation of the project would not result in damage to scenic resources within the viewshed of a State Scenic Highway and there would be *no impact*.

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

As described in threshold (a) above, the project is located within the Rural Lands land use designation within the Coastal Zone. The purpose of this designation is to permit low density development to maintain the character of rural and open areas (County of San Luis Obispo 2009b). The project would be consistent with the Rural Lands designation as the project proposes low density residential development and proposes to maintain the rural character of the hillside and wooded areas of the parcel.

The project is located adjacent to Avila Beach Drive and temporary construction views would be visible to travelers along the roadway. Construction-related views would be temporary in nature and would be similar to views of other construction-related projects in the county; therefore, construction-related views would not result in substantial adverse effects.

The parcel is accessed from Avila Beach Drive, which also serves as a primary public viewing area of the project area. The project proposes development of an agricultural barn, guesthouse, and two single-family dwellings (lower residence and upper residence) on a 54.95-acre parcel. Public views of the project would primarily be from Avila Beach Drive and Ontario Road.

The project would be largely hidden from surrounding public viewing areas due to intervening topography and natural vegetation but would be visible from several viewpoints on Avila Beach Drive and Ontario Road. To further reduce visibility of the proposed project from surrounding areas, Mitigation Measure AES-1 would require the project to prepare and implement a landscape plan that would blend the entire new development into the existing environment when viewed from Avila Beach Drive, Ontario Road, and U.S. 101, and would require annual monitoring of the vegetation for five years after installation to ensure planting success and that the planting has achieved the required screening. In addition, Mitigation Measure AES-2 would require exterior colors of the proposed development to be compatible with natural colors of the surrounding environment and to be applied to minimize the structures' massing. Mitigation Measure AES-3 would require the project to minimize the visibility of cut and fill slopes by rounding the cut/fill slopes and revegetating with fast-growing non-invasive vegetation as soon as grading has been completed. Utility infrastructure including electric lines would be undergrounded within the proposed driveway in accordance with the CZLUO (23.05.120). With implementation of the identified mitigation measures and compliance with existing regulations, new development would not result in degradation of the existing visual character of the area. Therefore, impacts would be *less than significant with mitigation*.

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

The parcel is currently vacant and does not support any land uses that contribute to nighttime lighting within the project vicinity. The project proposes the phased development of an agricultural barn with residence/ future guesthouse conversion, and two residences that have the potential to contribute to nighttime lighting within the project vicinity. The County's CZLUO (23.04.320) identifies standards for outdoor lighting. The project would be subject to lighting standards of the County's CZLUO which requires that lighting be used only for illumination purposes, that light is directed only onto the subject lot, that no light or glare is transmitted or reflected at an intensity that is harmful to surrounding persons and/or areas, and that light sources are shielded and follow height standards identified in the CZLUO. Construction activity would occur during daylight hours and would not result in temporary nighttime lighting. Mitigation Measure AES-4 has been included to require preparation and implementation of a lighting plan to ensure compliance with CZLUO standards for outdoor lighting. Based on existing regulations and Mitigation Measure AES-4, implementation of the project is not anticipated to result in substantial light or glare that would adversely affect day or nighttime views; therefore, impacts would be *less than significant with mitigation*.

### Conclusion

The project may result in adverse views from Avila Beach Drive and Ontario Road. New development would be required to be consistent with applicable design standards (building height, color, materials, lighting, etc.) and screened from the public viewshed, where feasible. The project would also implement a landscape plan. Construction views would be temporary in nature and would not result in substantial adverse views. Following construction activities, the project would revegetate graded areas. Therefore, impacts related to aesthetic resources would be less than significant with implementation of Mitigation Measure AES-1 through AES-4.

### Mitigation

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

- a. **Landscape Plan. At the time of application for grading and/or construction permits,** the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The landscape plan shall be developed and signed by a licensed landscape architect and shall include fast growing, evergreen vegetation that will help screen the water tank, retaining walls and blend the entire new development (such as the residences, barn, water tanks, driveway) into the existing environment when viewed from Avila Beach Drive, Ontario Road, and U.S. 101. Criteria for landscaping as follow:
  - i. General landscaping shall include various tree types and understory vegetation to create a natural setting around the development. Screening plants shall cover 75% of the critical elements (residences, barn, water tanks, driveway) as seen from Avila Beach Drive, Ontario Road, and U.S. 101, upon maturity or 10 years, whichever occurs first.
  - ii. Screening plants shall include evergreen trees capable of growing to a minimum height of 25 feet tall at maturity. Trees shall be planted from a minimum 15-gallon container size. Shrubs shall be planted among the screen trees. Shrubs shall be planted from five-gallon containers. All landscaping plants shall be identified in the County's Approved Plant List.



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- iii. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.

**Prior to final inspection of grading construction permits**, the applicant shall implement the approved landscape/ screening plan.

- b. **Landscape Plan Cost Estimate/ Bonding. Prior to issuance of grading and/or construction permits**, the Applicant shall obtain a cost estimate for the required landscape screening plan to determine the costs of landscape installation and/or landscape maintenance for 5 years. The Cost Estimate shall be prepared by a qualified individual familiar with estimating costs to install and maintain the required landscaping (e.g., landscape contractor, etc.). The Applicant will work with the County to determine an acceptable financial mechanism to establish a means to assure funding for installation and maintenance of the required landscape plan. The County will release its interest or obligation in the financial mechanism once the measure has been completed to the satisfaction of the County.
- c. **Landscape Performance & Monitoring: Prior to final inspection of grading and/or construction permits**, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for 5 years. At the end of the 5-year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. If it is determined that the success criteria have not been met, then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.

### AES-2

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

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

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**AES-3**

**Cut and Fill Slopes.** To reduce visual impacts from grading activities, cut or fill area that will be visible from Ontario Road and/or Avila Drive Beach shall be minimized to maximum extent possible and blended with adequate and appropriate landscaping. For these visible slopes, the Applicant shall:

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

**AES-4**

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

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

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



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### II. AGRICULTURE AND FORESTRY RESOURCES

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

#### Setting

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

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*Element* includes policies, goals, objectives, and other guides or requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here: <https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report/Crop-Report-Current/Crop-Report-2019.pdf>.

The California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered "agricultural land." Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water. Based on the FMMP, soils at the project site are Grazing land and Urban and Built-Up land (DOC 2017).

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

According to the Soil Survey for San Luis Obispo County and the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2017), soils in the project area consist of the following:

- Lopez very shaly clay loam, 30 to 75 percent slopes – This somewhat excessively-drained soil has a very high runoff class and a depth to restrictive feature of 6 to 20 inches to lithic bedrock.
- Santa Lucia channery clay loam, 30 to 50 percent slopes, MLRA 15 – This well drained soil has a high runoff class and a depth to restrictive feature of 20 to 39 inches to lithic bedrock.
- Xerets-Xerolls-Urban land complex, 0 to 15 percent slopes – This well-drained soil has a very high runoff class and a depth to restrictive feature of 40 to 60 inches to lithic bedrock.

According to PRC Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, that is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site consists of at least 10 percent natural tree cover, that would classify the area as forest land.

### 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?*

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Soils within the project development area are not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the FMMP (DOC 2017). Therefore, the project would not result in conversion of Farmland pursuant to the FMMP to a non-agricultural use and *no impact* would occur.

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

The project parcel is currently within the Rural Lands land use designation. The purpose of this designation is to allow low density, rural uses in areas with open space potential but has limited potential for agriculture. The project property is not located within the Agriculture land use designation and is not currently enlisted in a Williamson Act contract. The nearest land currently under the Williamson Act contract located on the other side of the US 101, approximately 0.4 miles east. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impact* would occur.

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

The project site is not currently located within an area with a forest land or timberland production zoning or land use designation. The project would not result in a conflict with existing zoning for timberland or land that is zoned for Timberland Production. However, the project site does consist of at least 10 percent natural tree cover, that would classify the area as forest land. Currently, no forest practices or related activities occur within the project site; therefore, implementation of the project would not interfere with or cause rezoning of forest land. Therefore, the project would not result in a conflict with existing zoning for forest land timberland and *no impact* would occur.

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

The project site is within the Rural Lands land use designation and is not designated for forest use. However, based on existing conditions, the project site includes land that currently supports 10 percent native tree cover of oak woodlands and other native trees. The project would avoid removal and disturbance to oak trees to the greatest extent feasible; however, the project includes removal of two oak trees and impacts to one additional oak tree onsite. The project also proposes to replant 4 oak trees to offset the one impacted oak tree. Therefore, implementation of the project would not result in net loss of forest land or the conversion of forest land to non-forest use and impacts would be *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 proposed project would not disturb nearby agricultural land or forest land due to distance and intervening topography and land use. Therefore, the project would not result in the conversion of Farmland or forest land to non-agricultural use or forest land to non-forest use and impacts would be *less than significant*.

### Conclusion

The project would not conflict with existing agricultural or forest land zoning, result in the loss of forestland, or involve any other land use conversions. The proposed project would not result in a significant adverse impact to Agriculture and Forest Resources, and no mitigation is necessary.



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### Mitigation

None necessary.

### III. AIR QUALITY

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

### Setting

#### Regulatory Authorities

San Luis Obispo County is part of the South Central Coast Air Basin (SCCAB), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions, including the U.S. Environmental Protection Agency (USEPA), California Air Resources Board (CARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The Federal Clean Air Act (FCAA) required the USEPA to establish National Ambient Air Quality Standards (NAAQS), and also sets deadlines for their attainment. The CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988 and establishment of California Ambient Air Quality Standards (CAAQS). The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

#### SLOAPCD Thresholds

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

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

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial and industrial development. General screening criteria used by the SLOAPCD to determine the type and scope of projects requiring an air quality assessment, and/or mitigation, is presented in Table 1-1, which can be found here: [https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/UpdatedTable1-1\\_Final-Nov2017.pdf](https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/UpdatedTable1-1_Final-Nov2017.pdf). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. Table 1-1 is based on ozone precursor and GHG emissions and is not comprehensive. It should be used for general guidance only. This table is not applicable for projects that involve heavy-duty diesel activity and/or fugitive dust emissions. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within 10% of exceeding the screening criteria.

### *Air Quality Monitoring*

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

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

### *County Clean Air Plan*

The 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 PM<sub>10</sub>. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

### *Naturally Occurring Asbestos*

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

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local air quality and human health. According to the SLOAPCD NOA Map, the project site is not located in an area where there is potential for NOA to occur (SLOAPCD 2021).

### *Sensitive Receptors*

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

The project site is located in a rural area near the community of Avila Beach. The nearest sensitive receptor location is a rural residential use located on the neighboring parcel approximately 1,676 feet (0.33 mile) west. In addition, Avila Ridge Trailhead is located along the eastern parcel boundary and is approximately 1,200 feet (0.22 mile) east of project activities.

### *Land Use Standards*

The project is located within the San Luis Bay (Coastal) Planning Area and is designated for rural land use. The project is located with the coastal zone and is subject to Air Quality standards described in the County's CZLUO.

### *Discussion*

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

Project construction would use diesel fuel and natural gas for construction vehicles and equipment, as well as worker transportation to the site. Excavation and grading activity would also produce dust emissions. Construction activity for this project is similar in size and scale to other projects throughout the county. Additionally, construction phases of the project would be compliant with applicable local and state regulations regarding diesel idling and other wasteful energy uses while using construction equipment.

In order to be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the CAP (SLOAPCD 2012). Adopted land use planning strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing. The project is located within the Rural Lands land use designation and mixed-use planning would not be applicable for the proposed project. Further, the project would not result in a substantial increase in population or employment and would not generate a significant increase in vehicle trips due to the low-density nature of the proposed project. Operation of the proposed project would not conflict or obstruct the implementation of the SLOAPCD CAP or other applicable regional and local planning documents. Therefore, impacts would be *less than significant*.

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

### *Construction Impacts*

The project proposes the development of agricultural barn with residence / future guesthouse conversion, and asphalt driveway, associated infrastructure, and development of two residential units. Development would result in 1.61 acres of ground disturbance including 6,700 cy of cut (including 4,200 cy of export) and 2,500 cy of fill. The SLOAPCD CEQA Handbook provides screening



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construction emission rates based on the volume of soil moved and the area disturbed. Table 2 below provides SLOAPCD's general thresholds for determining the significance of impacts for total emissions expected from a project's construction activities.

**Table 1. SLOAPCD Thresholds of Significance for Construction Activities**

Pollutant	Threshold <sup>1</sup>		
	Daily	Quarterly Tier 1	Quarterly Tier 2
Diesel Particulate Matter (DPM)	7 lbs.	0.13 tons	0.32 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO <sub>x</sub> )	137 lbs.	2.5	6.3 tons
Fugitive Particulate Matter (PM <sub>10</sub> )		2.5 tons	

<sup>1</sup> Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.

Required mitigation measures for meeting or exceeding the thresholds in Table 2 are detailed within the SLOAPCD CEQA Handbook (2012) and Clarification Memorandum (2017).

**Table 2. Screening Emission Rates for Construction Operations**

Pollutant	Grams/Cubic Yards of Material Moved	Pounds/Cubic Yards of Material Moved
Diesel PM <sup>1</sup>	2.2	0.0049
Reactive Organic Gases (ROG) <sup>1</sup>	9.2	0.0203
Oxides of Nitrogen (NO <sub>x</sub> ) <sup>1</sup>	42.4	0.0935

<sup>1</sup> Source: Bay Area Air Quality Management District CEQA Guidelines, December 1999, Table 7

<sup>2</sup> Source: EPA-AP-42 (January 1995) and Index of Methodologies by Major Category Section 7.7 Building Construction Dust, CARB, August 1997.

The County is currently designated as non-attainment for ozone and PM<sub>10</sub> under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors, including ROG and NO<sub>x</sub>, and fugitive dust emissions (including PM<sub>10</sub>). Based on Table 2-2 of the SLOAPCD's CEQA Air Quality Handbook (Table 1), estimated construction-related emissions were calculated and are shown in Table 4 below.

**Table 3. Proposed project estimated construction emissions.**

Pollutant	Total Estimated Emissions	SLOAPCD Threshold	Threshold Exceeded?
ROG + NO <sub>x</sub> (combined)	1,046.96 lbs. 0.52 tons	137 lbs./day (2.5 tons/quarter)	Yes
Diesel Particulate Matter (DPM)	45.08 lbs. 0.02 tons	7 lbs./day (0.13 tons/quarter)	Yes

While the project's construction and grading activities would likely be spread out over the course of months, based on the total estimated emissions the project would have the potential to exceed the daily emissions thresholds for both combined ROG and NO<sub>x</sub> and DPM emissions should grading

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activities proceed and be substantially completed within a week time period. In addition, as of October 2016, the SLOAPCD has determined that projects shall implement Standard Mitigation Measures any time a project exceeds the 137 lbs./day threshold, regardless of whether or not the construction period is over 90 days (SLOAPCD 2017).

Mitigation Measure AQ-1 has been identified to require the project applicant to implement measures to reduce construction-related ROG and NO<sub>x</sub> and DPM emissions including, but not limited to, maintaining all equipment to the manufacturer's specifications, utilization of Air Resources Board-certified motor vehicle fuel only, restrictions on idling of on- and off-road diesel equipment, and using electrical energy sources in lieu of diesel fuel when feasible. Upon implementation of these measures, the project's construction emissions of these criteria pollutants would not exceed daily emissions thresholds.

The SLOAPCD's CEQA Air Quality Handbook (2012) states that any project with a grading area of greater than 4.0 acres of worked area has the potential to exceed the 2.5-ton PM<sub>10</sub> threshold of significance. The project would result in approximately 1.61 acres of total site disturbance; therefore, the project is not anticipated to exceed the threshold established for PM<sub>10</sub>.

### *Operational Impacts*

The SLOAPCD provides operational screening criteria for projects with the potential to exceed the SLOAPCD's significance thresholds for ozone precursors within Table 1-1 of the CEQA Handbook. According to the table, the addition of 3 new rural residential units would not result in individual or cumulative impacts.

Therefore, the project would not result in a cumulatively considerable operational net increase of any criteria pollutant for which the region is non-attainment, and upon implementation of Mitigation Measure AQ-1, construction-related impacts on air quality would be *less than significant with mitigation*.

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

According to the SLOAPCD Handbook, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions (SLOAPCD 2012). The project site is located at least 1,000 feet from sensitive receptor location including a rural residential unit approximately 1,676 feet west and the Avila Ridge Trailhead approximately 1,200 feet east, adjacent to the project parcel. The project is not located within 1,000 feet of any sensitive receptor location; therefore, the project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be *less than significant*.

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

Construction of the proposed project would generate odors associated with construction smoke, dust, and equipment exhaust and fumes. The proposed construction activities would not differ significantly from those resulting from any other type of construction project and are not expected to adversely affect distant sensitive receptors. Any effects would be temporary in nature and limited to the construction phase of the proposed project. The project does not propose any vegetative burning, demolition, road decommissioning, or other activities that could result in the release of other adverse emissions odors within the vicinity of the project area. In addition, the SLOAPCD NOA Map indicates that the project site is not located within an area identified as having a potential for NOA to be present. Based on existing conditions and proposed activities, the project would not result in the release of

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emissions or odors that could adversely affect substantial numbers of people; therefore, impacts would be *less than significant*.

### Conclusion

The project would be consistent with the SLOAPCD CAP and upon implementation of Mitigation Measure AQ-1, would not result in cumulatively considerable emissions of any criteria pollutant for which the county is non-attainment. The project site is not located within 1,000 feet of sensitive receptor locations and would not result in substantial pollutant concentrations near sensitive receptor locations. The project would not result in other adverse emissions or odors that could disturb a substantial number of people. Therefore, with implementation of the identified mitigation measures, project impacts on Air Quality would be reduced to less than significant.

### Mitigation

**AQ-1 ROG, NOX, and DPM Reduction.** Prior to issuance of grading or construction permits, or site disturbance activities, whichever occurs first, the following measures shall be implemented during all site disturbance activities and shown on all applicable plans:

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or NO<sub>x</sub> exempt area fleets) may be eligible by proving alternative compliance;
- f. All on- and off-road diesel equipment shall not idle for more than 5 minutes;
- g. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- h. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- i. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- j. Electrify equipment when feasible;
- k. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- l. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.



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### IV. BIOLOGICAL RESOURCES

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

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### *Setting*

#### *Sensitive Resource Area and Environmentally Sensitive Habitat Area Designations*

The County CZLUO SRA combining designation identifies areas of San Luis Obispo County with special environmental qualities, or areas containing unique, sensitive, or endangered vegetation or habitat resources. These design and development standards include the prohibition of surface mining onsite, setback distances on ocean, lake, and streambank shoreline development, prevention of degradation of lakes, ponds, wetlands, or perennial watercourses, setback distances from geological features visible from offsite, and prevention of disturbance of specific vegetation when the SRA designation is applied because of its presence. The project site is within the Ontario Ridge SRA, which protects scenic resources but does not include any identified biological resources relative to the SRA designation.

The County CZLUO also includes special provisions for any development proposed within or adjacent to an Environmentally Sensitive Habitat Area (ESHA). The California Coastal Act defines an ESHA as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (CZLUO 23.07.170).

The project is located within the Coastal Zone of the San Luis Bay (Coastal) Planning Area. Wetlands have been identified within the project area, and due to their location within the coastal zone, require a 100-foot setback as identified in CZLUO 23.07.172.

#### *Federal and State Endangered Species Acts*

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. If there is no federal nexus (e.g., federal funding, federal permitting, or other federal authorization), impacts to federally listed species must be mitigated via FESA Section 10 with a Habitat Conservation Plan. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW is empowered to review projects for their potential to impact special-status species and their habitats. Under CESA, CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence to CESA-protected species.

#### *Migratory Bird Treaty Act*

The Migratory Bird Treaty Act of 1918 (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies.

#### *Clean Water Act and State Porter Cologne Water Quality Control Act*

Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States are typically identified by the presence of an Ordinary High Water Mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. Section 404 requires a permit for these activities under separate regulations by the U.S. Army Corps of Engineers (USACE) and USEPA unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

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A Water Quality Certification is also required under Section 401 of the CWA before a Section 404 permit can be issued. Section 401 of the CWA and its provisions ensure that federally permitted activities comply with the federal CWA and state water quality laws. Section 401 is implemented through a review process that is conducted by the RWQCB and is triggered by the Section 404 permitting process. The RWQCB certifies via the Section 401 process that a proposed project complies with applicable effluent limitations, water quality standards, and other conditions of California law. Evaluating the effects of the proposed project on both water quality and quantity falls under the jurisdiction of the RWQCB.

### *Conservation and Open Space Element*

The intent of the goals, policies, and implementation strategies in the County COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems, and migration patterns must be considered together in order to sustain biological resources.

### *Project Setting*

The following setting and impact discussion is based on the *Biological Resources Assessment Report (BRAR) for the Avila Beach Drive Residential Development San Luis Obispo County, California* prepared by Padre Associates Inc. (Padre; Padre 2020a).

### Existing Setting

The project parcel is located within the Pismo Beach 7.5-minute United States Geological Survey (USGS) quadrangle, adjacent to San Luis Obispo, Port San Luis, and Arroyo Grande NE quadrangles (Padre 2020a). The project site is located within an approximately 55-acre parcel located off Avila Beach Drive approximately 1.5 miles northeast of the community of Avila Beach in San Luis Obispo County, California. The parcel consists of approximately 5 acres of gently sloping to moderately sloping land along Avila Beach Drive which transition to steep, wooded slopes that extends south toward Avila Ridge Trail. The parcel is located approximately 0.54 mile north of the Pacific Ocean. Existing topography consists of generally steep northeast facing slopes, ranging from 50 to 170 feet in elevation. The parcel is currently vacant with remnants of an old collapsed farmhouse. The parcel supports oak woodlands, individual oaks, willows, pines, Santa Margarita manzanita, and eucalyptus.

### Methods

#### *Desktop Review*

A desktop review was conducted prior to field surveys by running a query of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) to identify documented occurrences of special-status plant and wildlife species and sensitive habitats within the project quadrangle and adjacent quadrangles identified above. In addition to the CNDDDB query, the desktop review included review of six previous biological survey reports and documents within the vicinity of the project parcel which include.

In addition, the U.S. Fish and Wildlife Service (USFWS) Critical Habitat database was investigated to identify critical habitat for federally listed species within the project vicinity and the USFWS National Wetlands Inventory (NWI) was investigated to identify potential wetlands within the vicinity (Padre 2020a).



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### Field Surveys

A field survey was conducted by Padre on January 21, 2020 to determine the presence or absence of special-status plant and/or animal species and suitable habitat for potential special-status species within the project area, which is outlined in Figure 4. Surface water features were also evaluated during the January 2020 field survey. Field surveys were conducted in January, which is within the typical blooming period for Manzanita species, but outside the blooming period for most plant species. Therefore, further spring surveys were conducted on March 30, 2020 and April 27, 2020 during the appropriate blooming period for special-status plant species. In addition, the April 2020 survey consisted of a wetland delineation.

Field survey methods included a pedestrian survey throughout the project area (refer to Figure 4 and recording wildlife species observed by visual observation using binoculars, indirect signs (tracks, scat, skeletal remains, and burrows), and/or auditory cues. In addition, the extent of aquatic features within the project area were mapped using Global Positioning System (GPS) equipment during the field survey (Padre 2020a). All identifiable plant species within the project area were recorded and any plant specimens that were not identifiable during the January 2020 survey were further examined during the March and April 2020 surveys. Plant species were identified using *The Jepson Manual Vascular Plants of California*.

### Special-Status Plant Species

Based on desktop review and observations made in the field, there is potential for two special-status plant species to occur within the project area (refer to Figure 4) and based on the field surveys, there is one special-status species located on the project site. The special-status plant species expected to occur within the project area are the black-flowered figwort (*Scrophularia atrata*) and Santa Margarita manzanita (*Arctostaphylos pilosula*). Santa Margarita manzanita was observed onsite. Other special-status plant species that were identified as having potential to occur within the project area during the desktop review were determined to not occur onsite due to lack of suitable habitat or due to physical absence during appropriately timed field surveys. Due to the project location within the Coastal Zone, the Santa Margarita manzanita stands observed onsite would be considered ESHA (Padre 2020a).

### Special-Status Wildlife

Based on desktop review, the following special-status wildlife species have been documented within 5-miles of the project area:

- California red-legged frog (*Rana draytonii*)
- northern California legless lizard (*Anniella pulchra*)
- steelhead (*Oncorhynchus mykiss irideus*)
- tidewater goby (*Eucyclogobius newberryi*)
- Townsend's big-eared bat (*Corynorhinus townsendii*)
- vernal pool fairy shrimp (*Branchinecta lynchi*)
- western bumble bee (*Bombus occidentalis*)
- western pond turtle (*Actinemys marmorata*)
- western snowy plover (*Charadrius alexandrinus nivosus*)
- western yellow-billed cuckoo (*Coccyzus americanus occidentalis*)

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Based on field surveys, there is suitable habitat for Townsend's big-eared bat and northern California legless lizard and foraging and nesting habitat for western bumble bee present onsite (Padre 2020a). Other potential special-status wildlife species that were identified as having potential to occur onsite during desktop review were determined to not occur onsite based on lack of suitable habitat, suitable breeding habitat, and/or absence during field surveys.

### *Migratory Birds*

The project site supports suitable nesting and foraging habitat for special-status raptor species and migratory birds. Two large nests were observed within the oak woodland habitat onsite, and several species of migratory birds are expected to utilize the project site for nesting and foraging. There were no nesting birds observed within the project area during field surveys; however, based on vegetation and bare soils areas, there is suitable nesting habitat for a variety of bird species.

### *Critical Habitat*

Based on desktop review of the USFWS Critical Habitat database, there is critical habitat for La Graciosa thistle within the project region; however, it does not extend into the project area. According to the CNDDDB review, there are three natural communities documented within the project region including central foredunes, central maritime chaparral, and northern interior cypress forest; however, they also do not extend into the project area. Additionally, based on field surveys and results of a formal wetland delineation discussed below, there are no USFWS wetlands, riparian, or riverine features within the project area (Padre 2020a). Due to the parcel's location within the Coastal Zone, potential state jurisdictional aquatic features and Santa Margarita manzanita stands would be considered ESHA.

### *Aquatic Resources*

According to field surveys, there was a drainage channel, a basin, and another indistinct aquatic feature within the project area (refer to Figure 4). The drainage channel was observed along the western portion of the parcel and flowed in a south to north direction. The drainage channel had a clean indication of bed and bank, which flattened and became indistinct at the northern property line. Vegetation along the drainage channel consists of coast live oak woodland, a small stand of arroyo willow, and ruderal/developed area. The drainage channel has been previously identified as a potential state jurisdictional wetland by previous biological surveys performed on the project parcel, which was confirmed during field surveys. The basin is located at the northeast corner of the project area and was dry during observation. The basin is surrounded by steep slopes and is expected to function as a storm water collection basin for runoff from surrounding slopes. Vegetation within the basin consists of sparse, emergent ruderal vegetation and was surrounded by coast live oak woodland. The basin has also been previously identified as a potential state jurisdictional wetland by previous biological surveys, which was confirmed during field surveys. The indistinct aquatic feature is located in the central northern portion of the project parcel. The indistinct aquatic feature is very shallow and is located within ruderal/disturbed habitat. The aquatic feature is expected to collect stormwater runoff from adjacent slopes. The subject drainage had not been previously identified as a potential Federal or state jurisdictional wetland; therefore, Padre completed a formal wetland delineation for the aquatic feature during an April 2020 survey. The nearest documented stream is the San Luis Obispo Creek located approximately 950 feet north of the northern terminus of the drainage channel (Padre 2020a).

The wetland delineation was conducted on April 27, 2020 in accordance with the United States Army Corps of Engineers (ACOE) Wetlands Delineation Manual and the ACOE Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region. The three-parameter wetland test method was used to determine if the feature could be considered a Federal (ACOE) or State (California Coastal Commission

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[CCC], Regional Water Quality Control Board [RWQCB], of CDFW) wetlands within the project area. The three parameters to determine the presence of wetlands include wetland vegetation, hydrology, and soils test. Based on the three-parameter test method, the aquatic feature supports wetland vegetation and hydrology; however, it lacks hydric soils and is not considered a Federal jurisdictional wetland. Although the aquatic feature is not considered a federal wetland, it is protected under state regulations (Padre 2020a).

### Trees

Individual coast live oak (*Quercus agrifolia*) stands oak and woodlands are located within the project area and project site (Padre 2020a). Additionally, the project area supports Santa Margarita manzanita, pines, willows, and eucalyptus stands. The parcel is located within a sensitive resource area (SRA), and would require a tree removal permit prior to project activities (CZLUO 23.05.062).

### Discussion

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

The project area has the potential to support two special-status plants, three special-status wildlife species, and migratory and nesting birds and raptors (Padre 2020a).

#### Santa Margarita Manzanita

The project area supports Santa Margarita manzanita stands, which are located within the footprint of proposed future development of the upper residence (refer to Figure 4). Implementation of the upper residence has the potential to result in removal of Santa Margarita stands. Due to the project's location within the Coastal Zone and an SRA, Santa Margarita stands are considered ESHA. Mitigation Measure BIO-1 requires a county-approved biological monitor to be present to ensure compliance with the identified measures for biological resource conservation including measures related to Santa Margarita manzanita. Mitigation Measure BIO-2 requires the identification of oak trees and Santa Margarita manzanita to be protected, impacted, and removed on final site plans, requires protection fencing around coast live oaks, oak woodland, and Santa Margarita manzanita identified for protection, and requires the applicant to create and implement a Santa Margarita Manzanita and Oak Tree replacement plan for species that are removed as a result of construction. Discussion of potential impacts to oak trees and oak woodlands is discussed further in (e) below. Existing CZLUO regulations and implementation of Mitigation Measures BIO-1 and BIO-2 would ensure any Santa Margarita manzanita stands removed during project implementation would be replaced; therefore, impacts would be *less than significant with mitigation*.

#### Black-flowered Figwort

An unknown species of figwort was observed on the project site during winter field surveys. Due to the timing of the field survey, this species could not be properly identified as the flower was not in bloom. Nevertheless, figwort species was located outside the project disturbance area and did not overlap with the footprint of proposed project activities. No other figwort individuals were identified during field surveys. Therefore, this species would not be disturbed by project activities due to its occurrences outside of proposed project activities and impacts would be *less than significant*.

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### Townsend's Big-eared Bat

The project site supports suitable habitat for the Townsend's big-eared bat in the pile of barn structure/debris located within the northwestern portion of the project area, which overlaps with the footprint of proposed future development of the lower residence (refer to Figure 4). Project activities have the potential to disturb this species due to habitat loss and construction equipment-related loss and injury. Townsend's big-eared bat was not directly identified during field surveys; however, based on the presence of suitable habitat within the project's footprint, Mitigation Measure BIO-3 has been identified to require pre-construction surveys for this species and identifies the protocol if presence is determined onsite. Implementation of Mitigation Measure BIO-3 would ensure project activities do not result in disturbance to Townsend's big-eared bat species during project activities; therefore, impacts would be *less than significant with mitigation*.

### Northern California Legless Lizard

The project site supports suitable habitat for the northern California legless lizard in the leaf litter of the oak woodlands located throughout the project site (refer to Figure 4). Project activities have the potential to disturb this species due to habitat loss and construction equipment-related loss and injury. Northern California legless lizard species were not directly observed during field surveys; however, based on the presence of suitable habitat for this species onsite, Mitigation Measure BIO-4 has been identified to require pre-construction surveys for this species and identifies the protocol if presence is determined onsite. Implementation of Mitigation Measure BIO-4 would ensure project activities do not result in disturbance to northern California legless lizard species during project activities; therefore, impacts would be *less than significant with mitigation*.

### Western Bumble Bee

The project site supports suitable foraging and nesting habitat for the western bumble bee. Project activities have the potential to disturb this species due to loss of foraging and nesting habitat and through construction-related loss and injury. Western bumble bee individuals were not directly observed during field surveys; however, due to presence of foraging and nesting habitat within the project site, Mitigation Measure BIO-5 has been identified to require pre-construction surveys for this species and identifies the protocol if presence is determined onsite. Implementation of Mitigation Measures BIO-5 would ensure project activities do not result in disturbance to western bumble bee species during project activities; therefore, impacts would be *less than significant with mitigation*.

In addition to the identified mitigation measures for Townsend's big-eared bat, northern California legless lizard, and western bumble bee, Mitigation Measure BIO-1 has been identified to require a biological monitor and BIO-6 has been identified to require biological monitoring during initial ground disturbance activities to ensure all wildlife species are allowed to vacate the site if present within the area.

Development of the future upper residence is expected to result in removal of Santa Margarita manzanita stands within the project footprint. Existing regulations and Mitigation Measures BIO-1 and BIO-2 requires the presence of a biological monitor and a tree removal permit and the creation and implementation of a tree replacement plan to ensure manzanita stands removed during project activities are replaced. In addition, the project has the potential to result in disturbance to Townsend's big-eared bat, northern California legless lizard, and western bumble bee species; therefore, Mitigation Measures BIO-1 and BIO-3 through BIO-6 have been identified to ensure project activities do not result in disturbance to the identified species if present onsite at the time of construction



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activities. Therefore, impacts to special-status plant and wildlife species would be *less than significant with mitigation*.

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

The project site supports oak woodlands, Santa Margarita manzanita stands, and potential state jurisdictional wetland areas. Due the project's location within the Coastal Zone and an SRA, the identified resources within the project area would be considered ESHA and require protection under the San Luis Bay Area Plan (Coastal) and the County's CZLUO (23.07.170). Project activities have the potential to directly disturb oak woodlands and Santa Margarita stands and indirectly disturb potential state jurisdictional wetland areas. Implementation of proposed development would require removal of Santa Margarita stands, eucalyptus trees, pine trees, and oak trees that are part of the oak woodland. Mitigation Measure BIO-2 requires the creation and implementation of a tree replacement plan for Santa Margarita manzanita and oak trees that would be removed as a result of project construction. Impacts to oak trees are further discussed in (e) below. Project activities including vehicle and equipment use and grading have the potential to release pollutants into potential state jurisdictional wetland areas. The project proposes a 100-foot buffer from potential wetland areas in compliance with the County's CZLUO. Mitigation Measure BIO-7 outlines erosion control measures to ensure grading activity does not result in substantial erosive runoff. Additionally, Mitigation Measure BIO-8 requires proper equipment and vehicle use to avoid accidental pollutant release and accidental spills that could result in substantial polluted runoff to wetland areas. Implementation of Mitigation Measures BIO-1 through BIO-9 would ensure that the project does not result in disturbance to identified ESHA; therefore, impacts would be *less than significant with mitigation*.

- (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?*

As described above, the project site supports potential state jurisdictional wetlands along the western portion of the project parcel, the central northern portion of the project parcel, and the northeastern portion of the project parcel within the relatively flat topography along Avila Beach Drive. Due the project's location within the Coastal Zone and an SRA, potential state jurisdictional wetlands within the project area would be considered ESHA and require protection under the San Luis Bay Area Plan (Coastal) and the County's CZLUO (23.07.170). Project activities including vehicle and equipment use and grading have the potential to increase polluted and erosive runoff to identified potential state jurisdictional wetland areas. The project proposes a 100-foot buffer from identified potential wetland areas in compliance with the County's CZLUO. In addition, Mitigation Measure BIO-7 identifies erosion control measures to ensure grading activity does not result in substantial erosive runoff and Mitigation Measure BIO-8 requires proper equipment and vehicle use to avoid accidental pollutant release and accidental spills that could result in substantial polluted runoff to wetland areas. Based on proposed project design, including a 100-foot buffer from the identified potential wetland, and implementation of Mitigation Measures BIO-7 and BIO-8, implementation of the project is not expected to result in adverse impacts to identified potential state jurisdictional wetlands; therefore, impacts would be *less than significant with mitigation*.

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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 project site does not support aquatic or semi-aquatic wildlife species based on the lack of ponding within aquatic resources observed onsite. The nearest documented stream that would support aquatic wildlife species is the San Luis Obispo Creek located approximately 950 feet north of the northern terminus of the drainage channel (Padre 2020a). Since the project site does not support aquatic or semi-aquatic wildlife species, project activities would not interfere with the movement of migratory fish species.

The project site supports several tree species and open soil areas that have the potential to support several migratory bird and raptor species (Padre 2020a). Construction-related activities and construction noise has the potential to disturb nesting bird species within the project area. There were no nesting birds observed onsite during field surveys; however, based on the presence of suitable nesting and foraging habitat within the project site, Mitigation Measure BIO-9 has been identified to require nesting bird surveys and to implement the appropriate buffer if birds are determined to be present onsite. Implementation of the identified mitigation measure would ensure the protection of nesting bird species during implementation of the proposed project; therefore, impacts would be *less than significant with mitigation*.

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

There are individual oak trees and oak woodlands located throughout the project site and area. The project proposes to avoid oak trees to the greatest extent feasible; however, it is anticipated that implementation of proposed development would result in removal of two oak trees and impacts due to grading in the critical root zone of one oak tree. Mitigation Measure BIO-2 specifies further measures for oak trees within the project site to ensure disturbance is avoided to the greatest extent feasible, trees not proposed for impact are protected, and that any removed oak trees are replaced. The project would be required to implement Mitigation Measure BIO-2 and would be compliant with the County's CZLUO (23.05.062 and 23.06.064); therefore, impacts would be *less than significant with mitigation*.

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

The project site is not located within an area under the jurisdiction of a Habitat Conservation Plan. Chapter 8 of the County's San Luis Bay Area Plan requires protection of sensitive communities and ESHA within the Coastal Zone. As described above, the project proposes to implement mitigation measures that would ensure protection of ESHA and other sensitive communities including oaks, Santa Margarita manzanita stands, and potential state jurisdictional wetlands and surrounding riparian areas. Implementation of Mitigation Measures BIO-1 through BIO-9 would ensure protection of identified ESHA; therefore, impacts would be *less than significant with mitigation*.

### Conclusion

Implementation of the project has the potential to result in adverse impacts to special-status plant and wildlife species, potential state jurisdictional wetlands, and protected oak and other trees. Although the project has the potential to disturb biological resources, Mitigation Measures BIO-1 through BIO-9 have been identified to ensure proposed activities do not result in adverse impacts to identified resources. Therefore,

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upon implementation of the identified biological mitigation measures, impacts to biological resources would be less than significant.

### *Mitigation*

**BIO-1 County-Approved Biologist.** Prior to issuance of construction or grading permits, the applicant shall retain a County-approved biological monitor for all measures requiring environmental mitigation to ensure compliance with the coastal development permit measures. The monitor shall be responsible for:

1. ensuring that procedures for verifying compliance with environmental mitigations are implemented;
2. establishing lines of communication and reporting methods;
3. conducting compliance reporting;
4. conducting construction crew training regarding environmentally sensitive areas and protected species;
5. facilitating the avoidance of Santa Margarita manzanita plants, as feasible;
6. maintaining authority to stop work; and
7. outlining actions to be taken in the event of non-compliance.

Monitoring shall be conducted daily during the initial disturbances (site clearing including vegetation removal, initial grading, and driveway installation) and be reduced to weekly following initial disturbances or a frequency and duration determined by the applicant in consultation with the County.

**BIO-2 Santa Margarita Manzanita and Oak Protection and Removal.** Prior to issuance of construction and grading permits, the applicant shall provide a revised tree protection plan (Sheet L1 dated November 9, 2021) that identifies all oak trees and Santa Margarita manzanita bushes within 25 feet of the proposed project construction activities, and shall be identified as either to be protected, to be impacted, or to be removed.

Prior to any ground disturbing activities, the applicant shall install construction delineation fencing that protects the Santa Margarita manzanitas, coast live oak woodland, and individual coast live oak trees not proposed for removal or impact to be avoided from accidental disturbance. Protective measures shall be visible to work crews and be able to remain in good working order for the duration of the construction work. Waterproof signage at protective edge is recommended (e.g., "TREE PROTECTION AREA – STAY OUT"). Coast live oak trees or Santa Margarita manzanitas identified as 'impacted' shall be marked in the field as such and protected to the extent possible prior to any ground disturbing activities. All trees to remain on-site that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) at their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, trees shall be classified as "impacted" or removed if work affects more than 25% of the root zone. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

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If Santa Margarita manzanita plants and/or oak trees must be removed, the applicant shall prepare a Santa Margarita Manzanita and Oak Tree Replacement Plan that provides for the installation and maintenance of replacement Santa Margarita manzanita plants and oak trees on the project site. The plan shall also provide mitigation for each manzanita plant to be removed at a 5:1 ratio and mitigation for each oak tree removed at a 4:1 ratio (impacted oak trees at a 2:1 ratio). The Santa Margarita Manzanita and Oak Tree Replacement Plan shall include:

1. A brief narrative of the project location, description, and purpose;
2. Clearly identified parties responsible for the mitigation program and their contact information;
3. A map showing and quantifying all manzanita and oak tree planting areas;
4. A detailed discussion of the methods for implementing the Santa Margarita Manzanita and Oak Tree Replacement Plan, including invasive species removal, sources of plant materials, and supplemental watering regimes;
5. Provisions for the collection of Santa Margarita manzanita propagules from the disturbance area, replacement planting propagation, and reintroduction into the parcel;
6. Identification of locations, amounts, and sizes of the Santa Margarita manzanita plants and oak trees to be planted.
7. Identification of necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful plant reestablishment;
8. A program schedule and established success criteria for a 7-year maintenance, monitoring and reporting program that is structured to ensure the success of the mitigation plantings, including the designation of a qualified individual (e.g., arborist, landscape architect/contractor, biologist, nurseryman) to oversee the monitoring. Monitoring reports shall be prepared on an annual basis. The first monitoring report shall be submitted to the County one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established.
9. Methods for removing nonnative species from the site.

### BIO-3

**Townsend's big-eared bat.** Prior to demolition or vegetation removal, a visual or auditory survey shall be conducted by a qualified biologist, at dawn and at dusk, to identify potential roosting bat activity. This survey shall be conducted between two to four weeks prior to barn and/or tree removal activities that are proposed to occur. If roosting bat activity is identified during the preconstruction survey process, the applicant shall coordinate with the County Project Manager and CDFW regarding the biological significance of the bat population and appropriate measures that could be used to exclude bats from roosting on the barn structure or trees. Measures may include, but are not limited to, the installation of exclusionary devices by a qualified individual. If it is determined that a substantial impact to individual bat species or a maternity roost will occur, then the applicant shall compensate for the impact through



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the development and implementation of a bat mitigation plan that would be reviewed and approved by the County in coordination with the CDFW.

**BIO-4 Northern California legless lizard.** Between 2 and 4 weeks prior to initiation of construction activities, a County-approved biologist shall conduct surveys for northern California legless lizards. The surveyor shall utilize hand search or cover board methods in areas of disturbance where northern California legless lizards are expected to be found (e.g., under shrubs, other vegetation, or debris). If cover board methods are used, they shall commence at least 30 days prior to the start of construction. Hand search surveys shall be completed immediately prior to and during grading activities. During grading activities, the County-approved biologist shall walk behind the grading equipment to capture silvery legless lizards that are unearthed by the equipment. The surveyor shall capture and relocate any legless lizards or other reptiles observed during the survey effort. The captured individuals shall be relocated from the construction area and placed in suitable habitat on the site but outside of the work area. Following the survey and monitoring efforts, the County-approved biologist shall submit to the County a project completion report that documents the number of northern California legless lizards and other reptiles captured and relocated, and the number of legless lizards or other reptiles taken during grading activities. Observations of these species or other special-status species shall be documented on CNDDDB forms and submitted to CDFW upon project completion.

**BIO-5 Western Bumble Bee.** Prior to and during any site disturbance and/or construction activities associated with the proposed project, the applicant shall retain a County-approved qualified biologist to conduct pre-construction survey(s) for western bumble bee within suitable habitat areas (i.e., small mammal burrows, thatched/bunch grasses, upland scrubs, brush piles, unmowed/overgrown areas, dead trees, hollow logs, etc.) on the project site and areas within 50 feet of the project site. At a minimum, the survey effort shall include visual search methods targeting colonies or individuals. Surveys shall be conducted over an extended period of time to document and establish the presence of bees within the areas of disturbance. Upon completion of the surveys, the biologist shall prepare a survey report summarizing the findings and submit it to the County planning and building department.

If the survey(s) establish presence of western bumble bee within the areas of disturbance, the applicant shall retain a County-qualified biologist to prepare a Biological Resources Management Plan (Management Plan) subject to review and approval of the County Planning and Building Department in consultation with CDFW. The Management Plan shall include the following, at a minimum:

- a. Avoidance measures to conduct project activities in such a manner that avoids physical disturbances to the colony/nest site, including a minimum 50-foot no disturbance buffer to avoid take and potentially significant impacts;
- b. If ground disturbance activities would occur during the overwintering period (October through February), the applicant, in coordination with the County Planning and Building Department, shall consult with CDFW to identify specific measures to be undertaken to avoid take as defined by the California Endangered Species Act (CESA).

Any detection of Western Bumble Bee prior to, or during project implementation warrants consultation with CDFW to avoid take and/ or obtain applicable take authorization.

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- BIO-6**      **Wildlife Relocation.** Biological monitoring shall be completed by a qualified biologist for all initial ground disturbance (e.g., grading/excavation activities). The Project impact area shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits shall be considered environmentally sensitive and shall not be disturbed. All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events. For this task, the biologist shall survey/clear undisturbed work areas prior to start of work and then monitor the area while initial grading activities are completed. Any wildlife observed during monitoring shall be allowed to move out of work limits of their own volition or shall be captured and relocated to nearby suitable habitat by the biologist, as necessary and in compliance with state and federal Endangered Species Act regulations.
- BIO-7**      **Erosion Control Measures.** A Storm Water Pollution Prevention Plan (SWPPP) for all activities conducted within the Project limits shall be implemented. Erosion and sediment controls (e.g., silt fences, straw wattles) shall be installed properly to increase effectiveness and shall be maintained regularly. Other Best Management Practices (BMPs) shall also be implemented as necessary and/or as required by project permits, such as avoid washing, refueling, and maintenance of equipment within 100 feet (unless otherwise noted in project-specific permits) from stream channels, regardless, if water is present or absent in the channel. The applicant intends to avoid impacts to aquatic features and their buffers. If impacts are unavoidable, appropriate agency permit(s) will need to be obtained by the applicant.
- BIO-8**      **Vehicles and Equipment.** All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.
- BIO-9**      **Nesting Bird Surveys.** If vegetation removal (i.e., tree trimming/removal activities) is scheduled between February 1 and August 31 (general nesting bird season), nesting bird surveys shall be completed by a qualified biologist within 48 hours prior to start of work. If any active nests are discovered within or adjacent to work limits, an appropriate buffer (i.e., 500 feet for raptors and 250 feet for other birds, or at the discretion of a qualified biologist based on biological or ecological reasons) shall be established to protect the nest until a qualified biologist has determined that the nest is no longer active and/or the young have fledged.

## V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

### Setting

As defined by CEQA, a historical resource includes:

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

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

The County CZLUO Historic Site (H) combining designation is applied to areas of the county to recognize the importance of archeological and historic sites, structures and areas important to local, state, or national history. Specific areas are also designated as Archaeologically Sensitive Areas. The County CZLUO includes standards regarding minimum parcel size, permit and processing requirements, when a preliminary site survey is required, when a mitigation plan is required, and what to do in the event of an archeological resource discovery. For example, all new structures and uses within an H combining designation require Minor Use Permit approval, and applications for such projects are required to include a description of measures proposed to protect the historic resource identified by the *County of San Luis Obispo General Plan Land Use Element* (LUE) (CZLUO 23.07.100-104). The project site is not located within or adjacent to a site under the H Combining Designation.

California prehistory is divided into three broad temporal periods that reflect similar cultural characteristics throughout the state: Paleoindian Period (circa [ca.] 9000–6000 B.C.), Archaic Period (6000 B.C.–A.D. 500), and Emergent Period (A.D. 500–Historic Contact). The Archaic is further divided into Lower (6000–3000 B.C.), Middle (3000–1000 B.C.), and Upper (1000 B.C.–A.D. 500) Periods. These divisions are generally governed by climatic and environmental variables, such as the drying of pluvial lakes at the transition from the Paleoindian to the Lower Archaic period.

San Luis Obispo County was historically occupied by two Native American tribes, the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and

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their northern neighbors, the Hokan-speaking Playanos Salinan, is currently the subject of debate, as those boundaries may have changed over time.

The County COSE identifies and maps known cultural and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native America, or cultural significance. Based on the County COSE, project site is located in a designated Archaeological Sensitive Area and is subject to CZLUO 23.07.104.

Due to the project's location within an Archaeologically Sensitive Area, a Phase I Archaeological Study was conducted by Padre Associates, Inc. (Padre) for the project site in January 2020. A Phase 1 Archaeological Study includes a records search and site survey. The records search was conducted at the Central Coast Information Center of the California Historical Resources Information System (CCIC-CHRIS) at the University of California, Santa Barbara (UCSB) on November 4, 2019 and results were received November 6, 2019. During the records search CCIC base maps, USGS 7.5-minute quadrangles for the project site, other historic maps, pertinent survey reports, archaeological site records, the California Department of Parks and Recreation's California Inventory of Historic Resources, and the Office of Historic Preservation's Historic Properties Directory were consulted. The records searched identified two previous studies within the project site and that four resource studies were conducted within a 0.25-mile radius of the site. The records search revealed that there were no previously identified resources within the project area and two cultural resources have been recorded within a 0.25-mile radius of the project site. Additionally, a pedestrian survey was conducted on 8.76 acres (proposed disturbance areas) of the 54.95-acre parcel on November 1, 2019.

### Discussion

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

According to the County, the project site is not located within a Historical (H) Combining Designation (County of San Luis Obispo 2016). The project site has been historically used for rock and gravel quarry activities, ranching, and equine center, and residential uses. The project parcel is currently vacant with remnants of an old collapsed farmhouse. The remnants of the old farmhouse include a late nineteenth century residential structure with a gabled roof and lumber foundation (Padre 2020b). Although the old farmhouse is seen in aerial imagery as far back as 1897, the structure is not considered a significant historical resource because it is not associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history and is not associated with the lives of persons significant in our past (Padre 2020b). The farmhouse structure is not recommended eligible for listing as a historical resource to CRHR; therefore, implementation of the project would not result in substantial adverse change in the significance of a historical resource and impacts would be *less than significant*.

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

According to the County, the project site is located within an Archaeologically Sensitive Area (County of San Luis Obispo 2016). Based on previous archaeological surveys done within the project site and surrounding area, there have been no previously identified cultural resource sites within the proposed project site and there are identified cultural resource sites within a 0.25-mile radius of the project area (Padre 2020b). During the November 2019 pedestrian survey of the project site, historic artifact scatter was identified onsite. Although the artifact scatter appeared to be of historic origin, the artifacts were determined not to be a significant archaeological resource. This determination was concluded because the artifacts do not appear to have a special and particular quality and do not appear to be



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directly associated with a scientifically recognized important prehistoric or historic event or person (Padre 2020b). Other observations of the pedestrian survey, which encompassed approximately 8.76 acres of potential disturbance areas, conclude that the project area has been previously disturbed, has little to no soil development, and supports areas of siltstone and shale bedrock outcroppings, which reduces the likelihood for unknown resources to occur in the area. Further, the project site is underlain by the Miguelito member of the Pismo Formation (Tpm), which dates to the lower Pliocene and upper Miocene epochs and does not have potential to contain buried cultural resources because it is significantly older than the presence of modern humans (Padre 2020b). Although archaeological surveys did not identify any cultural resources onsite, there is potential for unknown cultural resources to occur within the footprint of the project due to the project location within an Archaeologically Sensitive Area. In the event an unknown archaeological resource is uncovered during project activities, CZULO 23.05.140 (Archaeological Resources Discovery) requires work be stopped, the County be notified, and the discovery evaluated by an archaeologist. The project would not result in a substantial adverse change in the significance of an archaeological resource and impacts would be *less than significant*.

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

Based on the pedestrian survey conducted for the project site, existing characteristics include previously disturbed soils, little to no soil formation, and areas with siltstone and shale bedrock outcroppings. In addition, the project site is underlain by the Miguelito member of the Pismo Formation (Tpm), which dates to the lower Pliocene and upper Miocene epochs. This formation does not have potential to contain buried cultural resources, or human remains, because it is significantly older than the presence of modern humans (Padre 2020b). Based on existing site conditions, project activities are not expected to uncover or disturb any known or unknown human remains. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and CZLUO 23.05.140 (Archaeological Resources Discovery) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. Therefore, with adherence to State Health and Safety Code Section 7050.5, the County CZLUO, impacts related to the unanticipated disturbance of human remains would be less than significant; therefore, potential impacts would be *less than significant*.

### Conclusion

The project site supports remnants of an old nineteenth-century farmhouse; however, the farmhouse does not meet criteria that would establish the structure as historically significant. Similarly, historical artifact scatter identified onsite does not meet criteria that would establish the resources as archaeologically significant. Although the project site is located within an Archaeologically Sensitive Area, there is low potential for any unknown cultural resources or human remains to occur based on existing site conditions. In the unlikely event cultural resources are uncovered during project activities, California Health and Safety Code Section 7050.5 and CZLUO 23.05.140 (Archaeological Resources) identify the proper protocol to follow in the unlikely event that human remains are uncovered during project activities. Therefore, upon compliance with existing codes and regulations, impacts to Cultural Resources would be less than significant.

### Mitigation

None necessary.

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### VI. ENERGY

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

#### Setting

##### Local Utilities

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within unincorporated San Luis Obispo County. 29% of electricity provided by PG&E is sourced from renewable resources, 27% is sourced from hydroelectric power, and an additional 44% is sourced from nuclear resources (PG&E 2019).

PG&E offers two programs through which consumers may purchase electricity from renewable sources: the Solar Choice program and the Regional Renewable Choice program. Under the Solar Choice program, a customer remains on their existing electric rate plan and pays a modest additional fee on a per kilowatt-hour (kWh) basis for clean solar power. The fee depends on the type of service, rate plan, and enrollment level. Customers may choose to have 50% or 100% of their monthly electricity usage to be generated via solar projects. The Regional Renewable Choice program enables customers to subscribe to renewable energy from a specific community-based project within PG&E's service territory. The Regional Renewable Choice program allows a customer to purchase between 25% and 100% of their annual usage from renewable sources.

##### Local Energy Plans and Policies

The County has adopted the County COSE, which 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 greenhouse gas emissions. This element provided the basis and direction for the development of the County's EnergyWise Plan (EWP) that 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.

In 2011, the EWP established the goal to reduce community-wide greenhouse gas emissions to 15% below 2006 baseline levels by 2020. Two of the six community-wide goals identified to accomplish this were to "[a]ddress future energy needs through increased conservation and efficiency in all sectors" and "[i]ncrease the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020." In addition, the County has published an EWP 2016 Update to

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summarize progress toward implementing measures established in the EWP and outlines overall trends in energy use and emissions since the baseline year of the EWP inventory (2006).

### *California Building Code*

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

### *Leadership in Energy and Environmental Design*

Leadership in Energy and Environmental Design (LEED) is an internationally recognized green building certification system that provides third-party verification that a building or community was designed and built using strategies aimed at improving performance metrics in energy savings, water efficiency, CO<sub>2</sub> emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. LEED provides a point system to score green building design and construction. The system is categorized in nine basic areas: Integrative Process, Location and Transportation, Sustainable Sites, Water Efficiency, Energy and Atmosphere, Materials and Resources, Indoor Environmental Quality, Innovation in Design, and Regional Priority. Buildings are awarded points based on the extent various sustainable strategies are achieved. The more points awarded the higher the level of certification achieved from Certified, Silver, Gold, to Platinum.

### *Vehicle Fuel Economy Standards*

In October 2012, the U.S. Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA), on behalf of the Department of Transportation, issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light duty vehicles for model years 2017 and beyond. NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of carbon dioxide (CO<sub>2</sub>) per mile for the fleet of cars and light-duty trucks by the model year 2025.

In January 2017, EPA Administrator Gina McCarthy signed a Final Determination to maintain the current GHG emissions standards for the model year 2022-2025 vehicles. However, on March 15, 2017, EPA Administrator Scott Pruitt and Department of Transportation Secretary Elaine Chao announced that EPA intends to reconsider the Final Determination. On April 2, 2018, EPA Administrator Scott Pruitt officially withdrew the January 2017 Final Determination, citing information that suggests that these current standards may be too stringent due to changes in key assumptions since the January 2017 Determination. According to the EPA, these key assumptions include gasoline prices and overly optimistic consumer acceptance of advanced technology vehicles. The April 2nd notice is not EPA's final agency action, and the EPA intends to initiate rulemaking to adopt new standards. Until that rulemaking has been completed, the current standards remain in effect. (EPA 2017, EPA 2018).

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As part of California's overall approach to reducing pollution from all vehicles, the California Air Resources Board (CARB) has established standards for clean gasoline and diesel fuels and fuel economies of new vehicles. CARB has also put in place innovative programs to drive the development of low-carbon, renewable, and alternative fuels such as their Low Carbon Fuel Standard (LCFS) Program pursuant to California Assembly Bill (AB) 32 and the Governor's Executive Order S-01-07.

In January 2012, CARB approved the Advanced Clean Cars Program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires a battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2016).

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of oxides of nitrogen (NO<sub>x</sub>) and particulate matter (PM) from off-road diesel vehicles operating within California through the implementation of standards including, but not limited to, limits on idling, reporting and labeling of off-road vehicles, limitations on use of old engines, and performance requirements.

### Discussion

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

During construction, energy would be used in the form of fossil fuels, diesel fuel, electricity, and natural gas for construction vehicles and equipment as well as worker transportation to the site. Construction activity for this project would be temporary in nature and of similar size and scale of other projects throughout the county. Additionally, construction phases of the project would be compliant with applicable local and state regulations regarding diesel idling and other wasteful energy uses while using construction equipment. Therefore, construction phases are not expected to result in the inefficient or wasteful use of energy.

The project proposes the phased construction of agricultural barn with residence / future guesthouse conversion, an asphalt driveway, necessary infrastructure connections, and two future residential units (upper residence and lower residence). The two new single-family residences would be between 2,500-4,500 sf and the guesthouse would not exceed 1,200 sf. The project would be consistent with all 2019 California Building Code (CBC) Energy Efficiency Standards and the 2019 Green Building Code standards to ensure new development is energy efficient.

Electricity demand for the project would be supplied by PG&E which is fully compliant with state regulations. PG&E sources 29% of electricity from renewable resources, 27% is sourced from



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hydroelectric power, and an additional 44% is sourced from nuclear resources (PG&E 2019). By utilizing PG&E for electricity, 100% of the project's electricity demand would be sourced from GHG-free energy sources. Further, expansion of the project is expected to include green building design and would be compliant with applicable CBC standards. Based on the proposed design features of the project, impacts related to wasteful energy use would be *less than significant*.

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

In order to be compliant with the County's COSE and EWP, the project would be required to reduce GHG emissions where feasible in energy consumption. The project would source energy from PG&E, which sources 29% of electricity from renewable resources, 27% is sourced from hydroelectric power, and an additional 44% is sourced from nuclear resources (PG&E 2019). By utilizing PG&E for electricity, 100% of the project's electricity demand would be sourced from GHG-free energy sources. The project would comply with CBC 2019 Building Energy Efficiency Standards and 2019 Green Building Code and is not anticipated to result in wasteful use of energy. Therefore, the project would be compliant with applicable energy efficiency plans and impacts would be *less than significant*.

### Conclusion

The project would be compliant with applicable energy efficiency standards and would not lead to wasteful energy consumption during construction or operation. Therefore, impacts would be less than significant, and no mitigation is required.

### Mitigation

None necessary.

## VII. GEOLOGY AND SOILS

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

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

### Setting

The Alquist-Priolo Earthquake Fault Zoning Act is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The act identifies active earthquake fault zones and restricts building habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The *County of San Luis Obispo General Plan Safety Element* identifies three active faults that traverse through the county and that are currently zoned under the act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near the pier at San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills. The project site is located near potentially capable and capable faults including the San Miguelito fault, the offshore Hosgri and Pecho faults, and the Edna and Los Osos faults (DOC 2015).

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

The County CZLUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. All land use permit applications for projects located within a GSA shall include a report prepared by a certified engineering geologist and/or registered civil/soils engineer, as appropriate. This report shall then be evaluated by a geologist retained by the county who is registered in the state of California. In addition, all uses within a GSA are subject to special standards regarding grading, distance from an active fault trace within an Earthquake Fault Zone, and erosion and geologic stability (CZLUO Section 23.07.080). The project site is located within a GSA (County of San Luis Obispo 2016).

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

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from groundshaking during an earthquake. Liquefaction potential increases with earthquake magnitude and groundshaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures. Based on the County Safety Element Maps and Soils Engineering Report and Engineering Geology Investigation for the project, the project site is in an area with low potential for liquefaction (County of San Luis Obispo 2016; GeoSolutions 2019a).

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is being impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The County's Safety Element Maps identifies the project area as having high landslide potential; however, based on a focused survey of the area in the Soils Engineering Report and Engineering Geology Investigation, the project site is located in an area with a low potential for landslide based on historical aerial imagery of the project site (County of San Luis Obispo 2016; GeoSolutions 2019a).

The classification of expansive soils relates to the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. According to the NRCS Web Soil Survey of the project parcel, the project area is underlain by Lopez very shaly clay loam, 30 to 75 percent slopes; Santa Lucia channery clay loam, 30 to 50 percent slopes, MRLA 15; and Xererts-Xerolls Urban land complex, 0 to 15 percent

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slopes. Although the soils within the project area consist of clay materials, based on laboratory tests of the soil to determine expansive properties, the Soils Engineering Report and Engineering Geology Investigation concludes that soils at the project site have a very low potential for expansion (GeoSolutions 2019a).

The County COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils. The project site is predominantly underlain by the Miguelito member of the Pismo Formation (Tpm) and portions of the site are underlain by Young Alluvial Valley deposits (Qya).

The following analysis of Geology and Soils is based off the Soils Engineering Report and Engineering Geology Investigation by GeoSolutions, Inc. for the proposed project (GeoSolutions 2019a). The scope of the study includes the following:

- A literature review of available published and unpublished geotechnical data pertinent to the project site including geologic maps, and available on-line or in-house aerial photographs.
- A field study consisting of site reconnaissance and subsurface exploration including exploratory borings in order to formulate a description of the sub-surface conditions at the site.
- Laboratory testing performed on representative soil samples that were collected during our field study.
- Engineering analysis of the data gathered during our literature review, field study, and laboratory testing.
- Development of recommendations for site preparation and grading as well as geotechnical design criteria for building foundations, retaining walls, pavement sections, underground utilities, and drainage facilities.

### Discussion

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

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

The project site is located near Alquist-Priolo Earthquake faults including the offshore Hosgri fault, approximately 7 miles southwest and the Los Osos fault, approximately 4 miles north of the project site (DOC 2015; County of San Luis Obispo 2016). Although the project site is located near Alquist-Priolo faults, the project site does not overlay the identified fault lines; therefore, rupture of a known Alquist-Priolo fault would not occur under the project site and impacts would be *less than significant*.

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

San Luis Obispo County is located in a seismically active region and there is always a potential for seismic ground shaking. In addition, the project is located near several known faults within a GSA combining designation. The project proposes to develop agricultural barn with residence / future guesthouse conversion and two future residential units. All structures developed as a result of this project would be required to comply with the 2019 CBC Section 1613 and other applicable county engineering standards to ensure the effects of a potential seismic event would be minimized through

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compliance with current engineering practices and techniques. Adherence to the 2019 CBC and other applicable engineering standards would ensure that new development would not expose people or structures to significant increased risks associated with seismic ground shaking; therefore, impacts would be *less than significant*.

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

Based on the County Safety Element Liquefaction Hazards Map and Soils Engineering Report and Engineering Geology Investigation, the project area is located in an area with low potential for liquefaction (GeoSolutions 2019a). In addition, the project would be required to comply with 2019 CBC Section 1613 seismic requirements and other applicable engineering practices to address any potential for seismic-related ground failure including liquefaction; therefore, the potential impacts would be *less than significant*.

(a-iv) *Landslides?*

Based on the County Safety Element Landslide Hazards Map, the project is located in an area with potential for landslide risk; however, based on a focused survey and historical aerial imagery of the project site, the Soils Engineering Report and Engineering Geology Investigation concludes the project area has low potential for landslides (GeoSolutions 2019a). The project would be required to comply with 2019 CBC and other applicable engineering standards to reduce hazards associated with landslides. Therefore, the project would not result in significant adverse effects associated with landslides and impacts would be *less than significant*.

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

The project would result in 1.61 acres of site disturbance on the approximately 55-acre site, including 6,700 cy of cut and 2,500 cy of fill (9,200 total cy of cut/fill with 4,200 cy of export). The project site is located at the bottom of a north-facing slope with the Pacific Ocean lying on the opposite (south-facing) side of the hill approximately 0.54-mile south. According to the Soils Engineering Report and Engineering Geology Investigation, surficial and formational deposits are subject to erosion where there is no vegetation or hardscape cover. Mitigation Measure GEO-1 requires all measures identified in the Soils Engineering Report and Engineering Geology Investigation to be implemented at appropriate times during the proposed project. Appendix D of the report identifies measures for vegetation and erosion control to be implemented during project activities.

Applicable construction BMPs related to erosion for the project are identified in Mitigation Measure BIO-9. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 23.05.036) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Additionally, the project site is located within a drainage review area and is required to have a qualified engineer-prepared drainage plan that will be reviewed at the time of building permit submittal. The project site is within the MS4 Stormwater Coverage Area and would be required to comply with the Central Coast Post-Construction Requirements (PCRs) (Resolution R3-2013-00032). Compliance with existing regulations and implementation of Mitigation Measures GEO-1 and BIO-9 and would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant with mitigation*.



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- (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?*

According to the U.S. Geological Survey (USGS) Areas of Land Subsidence in California Map, the project site is not located in an area with known land subsidence (USGS 2021). As described above, the project site is located in an area with low potential for liquefaction and landslide. Based on the Soils Engineering Report and Engineering Geology Investigation, the primary geotechnical concerns at the project site include the potential for groundwater seepage, the presence of loose surface soils at the lower project site, and the presence of shallow, hard bedrock materials at the upper project site (GeoSolutions 2019a). In order to compensate for potential geotechnical concerns from development at the project site, recommendations from the Soils Engineering Report and Engineering Geology Investigation shall be incorporated into the final design of the proposed project. Recommendations are included for preparation of residential building pads and paved areas, pavement design standards, conventional foundations, slab-on-grade construction, exterior concrete flatwork, and retaining walls. Upon implementation of the identified recommendations as identified in Mitigation Measure GEO-1, the project would not be at risk due to location on an unstable soil unit; therefore, impacts 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?*

Typically, soils comprised of clay or clay materials have a higher shrink/swell potential than soils without clay. According to the NRCS Web Soil Survey of the project parcel, the project area is underlain by Lopez very shaly clay loam, 30 to 75 percent slopes; Santa Lucia channery clay loam, 30 to 50 percent slopes, MRLA 15; and Xererts-Xerolls Urban land complex, 0 to 15 percent slopes. Although the soils within the project area consist of clay materials, based on laboratory testing conducted on soils from the project site to determine expansion potential, the Soils Engineering Report and Engineering Geology Investigation concludes that soils at the project site have a very low potential for expansion (GeoSolutions 2019a). In addition, any development would be required to comply with Section 1808A.6.1 to 1808A.6.4 of the 2016 CBC, which have been developed to properly safeguard structures and occupants from land stability hazards, which include expansive soils. Therefore, impacts would be *less than significant*.

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

The following analysis is based off the Percolation Testing Report by GeoSolutions, Inc. for the proposed project (GeoSolutions 2019b). The project site proposes a new septic leach field within the northwestern portion of the project parcel. The topography of the project area where the leach field is proposed is relatively flat. Percolation testing was conducted in two different areas along Avila Beach Drive in the northwestern portion of the project area by GeoSolutions Inc. for the project and concluded that the stabilized percolation rate of tested areas was between 10 and 11 minutes per inch, respectively, which means soils would be capable of supporting septic leach fields. Groundwater was not encountered at either of the testing sites in either of the two borings that were 15 feet below ground surface. Based on these findings, the areas that underwent percolation testing at the project site would be capable of supporting the proposed septic leach fields; however, if leach fields are proposed in other areas, further tests would be necessary. Based on the percolation test results, the

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proposed leach field would be adequately supported by soils at the project site and impacts would be *less than significant*.

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

The project site is predominantly underlain by the Miguelito member of the Pismo Formation (Tpm) at the upper project site and portions of the lower project site are underlain by Young Alluvial Valley deposits (Qya) (GeoSolutions 2019a). The project proposes 9,200 cy of total cut and fill activity that would occur within gentle to moderate slopes. The bedrock at the upper residence is shallow, therefore excavation into the bedrock may be necessary. The Qya deposits are relatively young in age and have a high paleontological sensitivity (USGS 2021b). Due to the project's location within the coastal zone, work within moderate slopes, and the relatively high paleontological sensitivity of the underlying geologic formations, there is potential that project activities may disturb unknown paleontological resources within the project area. Mitigation Measure GEO-2 through GEO-3 has been identified to require paleontological monitoring during ground disturbance activities and identifies the proper protocol in the event a paleontological resource is uncovered during project activities. Therefore, impacts would be *less than significant with mitigation*.

### Conclusion

The project site is located within the coastal zone in a GSA combining designation near the community of Avila Beach. There are several capable and potentially capable faults near the project area. However, compliance with the CBC and other engineering standards would ensure that seismic hazards and related ground failure events are less than significant. Further, erosion from ground disturbance activity would be mitigated through implementation of GEO-1 and implementation of a SWPPP with BMPs described in Mitigation Measure BIO-9 and a Sedimentation and Erosion Control Plan. Mitigation Measure GEO-1 Identifies design features that must be implemented into the final project design to ensure foundational safety. Due to the project's location within the coastal zone and the high sensitivity of the underlying geological formation, Mitigation Measure GEO-2 through GEO-3 requires a paleontological monitor during project activities. Therefore, upon implementation of the identified mitigation measures, impacts related to geology and soils would be less than significant.

### Mitigation

Implement Mitigation Measure BIO-9.

**GEO-1 Soils Engineering Report and Engineering Geology Investigation.** Prior to grading and/or construction permit issuance, all design measures and recommendations of the Soils Engineering Report and Engineering Geology Investigation Report prepared for the project shall be subject to the County Geologist review and approval and shall be included into the final project plans. Final construction plans shall be stamped by a certified engineering geologist, soils engineer, or civil engineer.

During construction, all design measures and recommendations of the reports shall be implemented and verified by a licensed civil engineer, soils engineer, or certified engineering geologist, or registered professional geologist. The certified engineering geologist, soils engineer, and/or civil engineer shall inspect work on-site and verify, as applicable, that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review, geology reports and information, and the soils engineering reports.

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The certified engineering geologist, soils engineer, or civil engineer shall issue a final engineering geology compliance report as required by the Uniform Building Code that identifies changes observed during construction, recommendations offered for mitigation, and confirmation that construction was completed in compliance with the intent of the geology reports.

Should the services of the certified engineering geologist, soils engineer, or civil engineer be terminated prior to final inspection and/or occupancy, the applicant shall submit a transfer of responsibility statement to the County Planning and Building Department from the new certified engineering geologist per the Uniform Building Code.

### GEO-2

**Paleontological Resource Inadvertent Discovery.** Should any vertebrate fossils or potentially significant invertebrate fossils (e.g., numerous well-preserved invertebrate or plant fossils) be encountered during work on the site, all activities in the immediate vicinity of the find shall cease until a County-approved paleontologist evaluates the find for its scientific value. The County-approved paleontologist shall then prepare a Paleontological Monitoring and Treatment Plan (Plan, PMTP), and submit the Plan to the County for review and approval. The Plan shall be based on 'Society of Vertebrate Paleontology (SVP) guidelines' and meet all regulatory requirements. The County-approved paleontologist shall: a) have a Master's Degree or Ph.D. in paleontology, b) shall have knowledge of the local paleontology, and c) shall be familiar with paleontological procedures and techniques. The Plan shall:

- a. identify construction impact areas of moderate to high sensitivity for encountering potential paleontological resources and the shallowest depths at which those resources may be encountered;
- b. detail the criteria to be used to determine whether an encountered resource is significant, and if it should be avoided or recovered for its data potential;
- c. detail methods of recovery, preparation and analysis of specimens, final curation of specimens at a federally accredited repository, data analysis, and reporting;
- d. outline a coordination strategy to ensure that a County-approved paleontological monitor will conduct full-time monitoring of all grading activities in the "deeper" sediments determined to have a moderate to high sensitivity. For sediments of low or undetermined sensitivity, the Plan shall determine what level of monitoring is necessary. Sediments with no sensitivity will not require paleontological monitoring.
- e. define specific conditions in which monitoring of earthwork activities could be reduced and/or depth criteria established to trigger monitoring. These factors shall be defined by the project paleontological resource specialist, following examination of sufficient, representative excavations.

### GEO-3

**Paleontology Construction Monitoring.** During ground-disturbing activities, based on the Mitigation Measure GEO-2 (Paleontological Monitoring and Treatment Plan), the Applicant shall conduct monitoring by a County-approved paleontological monitor as specified in the approved PMTP. This shall include monitoring during rough grading and trenching in areas determined to have moderate to high paleontological sensitivity and which have the potential to be shallow enough to be adversely affected by such earthwork. Sediments of low, marginal undetermined sensitivity shall be monitored by a County-approved paleontological monitor on a part-time basis as determined in the PMTP.

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Construction activities shall be diverted when data recovery of significant fossils is warranted, as determined in the PMTP. Compliance/Monitoring shall adhere to and be consistent with the PMTP.

### VIII. GREENHOUSE GAS EMISSIONS

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

#### Setting

Greenhouse gasses (GHGs) are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). Carbon dioxide (CO<sub>2</sub>) is the most abundant GHG and is estimated to represent approximately 80–90% of the principal GHGs that are currently affecting the earth's climate. According to the California Air Resources Board (CARB), transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In October 2008, the 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. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state's GHG reduction goals and require 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;
- Reduce GHG emissions to 80% below 1990 levels by 2050.

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The initial Scoping Plan was first approved by CARB on December 11, 2008, and is updated every 5 years. 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. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts which were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 MTCO<sub>2</sub>e per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a 'gap analysis' and was used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with AB32 and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020, the SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- Consistency with a Qualified Climate Action Plan: CAPs conforming to CEQA Guidelines § 15183 and 15183.5 would be qualified and eligible for project streamlining under CEQA.

The County of San Luis Obispo EnergyWise (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 not considered a qualified GHG reduction strategy for assessing the significance of GHG emissions generated by projects with a horizon year beyond 2020.

- No-net Increase: The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "*is an appropriate overall objective for new development*" consistent with the Court's direction provided by the Newhall Ranch case. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., *de minimis*: too trivial or minor to merit consideration).
- Lead Agency Adopted Defensible GHG CEQA Thresholds: Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030. According to the *California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators* published by the California Air Resources Board, emissions of GHG statewide in 2017 were 424 million MMTCO<sub>2</sub>e, which was 7 million MTCO<sub>2</sub>e below the 2020 GHG target of 431 MMTCO<sub>2</sub>e established by AB 32. At the local level, an update of the County's EnergyWise Plan prepared in 2016 revealed that overall GHG emissions in San Luis Obispo County decreased by approximately seven percent between 2006 and 2013, or about one-half of the year 2020 target of reducing greenhouse gas emissions by 15%



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relative to the 2006 baseline<sup>1</sup>. Therefore, application of the 1,150 MTCO<sub>2</sub>e Bright Line Threshold in San Luis Obispo County, together with other local and State-wide efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB32 for the year 2020. It should be noted that the 1,150 MTCO<sub>2</sub>e per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 MTCO<sub>2</sub>e per year would result in impacts that are less than significant and less than cumulatively considerable impact and would be consistent with state and local GHG reduction goals.

Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030, the application of an interim “bright line” SB32-based working threshold that is 40 percent below the 1,150 MMTCO<sub>2</sub>e Bright Line threshold ( $1,150 \times 0.6 = 690$  MMTCO<sub>2</sub>e) would be expected to produce comparable GHG reductions “in the spirit of” the targets established by SB32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, emissions estimated to be less than 690 MMTCO<sub>2</sub>e per year GHG are considered *de minimus* (too trivial or minor to merit consideration) and will have a less than significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

### Discussion

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

Project construction would use diesel fuel and natural gas for construction vehicles and equipment, as well as worker transportation to the site. Additionally, construction phases of the project would be compliant with applicable local and state regulations regarding diesel idling and other wasteful energy uses while using construction equipment. Therefore, construction phases are not expected to result in the wasteful use of energy or result in the significant emission of GHGs.

The project would result in an agricultural barn with residence / future guesthouse conversion and two future residential units. Electricity demand for the project would be supplied by PG&E, which is fully compliant with state regulations and acquires 29% of its electricity from renewable resources, 27% from hydroelectric power, and an additional 44% from nuclear resources (PG&E 2019). The project would be consistent with all 2019 California Building Code (CBC) Energy Efficiency Standards and the 2019 Green Building Code standards to ensure new development is energy efficient. According to Table 1-1, the operation of three rural residential units is well below the APCD GHG numerical threshold of 1150 CO<sub>2</sub>e (MT/year) (SLOAPCD 2017).

Compliance with the 2019 CBC Energy Efficiency Standards and 2019 Green Building Code is expected to reduce operational energy use and GHG emissions from existing conditions; therefore, project impacts related to wasteful energy use would be *less than significant*.

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

Energy inefficiency contributes to higher GHG emissions and would which in turn may conflict with state and local plans for energy efficiency.

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<sup>1</sup> AB32 and SB32 require GHG emissions to be reduced to 1990 levels by the year 2020. The EnergyWise Plan assumes that the County's 1990 GHG emissions were about 15% below the levels identified in the 2006 baseline inventory.

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As discussed above, 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. The policy provisions are divided into community-wide measures and measures aimed at reducing GHG emissions associated with County operations. The GHG reduction measures contained in the EWP are generally programmatic and intended to be implemented at the community level. Measure No. 7 encourages energy efficient new development and provides incentives for new development to exceed CALGreen energy efficiency standards. The following is a summary of project consistency with the relevant supporting actions identified in Measure No. 7 for promoting energy efficiency in new development.

Supporting Action	Project Consistency
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.	The project would be consistent with all 2019 California Building Code (CBC) Energy Efficiency Standards and the 2019 Green Building Code standards to ensure new development is energy efficient.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	The project, including roof design and natural light features, would be consistent with all 2019 California Building Code (CBC) Energy Efficiency Standards and the 2019 Green Building Code standards to ensure new development is energy efficient.
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	

*San Luis Obispo County 2019 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS).* The 2019 RTP, which was adopted by the SLOCOG Board in June 2019, includes the region's Sustainable Communities' Strategy and outlines how the region will meet or exceed its GHG reduction targets by creating more compact, walkable, bike-friendly, transit-oriented communities, preserving important habitat and agricultural areas, and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. The RTP and SCS provide guidance for the development and management of transportation systems county-wide to help achieve, among other objectives, GHG reduction goals. The RTP/SCS recommend strategies for community planning such as encouraging mixed-use, infill development that facilitate the use of modes of travel other than motor vehicles.

The project consists of the development of rural residential units within the Rural Lands land use designation. As discussed in Section III, Air Quality, the project does not include development of retail, business, or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project would result in the establishment of activities that are residential in nature and would not result in employment opportunities or a substantial population increase in the project area.

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*California Air Resources Board (CARB) 2017 Scoping Plan.* Pursuant to AB 32, the California Air Resources Board (CARB or Board) prepared and adopted the initial Scoping Plan to “*identify and make recommendations on direct emissions reductions measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives*” in order to achieve the 2020 goal, and to achieve “*the maximum technologically feasible and cost-effective GHG emissions reductions*” by 2020 and maintain and continue reductions beyond 2020. AB 32 requires CARB to update the Scoping Plan at least every five years.

The 2017 Climate Change Scoping Plan recommends strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05. These strategies include the following:

- Implement SB350 which is aimed at Reduce GHG emissions in the electricity sector;
- 2030 Low Carbon Fuel Standard (LCFS) -- Transition to cleaner/less-polluting fuels that have a lower carbon footprint.
- 2030 Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario) -- Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems and reduction of vehicle miles traveled.
- Implement 59VariousSB 1383 which is aimed at reducing Short-Lived Climate Pollutants to reduce highly potent GHGs.
- Implement the 2030.2030 California Sustainable Freight Action Plan aimed at improving freight efficiency, transition to zero emission technologies, and increase competitiveness of California’s freight system.
- Implement the.2030 Post-2020 Cap-and-Trade Program which is aimed at reducing GHGs across the largest GHG emissions sources.

The strategies described in the 2017 Scoping Plan are programmatic and intended to be implemented state-wide and industry wide. They are therefore not applicable at the level of an individual project. However, as discussed in Section XVII, Transportation, the project is not expected to generate a significant increase in construction-related or operational traffic trips or Vehicle Miles Traveled (VMT) which is consistent with Scoping Plan strategies for reducing vehicle miles traveled. Overall, the project is consistent with adopted plans and policies aimed at reducing GHG emissions and impacts would be *less than significant*.

### Conclusion

The project would be compliant with applicable plans and policies to reduce emissions. Additionally, the project would include green building design to reduce energy use and release of emissions. Therefore, impacts would be less than significant, and no mitigation is necessary.

### Mitigation

None necessary.

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### IX. HAZARDS AND HAZARDOUS MATERIALS

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

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### Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese list. The California Department of Toxic Substance Control (DTSC) tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, and military evaluation sites. The State Water Resources Control Board (SWRCB) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program sites. The remaining data regarding facilities or sites identified as meeting the “Cortese List” requirements are provided on the CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>. The project site is not located on a known hazardous materials site (DTSC 2021; SWRCB 2021). The nearest hazardous materials sites are two open cleanup program sites located approximately 0.4-mile south toward the Pacific Ocean (SWRCB 2021).

The California Health and Safety Code provides regulation pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The County Safety Element also provides a California Department of Forestry and Fire Protection (CAL FIRE) Emergency Response Zone Map, which indicates the estimated emergency response time for unincorporated areas of the county. A number of risk reduction measures have been taken by the County to reduce the potential for wildfires, including adopting standards for fire resistive building materials and construction methods, providing defensible space around structures, providing adequate water supplies for fire suppression, and providing adequate access for fire-fighting equipment. In addition to these measures, the County has undertaken a variety of mitigation strategies, including a Countywide Community Fire Safe Council, a vegetation management program, and pre-planning major wildfire scenarios in high and very high fire severity areas that include evacuation plans and pre-plans. The project site is located within a very high fire hazard area and emergency response time to the site is approximately 5 minutes. For more information about fire-related hazards and risk assessment, see Section XX, Wildfire.

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

### Discussion

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

Construction of the proposed project is anticipated to require limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. The transport, use, handling, and disposal of hazardous materials during construction would occur pursuant to local, state, and federal regulations to minimize risk and exposure. Operation of the project would include residential uses that may result in use and transportation of common household hazardous substances including gasoline, cleaners, solvents, oils, paints, etc. Commonly used household hazardous materials are expected to be used and transported in limited quantities and would not



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result in significant upset in the event of a spill. Therefore, impacts associated with the routine transport of hazardous materials would be *less than significant*.

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

During the construction period, there is a possibility of accidental release of hazardous substances such as petroleum-based fuels used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the limited nature and duration of construction activities and the small volume and low concentration of materials that would be utilized during construction. The contractor would be required to use standard construction controls and safety procedures, which would avoid and minimize the potential for accidental release of such substances into the environment and mitigate impacts in the event of a spill or accidental release. Standard construction practices would be implemented such that any materials released are appropriately contained and remediated as required by local, state, and federal law. Further, Mitigation Measure BIO-7 and BIO-8 requires proper use and maintenance of construction vehicles and equipment and requires that that refueling, maintenance, washing, etc. of construction vehicles and equipment be done at least 100-feet away from identified potential state jurisdictional wetland areas onsite to avoid accidental hazardous spills that could adversely affect water quality.

As described in Threshold (a) above, operation of the project includes residential uses that may require the use and transportation of commonly used household hazardous materials (cleaners, paints, solvents, oils, etc.). Commonly used household hazardous materials are expected to be used and transported in limited quantities and would not result in significant upset in the event of a spill. Therefore, operation of the project is not expected to result in accidental upset and upon implementation of Mitigation Measure BIO-7 and BIO-8 during construction activities, impacts would be *less than significant with mitigation*.

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

The nearest school to the project site is the Bellevue-Santa Fe Charter School located approximately 1.5 miles north of the project site. The closest public school to the project is Shell Beach Elementary School located in approximately 2.3 miles southeast of the project site. Therefore, the project does not have the potential to emit hazardous materials with 0.25 mile of an existing or proposed school and *no impact* would occur.

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

According to the DTSC Envirostor database, the project site is not located on or within 1,000 feet of a known hazardous materials site. The nearest hazardous materials sites are two open cleanup program sites located along Indio Drive approximately 2,640 feet (0.5 mile) south of the project site. Therefore, the project is not located on a hazardous materials site and project construction would not create a significant hazard to the public or the environment and *no impact* would occur.

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- (e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The nearest public airport is the San Luis Obispo County Regional Airport located approximately 8 miles northeast and the Oceano County Airport approximately 8 miles southeast. The project site is not located within an Airport Land Use Plan and is not located within 2 miles of a public or private air strip; therefore, *no impact* would occur.

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

Applicable emergency response plans and emergency evacuation plans include the County's General Plan Safety Element, the County's EOP, and Coastal Zone Framework for Planning. The plans provide guidance and set standards related to emergency access throughout the county and the coastal zone. The proposed project would be located on an existing parcel that is accessed by a private shared driveway from Avila Beach Drive. Implementation of the project would not alter or prohibit access to the local circulation system and estimated emergency response time is approximately 5 minutes (County of San Luis Obispo 2016). The project is located on a Primary Evacuation Route identified in the Avila Valley Fire Evacuation Plan and could potentially contribute to a very marginal increase in traffic congestion during a community-wide emergency evacuation. However, this marginal contribution would not have the potential to impair or physically interfere with the implementation of the Avila Valley Fire Evacuation Plan or other community evacuation plans. The project would be located on an existing parcel and would not alter or prohibit access to the local circulation system. The proposed project would be able to accommodate emergency vehicles and would not conflict with any emergency response plans or emergency evacuation plans. Further, implementation of the proposed project would not result in a significant temporary or permanent road closure that may be inconsistent with previously adopted emergency response plans or emergency evacuation plans. Any temporary traffic controls would be required to comply with the California Manual on Uniform Traffic Control Devices (CA-MUTCD). No breaks in utility service would occur as a result of project implementation. Therefore, potential impacts would be *less than significant*.

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

The project site is located in a very high fire hazard severity zone. Emergency response time to the project is approximately 5 minutes. The project would be designed to comply with all fire safety rules and regulations, including the California Fire Code and PRC, and interior design elements would comply with CBC requirements. The project would be designed to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code. CAL FIRE has provided a Fire Safety Plan that details required items to be completed prior to final inspection of the project. Therefore, impacts would be *less than significant*.

### Conclusion

Implementation of the proposed project would not create significant hazard to the public through reasonably foreseeable upset and accident conditions of hazardous materials. Implementation of Mitigation Measure BIO-5 would ensure construction-related activities do not result in accidental release of acutely hazardous materials into potential state jurisdictional wetland areas. The project site is not located with 0.25 mile of a school and is not located within an Airport Land Use Plan. Although the project is located within a very high

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fire hazard severity zone, it would be compliant with the California Fire Code and PRC, CBC requirements, and CAL FIRE recommendations. Therefore, upon implementation of Mitigation Measure BIO-5 and BIO-6, impacts associated with hazards and hazardous materials would be less than significant.

### Mitigation

Implement Mitigation Measure BIO-7 and BIO-8.

## X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Setting

The RWQCB has established the Total Maximum Daily Load (TMDL) for waterbodies within the county. A TMDL establishes the allowable amount of a particular pollutant a waterbody can assimilate on a regular basis and still remain at levels that protect beneficial uses designated for that waterbody. A TMDL also establishes proportional responsibility for controlling the pollutant, numeric indicators of water quality, and implementation to achieve the allowable amount of pollutant loading. Section 303(d) of the CWA includes listed bodies of water that are designated as impaired. A body of water is impaired when a water quality objective or standard is not met.

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States are typically identified by the presence of an Ordinary High Water Mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. CWA Section 404 requires a permit for these activities under separate regulations by the USACE and USEPA unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

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

The project is not located within an identified groundwater basin and instead receives its water from an onsite well shared with the property to the west. A Well Test Report was prepared for the project that shares the well (Farm Supply Company 2017) and demonstrated the well proposed to serve the project site maintained a rate of 200 gallons per minute over the course of the four-hour pump test.

The County CZLUO dictates which projects are required to prepare a drainage plan, including projects that would, for example, involve a land disturbance of more than 40,000 square feet, would result in an impervious surface of more than 20,000 square feet, or involves development on slopes steeper than 10 percent. The County CZLUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and any site disturbance activities of 0.5 acre or more in geologically

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unstable areas, on slopes of steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

Per the County's Stormwater Program, the County Department of Planning and Building is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must enroll for coverage under the SWRCB Construction General Permit. The Construction General Permit requires the preparation of a SWPPP to minimize onsite sedimentation and erosion. There are several types of projects that are exempt from preparation of a SWPPP, including routine maintenance to existing developments, emergency construction activities, agricultural discharges regulated by the SWRCB or RWQCB, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1 acre must implement all required elements within the site's erosion and sediment control plan as required by the County Codes.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in flood plains are subject to Federal Emergency Management Act (FEMA) regulations. The County LUO designates a Flood Hazard (FH) combining designation for areas of the county that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements. These requirements include, but are not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements that could be injurious to human, animal or plant life in the event of flooding. According to the wetland delineation conducted for the project site in April 2020, the project site supports 3 potential state jurisdictional wetland areas in the western, central northern, and northeastern portion of the project parcel (Padre 2020a). The nearest documented stream is the San Luis Obispo Creek located approximately 950 feet north of the northern terminus of the drainage channel (Padre 2020a). The project site is located approximately 0.54 mile north of the Pacific Ocean. The project site does not support and 100- or 500-year flood zones.

### Discussion

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

Construction activity for project development has the potential to release erosive and polluted runoff from the project site that could violate water quality standards to potential state jurisdictional wetlands located onsite. The project would result in 1.61 acres of site disturbance on the 54.95-acre parcel, including 4,450 cy of cut and 4,000 cy of fill, distributed over two phases. Excavation and ground disturbance activities has the potential to increase erosive runoff from the project site. Pollutant runoff could be released by the use of construction vehicles and equipment through accidental leakage, spillage, or other pollutant release.

The proposed project would not be required to comply with SWRCB requirements to prepare a SWPPP because the project would be completed using a phased approach and would not disturb more than 1-acre of soil during either of the proposed phases. Should the applicant construct both phases concurrently, a SWPPP would be required.



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Applicable construction BMPs to reduce erosion and sedimentation for the project are identified in Mitigation Measure BIO-9. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (CZLUO Section 23.05.036) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Additionally, the project site is located within a drainage review area and is required to have a qualified engineer prepare a drainage plan that will be reviewed at the time of building permit submittal. The project site is within the MS4 Stormwater Coverage Area and would be required to comply with the Central Coast Post-Construction Requirements (PCRs) (Resolution R3-2013-00032). Compliance with existing regulations and implementation of Mitigation Measure BIO-9 would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant with mitigation*.

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

The project is not located in an identified groundwater basin. A Well Test Report was prepared for the adjacent project that shares the well with this project. The Well Test Report (Farm Supply Company 2017) demonstrated the well maintained a rate of 200 gallons per minute over the course of the four-hour pump test, which is more than the required 5 gallons per minute per single-family dwelling that is required by Title 19 – Building and Construction Ordinance. Based on the results of the Well Test Report, there is adequate water to serve the project's water demands. Due to the low water demands of the project, the project would not result in a significant change in the quantity or movement of available groundwater in the area. Therefore, impacts would be *less than significant*.

- (c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- (c-i) *Result in substantial erosion or siltation on- or off-site?*

Excavation and other ground disturbance activities have the potential to temporarily alter drainage patterns within the project site and release erosive runoff from the project site. Based on the phased development approach proposed for the project, the project would not be required to comply with SWRCB requirements to prepare a SWPPP unless both phases are constructed concurrently. Applicable construction BMPs for the project are identified in Mitigation Measure BIO-9. According to CZLUO Section 23.05.036, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Additionally, the project site is located within a drainage review area and is required to have a qualified engineer-prepared drainage plan that will be reviewed at the time of building permit submittal. The project site is within the MS4 Stormwater Coverage Area and would be required to comply with the Central Coast PCRs (Resolution R3-2013-00032). Compliance with existing regulations and implementation of Mitigation Measure BIO-9 and would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant with mitigation*.

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

Implementation of the project would result in expanded impervious surface areas including the agricultural barn with residence / future guesthouse conversion, an asphalt driveway, and two future

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residential units. Additionally, temporary construction activity has the potential to temporarily alter drainage patterns in the project area. Although the project would incorporate features that could temporarily alter drainage patterns and permanently increase minimal amounts of impervious surface area onsite, flooding is not anticipated to occur because the project site is not located within a 100- or 500- year flood zone and there are no surface water features within or adjacent to the project site. Therefore, impacts would be *less than significant*.

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

The project would not connect to an existing or planned stormwater drainage system. During construction activity, potential stormwater or surface flows have the potential to carry erosive or polluted runoff to nearby water resources. As described above, the proposed project is not required to prepare and implement a SWPPP unless both phases are constructed concurrently. Applicable construction BMPs for the project are identified in Mitigation Measure BIO-9. Additionally, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (CZLUO 23.05.036) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Additionally, the project site is located within a drainage review area and is required to have a qualified engineer-prepared drainage plan that will be reviewed at the time of building permit submittal. The project site is within the MS4 Stormwater Coverage Area and would be required to comply with the Central Coast PCRs (Resolution R3-2013-00032). Implementation of Mitigation Measure BIO-9 and compliance with existing regulations would reduce potential impacts related to erosive and polluted runoff from stormwater flows to *less than significant with mitigation*.

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

Implementation of the project would result in expanded impervious surface areas three new buildings and an asphalt driveway. Additionally, excavation and other ground disturbance activities could temporarily alter drainage patterns that could redirect flood flows onsite. According to the County's Safety Element Flood Hazard map, the project site is not located within a 100- or 500-year flood zone and flood flows are not expected to occur onsite. Additionally, the project site is located within a drainage review area and is required to have a qualified engineer-prepared drainage plan that will be reviewed at the time of building permit submittal. The project site is within the MS4 Stormwater Coverage Area and would be required to comply with the Central Coast Post-Construction Requirements (PCRs) (Resolution R3-2013-00032). Compliance with existing regulations would ensure sediment and erosion control in the unlikely event of flood flows onsite; therefore, impacts would be *less than significant*.

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

The project site is located within the coastal zone approximately 1.28 miles from the community of Avila Beach. According to the County's Safety Element Flood Hazard map, the project site is not located within a 100-year flood zone associated with the Pacific Ocean or surface water features. In addition, the project site is not located within a tsunami inundation or seiche zone (County of San Luis Obispo 2009c). Therefore, project inundation is not expected to occur, and *no impact* would occur.

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

Applicable construction BMPs for the project are identified in Mitigation Measure BIO-9. Additionally, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (CZLUO Section 23.05.036) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Additionally, the project site is located within a drainage review area and is required to have a qualified engineer-prepared drainage plan that will be reviewed at the time of building permit submittal. The project site is within the MS4 Stormwater Coverage Area and would be required to comply with the Central Coast Post-Construction Requirements (PCRs) (Resolution R3-2013-00032). With implementation of BMPs from Mitigation Measure BIO-9 and compliance with existing regulations, the project would be consistent with applicable water quality control plans.

The project is not located within a designated groundwater basin and is not subject to a sustainable groundwater management plan under Sustainable Groundwater Management Act (SGMA).

Therefore, the project would not obstruct implementation of a water quality control plan or a groundwater management plan and impacts would be *less than significant with mitigation*.

### Conclusion

The project would be subject to existing regulations regarding sedimentation and erosive runoff control during project construction and operation. Mitigation Measure BIO-9 identifies BMPs for the project to include in the SWPPP required for the project. Therefore, compliance with existing regulations and implementation of BMPs, impacts to hydrology and water quality would be less than significant.

### Mitigation

Implement Mitigation measure BIO-9.

## XI. LAND USE AND PLANNING

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

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### Setting

The California Coastal Commission is the ultimate permit authority in the Coastal Zone of San Luis Obispo County and dictates how the County's Local Coastal Program (Title 23) is interpreted. The purpose of Title 23, also known as the County CZLUO, is to guide and manage the future growth in accordance with the County General Plan and Local Coastal Program; to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands; to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses; and to protect and enhance significant natural, historic, archeological and scenic resources within the county.

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

### Discussion

(a) *Physically divide an established community?*

The project parcel is located within the Rural Lands land use designation and according to the Coastal Zone Framework for Planning, the purpose of the designation is to permit very low density rural residential units, to preserve large parcel sizes, to maintain low population densities, and establish agricultural areas and compatible uses (County of San Luis Obispo 2018). The project proposes the phased development of an agricultural barn with residence / future guesthouse conversion, a lower residence, and an upper residence on an approximately 55-acre parcel. The project would be consistent with the allowable uses of the land use designation because it would result in a low-density residential development that would ultimately maintain the rural character of the parcel. In addition, the project does not propose any features, such as new roads, that would physically divide an established community or create any other barriers to movement or accessibility within the community. The project would be confined to the existing parcel and would comply with the underlying land use designation; therefore, *no impact* would occur.

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

The project would be consistent with the property's land use designation and the guidelines and policies for development within the Coastal Zone Framework for Planning, CZLUO, and COSE. The project was found to be consistent with standards and policies set forth in the County General Plan and Framework for Planning (Coastal), the SLOAPCD CAP, and other land use policies for this area.

The project would be required to implement measures to mitigate potential impacts associated with air quality, biological resources, cultural and tribal resources, and geology and soils; therefore, with mitigation, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects and impacts would be *less than significant with mitigation*.

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### Conclusion

The project would not physically divide an established community and would be consistent with applicable land use plans, policies, and regulations. So long as mitigation measures identified in this document are implemented, project impacts on Land Use and Planning would be less than significant.

### Mitigation

Implement mitigation measures identified within other sections of this MND.

## XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (PRC Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey [CGS] 2015):

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

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



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

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

### Discussion

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

Based on the CGS Information Warehouse for Mineral Land Classification, the project site is located within an area that has been evaluated for mineral resources (CGS 2021). According to Table “O” of the Local Coastal Plan (LCP), mining is an allowable land use activity on property with a Rural Lands land use designation. However, according to Chapter 6 of the County COSE – Mineral Resources, the project site is not located within an extractive resource area or energy and extractive resource area, which is an area designated for mineral and resource extraction. Since the parcel is not located within an energy or extractive resource area, implementation of the project would not result in loss of a known mineral resource that is important to the region; therefore, impacts would be *less than significant*.

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

Since the project parcel is not located within an energy or extractive resource zone, the likelihood of future mining of important resources within the project area is very low. Therefore, impacts would be *less than significant*.

### Conclusion

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

### Mitigation

None necessary.

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### XIII. NOISE

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

#### Setting

The *County of San Luis Obispo General Plan Noise Element* provides a framework within which potential noise impacts may be addressed during project review and long-range planning. Noise sensitive uses that have been identified by the County include the following:

- Residential development, except temporary dwellings
- Schools: preschool to secondary, college and university, specialized education and training
- Health care services (hospitals)
- Nursing and personal care
- Churches
- Public assembly and entertainment
- Libraries and museums

The County Noise Element provides a flow chart for determining if mitigation is required for proposed land uses and includes standard noise mitigation packages which in some situations may be used in lieu of an acoustical analysis prepared by a professional. The County Noise Element establishes a series of policies for transportation noise sources and stationary noise sources. For example, new development of noise-sensitive land uses shall not be permitted in areas exposed to levels of transportation noise that exceed 60 decibels (dB) day-night average sound level ( $L_{dn}$ ) or Community Noise Equivalent Level (CNEL). Similarly, noise created by new transportation noise sources including roadway improvement projects, shall be mitigated not to exceed levels specified in the County Noise Element.

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The County CZLUO noise standards are not applicable to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7:00 a.m. or after 9:00 p.m. on weekdays, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday. Noise associated with agricultural land uses as listed in Section 22.06.030 and traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

The project site is located in a rural area near the community of Avila Beach. The nearest sensitive receptor location is a rural residential use located on the neighboring parcel approximately 1,676 feet (0.33 mile) west. In addition, Avila Ridge Trailhead is located along the eastern parcel boundary and is approximately 1,200 feet (0.22 mile) south of project activities.

### Discussion

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

The County CZLUO noise standards are not applicable to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7:00 a.m. or after 9:00 p.m. on weekdays, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday. In addition, the County CZLUO establishes acceptable Noise Standards for exterior and interior noise levels and describes 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 County Noise Element above, in addition to hotels and motels, bed and breakfast facilities, offices, outdoor sports and recreation land uses. Exterior noise levels are measured from the property line of the affected noise-sensitive land use.

**Table 4. Maximum allowable exterior noise level standards**

Sound Levels	Daytime (7 a.m. to 10 p.m.)	Nighttime (10:00 p.m. to 7:00 a.m.) <sup>1</sup>
Hourly Equivalent Sound Level (L <sub>eq</sub> , dB)	50	45
Maximum level, dB	70	65

<sup>1</sup> Applies only to uses that operate or are occupied during nighttime hours

The existing ambient noise environment of the project area includes vehicle traffic from Avila Beach Drive and other rural, coastal noises.

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

Implementation of the project would result in the development of an agricultural barn with residence / future guesthouse conversion and two future residential units. The project does not propose any features that would significantly increase ambient noise including outdoor recreational areas or permanent machinery. Noise from the project would be generally consistent with existing ambient noise and is not expected to disturb distant sensitive receptors. Therefore, impacts related to an increase in ambient noise would be *less than significant*.

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

Excavation and other ground disturbance activities and additional vehicle and equipment trips have the potential to generate groundborne noise from the proposed project. These activities would be performed during daylight hours (7:00 a.m.–9:00 p.m.) and would be limited in duration and are not likely to be perceptible from surrounding areas. Operation of the proposed project is not likely to produce long-term groundborne noise or vibration. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be *less than significant*.

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

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

### Conclusion

The project is located in a rural area and the nearest sensitive receptor is at least 1,600 feet away from proposed project activities. Temporary and long-term increase in noise is not anticipated to adversely affect surrounding areas. Therefore, impacts are less than significant, and no mitigation is required.

### Mitigation

None necessary.

## XIV. POPULATION AND HOUSING

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

### Setting

The County's current Housing Element (2020-2028) is intended to facilitate the provision of needed housing in the context of the General Plan Land Use Element and related ordinance. It is also intended to meet the requirements of State law. It contains a number of relevant goals, objectives, policies, and implementation

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programs to ensure the County meets its goals of meeting the housing needs while remaining consistent with State law.

Section 22.12.080 of the County LUO contains policies and procedures related to inclusionary housing that is a requirement as part of development projects. New single-family dwellings over 2,200 square feet in size, residential subdivisions, commercial/industrial uses with a cumulative floor area of 5,000 square feet or more, mixed-use development, and subdivision of land are subject to these requirements. Projects subject to the inclusionary housing provisions are required to make 8% of the project's base density affordable. This 8% inclusionary housing mix is broken down by 2% increments between Workforce, Moderate income, Low income, and Very Low-income households. The ordinance gives applicants a variety of options for meeting this requirement, including on-site or off-site construction of affordable housing. Applicants may also opt to pay an in-lieu fee per the Affordable Housing Fund, Title 29 of the County Code. As noted in Section 22.12.080.G.2, the County provides for a reduction in required inclusionary housing by 25% for those units constructed on-site.

Requirements for inclusionary housing for residential dwelling units are based upon the base density of a project. Base density is the maximum number of residential units that may be allowed, not including any density bonuses. Commercial and industrial development of 5,000 square feet or more of floor area for commercial or industrial use also requires the payment of a housing impact fee or construction of inclusionary housing units.

### Discussion

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

The project parcel is located within the Rural Lands land use designation and according to the County's Coastal Zone Framework for Planning – Land Use Element (LUE), the land use designation allows for low density development of rural residential units (County of San Luis Obispo 2018). The project proposes to develop up to two residential units and a guesthouse over two phases of construction. Phase 1 includes development of a barn structure and associated residence as well as utility and driveway infrastructure. Phase 2 includes the future development of two residential units, a lower residence and an upper residence, and the conversion of the barn residence to a guesthouse. Although the project is proposing to develop new homes and associated infrastructure, development would be limited to the three proposed residential units and would not result in a substantial number of new residential units or expanded infrastructure that could directly or indirectly result in substantial population growth within the immediate or surrounding area. Based on the limited nature of residential development within a rural area, the project is not anticipated to result in population growth beyond what is planned in the County's General Plan and Coastal Zone Framework for Planning. Therefore, impacts would be *less than significant*.

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

The project parcel is currently vacant with remnants of an old farmhouse. The project does not propose to remove or demolish any existing residential uses and would not need to rebuild replacement housing elsewhere. Since the project would not displace people, *no impacts* would occur.



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### Conclusion

The project is limited to the development of two residential units and a guesthouse on a vacant parcel and would not require the removal or replacement of existing housing. The project would not result in unplanned population growth or require the development of replacement housing; therefore, impacts to population and housing would be less than significant and no mitigation measures are necessary.

### Mitigation

None necessary.

## XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<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 to San Luis Obispo County are provided by CAL FIRE under contract to provide full-service fire protection. CAL FIRE is responsible for the administration of the fire stations that serve the unincorporated areas of the County not within fire protection or other special districts and provides equipment and training for volunteer stations throughout the county. The nearest CAL FIRE station is CAL FIRE Pismo Beach Fire Department Station #63, located approximately 4 miles southeast of the project site. The nearest fire station is the San Luis Obispo County Fire Avila Valley Station 62 located approximately 1.5 miles north of the project site. Emergency response time for the project is approximately 5 minutes (County of San Luis Obispo 2016).

## Initial Study – Environmental Checklist

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The County of San Luis Obispo Sheriff's Patrol Division is responsible for the first line law enforcement in the unincorporated areas of San Luis Obispo County. Deputies respond to calls for service, conduct proactive law enforcement activities, and perform initial investigations of crime. Patrol personnel are deployed from three stations throughout the county: the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest sheriff's station is the South Station in Oceano, located approximately 10 miles south.

San Luis Obispo County has a total of 10 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the San Luis Coastal Unified School District (SLCUSD) and the nearest elementary school is Shell Beach Elementary School located approximately 4.5 miles southeast of the project site.

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

A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (County) and schools (California Government Code Section 65995 et seq.). These fees are assessed annually by the County based on the type of proposed development and proportional impact and are collected at the time of building permit issuance. Public Facility Fees are used as needed to finance the construction of and/or improvements to public facilities required to serve new development, including fire protection, law enforcement, schools, parks, and roads.

### Discussion

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

#### *Fire protection?*

The proposed site is located in a very high fire hazard area. The project would be required to comply with all fire safety rules and regulations including the California Fire Code, CAL FIRE recommendations, and Public Resources Code (PRC) prior to issuance of building permits. The project would need to comply with the CBC by adding fire safety design features such as fire-resistant walls and ceilings, fire alarms and sprinklers, etc. The proposed development of up to two residential units and a guesthouse is not expected to increase demand on fire protection services or require new services or facilities. The project would be served by San Luis Obispo County Station 62 and CAL FIRE Station #63, located approximately 1.5 miles north and 4 miles southeast respectively. In addition, the project would be subject to public facility fees to offset the project's contribution to demand for fire protection services. Therefore, impacts would be *less than significant*.

#### *Police protection?*

Implementation of the proposed project would result in up to three new residential units. The project would not result in a substantial increase in population or visitors to the area that would increase the demand on police protection services. Additionally, the project would not result in the need for new

## Initial Study – Environmental Checklist

or altered police protection services or facilities. The project would be served by the County Sheriff's Office - South Station in Oceano, located approximately 10 miles south. Additionally, the project would be subject to public facility fees to offset the project's contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant*.

### *Schools?*

Implementation of the proposed project would result in up to three new residential units that are not expected to substantially increase the number of school-aged children in the area that could increase demand on the SLCUSD. Additionally, the project would not induce a substantial increase in population growth and would not result in the need for additional school services or facilities to serve new student populations. Additionally, the project would be subject to public facility fees to offset the project's impact on schools; therefore, potential impacts would be *less than significant*.

### *Parks?*

The project site is located adjacent to the Ontario Ridge (Avila Ridge) Trailhead to the east and trail to the south; however, implementation of the project would not interfere with public use of the trail. The project would result in up to three new residential units and would not induce a substantial increase in population growth or visitors to the area. Implementation of the project would not result in the need for additional parks or recreational services or facilities to serve new populations. Additionally, the project would be subject to public facility fees to offset the project's impact on public recreational facilities; therefore, potential impacts would be *less than significant*.

### *Other public facilities?*

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

### *Conclusion*

The project is not anticipated to permanently increase population in the area that would require new or expanded public services. The project would be subject to public facility fees to offset the project's demand on public facilities. Therefore, impacts would be less than significant, and no mitigation is required.

### *Mitigation*

None necessary.

## XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting

The County Parks and Recreation Element establishes goals, policies, and implementation measures for management, renovation, and expansion of existing, and development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. 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. Recreational designated land uses are located to the north and south of the project area. The project site is located on a north-facing slope, which extends south toward the Ontario Ridge (Avila Ridge) Trail, which overlooks the Pacific Ocean. The trail extends through the wooded shrubs of Avila Valley and outlook areas of the Pacific Ocean. The Avila Ridge Trailhead is located adjacent to the northeastern portion of the parcel.

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

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

The California Coastal Trail (CCT) is used for recreation and alternative transportation along California's diverse coastline. The trail is being developed to create a continuous interconnected public trail system spanning over 1,200 miles from Oregon to Mexico. The CCT takes a variety of forms designed to fit the surrounding environment, level of use, and available land rights. The trail is designed to accommodate hiking, biking, and equestrian use. Roughly 60 percent of the CCT is complete, and the Coastal Conservancy has the task of completing the CCT (State Coastal Conservancy [SCC] 2021). Avila Beach is located in an area that needs substantial improvements and also supports existing improvements to the CCT.

## Initial Study – Environmental Checklist

### 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 project proposes to develop an agricultural barn with residence / future guesthouse conversion and two future residential units (upper residence and lower residence) within a rural area located approximately 1.5 miles from the community of Avila Beach. Once all phases of project development are complete, the project would result in two residential units and a guest house. The project does not propose a substantial number of new residential units, new businesses, or other land uses that could significantly increase population within the area. Construction and other project workers are expected to be sourced locally and would not result in a temporary increase in population that may increase use of recreational facilities in the area. Implementation of the project is not expected to result in substantial population growth within the immediate or surrounding area; therefore, implementation of the project would not increase use of existing recreational facilities that could result in physical deterioration of the facility. Based on the limited potential for population growth due to implementation of the proposed project, impacts to existing recreational facilities would be *less than significant*.

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

The project does not propose the construction of new recreational facilities or the expansion of existing recreational facilities; therefore, there *no impact* would occur.

### Conclusion

The project would not result in permanent population increase that would require new or expanded recreational facilities. Further, developer impact fees would be required to offset the project's demands on public recreational facilities. Therefore, impacts would be less than significant, and no mitigation is required.

### Mitigation

None necessary.

## XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 of San Luis Obispo Land Use and Circulation Element* (LUCE) establishes goals, objectives, and policies to be implemented throughout the County CZLUO area.

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 within the county using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. Caltrans maintains annual traffic data on state highways and interchanges within the county. The project is accessed by California SR 1 in the northern portion of San Luis Obispo County.

In 2013 SB 743 was signed with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted the State CEQA Guidelines Update package. This package included the guidelines section implementing SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis effective July 1, 2020.

The San Luis Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program, preparation of a Regional Transportation Plan (RTP), programming of state funds for transportation projects, and the administration and allocation of transportation development act funds required by state statutes. As the Metropolitan Planning Organization (MPO), SLOCOG is also responsible for all transportation planning and programming activities required under federal law. This includes development of long-range transportation plans and funding program, and the section and approval of transportation projects using federal funds.

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

## Initial Study – Environmental Checklist

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

The County LUCE establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. The project site is located off of Avila Beach Drive and is approximately 0.5 mile west of the US 101. The nearest transit stop is located 0.2 mile north near the Avila Hot Springs.

### Discussion

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

The project proposes the development of an agricultural barn with residence / future guesthouse conversion, and two single-family dwellings located in a rural area along Avila Beach Drive, approximately 1.5 miles away from the community of Avila Beach. Avila Beach Drive is a County-maintained arterial roadway within the Avila Valley Road Fee Area. Due to the project location in a rural area, mixed-use planning is not applicable. However, the project would not result in a substantial number of vehicle trips due to the nature of proposed development and the project would be required to pay Road Improvement Fees for the Avila Valley Road Improvement Fee Area for maintenance of the roadways. There is a transit stop located approximately 0.2 mile north of the project area that is within walking distance of new residential units. In addition, Avila Beach Drive is identified as a future Class II Bike Lane in the 2016 County Bikeways Plan. Due to the nature of the proposed project, implementation of the project would not result in a high volume of vehicle trips and would not be required to incorporate road widening for the bike lane as part of the project. Based on the limited vehicle trips generated by the project and payment of Road Improvement Fees, the project would be consistent with applicable circulation plans; therefore, impacts would be *less than significant*.

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

As described above, the project includes the development of an agricultural barn with residence / future guesthouse conversion and two future residential units located in a rural area along Avila Beach Drive, approximately 1.5 miles away from the community of Avila Beach. In 2021, the County released draft guidelines for evaluating transportation impacts using VMT consistent with recently mandated changes to the California Environmental Quality Act (CEQA). The guidelines describe screening criteria for projects presumed to have a less than significant impact. Small projects consistent with the General Plan and generating fewer than 110 daily trips are presumed to have a less than significant impact. Based on the trip generate rate for single family residences from the Institute of Transportation Engineers Trip Generation Manual 10<sup>th</sup> Edition, the project would generate approximately 28.32 average daily trips. Therefore, the project would generate fewer than 110 daily trips and impacts would be *less than significant*.

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

The project proposes a new driveway to the upper residence that would not exceed an 18 percent gradient. The driveway would be constructed according to applicable engineering practices and standards in order to avoid potential hazards due to design. The Department of Public Works reviewed the project and did not identify any geometric design issues with the project access. In addition, the existing Avila Beach Drive access to the site would be reconstructed in accordance with the County's 2014 Public Improvement Standards (B-1; A-5a). Therefore, the project does not propose geometric design features that would result in an increase of hazards and impacts would be *less than significant*.

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

The project site is currently accessed off of Avila Beach Drive and has an approximate 5-minute emergency response time. Any potential road closures or encroachment into the public right-of-way would be required to create and implement a traffic control plan in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD) in order to maintain adequate ingress and egress through Avila Beach Drive and allow for adequate emergency access to the site. Operation of the project would support adequate emergency access features. Based on required compliance with existing regulations and project design features, impacts would be *less than significant*.

### Conclusion

The project would not generate a substantial number of new trips per day and does not propose design features that would increase hazards or impede or restrict emergency access to the site. Therefore, impacts would be less than significant, and no mitigation is required.

### Mitigation

None necessary.

## XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				

## Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
  - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

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

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### Discussion

- (a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
  - (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
  - (a-ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

The project proposes 1.61 acres of site disturbance including 9,200 cy of cut and fill activity. According to the Phase I Archaeological Survey conducted by Padre Associates, Inc. for the project, the project site is located in close proximity to previously identified cultural resource sites (Padre 2020b). Due to the project location within an Archaeologically Sensitive Area, the project would be required to comply with CZULO 23.05.140 (Archaeological Resources Discovery), which requires work be stopped, the County be notified, and the discovery evaluated by an archaeologist. Additionally, the project would be required to comply with Public Health and Safety Code 7050.5 in the event unknown human remains are uncovered during proposed project activities.

The county initiated tribal consultation pursuant to AB 52. The County did not receive any requests for consultation from the tribes and did not receive any information regarding a significant tribal resource that would be impacted by this project.

Compliance with existing codes and regulations would reduce project impacts on tribal cultural resources to *less than significant*.

### Conclusion

In the unlikely event cultural resources are uncovered during project activities, California Health and Safety Code Section 7050.5 and CZLUO 23.05.140 (Archaeological Resources) identify the proper protocol to follow in the unlikely event that human remains are uncovered during project activities.

### Mitigation

None necessary.



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### XIX. UTILITIES AND SERVICE SYSTEMS

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

#### Setting

Per the County's Stormwater Program, the County Department of Public Works is responsible for ensuring that new construction implements best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must also enroll for coverage under the State Water Resources Control Board's Construction General Permit. The project site is located within the MS4-Avila Beach Stormwater Coverage Area.

Unincorporated areas in the county rely on onsite wells and individual wastewater systems. Regulatory standards and design criteria for onsite wastewater treatment systems are provided by the California Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy). The project would connect to an existing well located onsite.

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PG&E is the primary electricity provider and is fully compliant with state regulations and acquires 29% of its electricity from renewable resources, 27% from hydroelectric power, and an additional 44% from nuclear resources (PG&E 2019).

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the city of San Luis Obispo; Chicago Grade Landfill, located near the community of Templeton; and Paso Robles Landfill, located east of the city of Paso Robles. The project would be served by South County Sanitary Services and Cold Canyon Landfill.

### Discussion

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

There is an existing sewer line, water line, and storm drain currently located on the neighboring parcel to east. The project proposes to connect to existing utility infrastructure, which would require the implementation of new connections and expanded infrastructure including a proposed force water main, water line, and sewer line. Expanded utility infrastructure would require earthwork in order to install and connect proposed infrastructure to existing infrastructure onsite.

The project proposes to construct two 5,000-gallon water tanks onsite near the proposed future upper residence. Installation of the water tank would occur on moderate slopes and has the potential to result in increased erosion and siltation during construction and installation.

The project proposes the implementation of a new septic leach field in the northwestern portion of the property along Avila Beach Drive. Based on the Percolation Testing Report, the soils at this location are capable of supporting the proposed leach field (GeoSolutions 2019b).

Construction and installation of expanded utility infrastructure, two new 5,000-gallon water tanks, and a new septic leach field would require implementation of Mitigation Measures AES-1 through AES-4, AQ-1, BIO-1 through BIO-9, and GEO-1 through GEO-3 to avoid impacts to environmental resources onsite. Therefore, with implementation of the identified mitigation measures, impacts would be *less than significant with mitigation*.

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

The project is not located in an identified groundwater basin. A Well Test Report was prepared for the adjacent project that shares the well with this project. The Well Test Report (Farm Supply Company 2017) demonstrated the well maintained a rate of 200 gallons per minute over the course of the four-hour pump test, which is more than the required 5 gallons per minute per single-family dwelling that is required by Title 19 – Building and Construction Ordinance. Based on the results of the Well Test Report, there is adequate water to serve the project's water demands. Due to the low water demands of the project, the project would not result in a significant change in the quantity or movement of available groundwater in the area. Therefore, impacts would be *less than significant*.

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

The project does not propose to utilize a community wastewater treatment provider. The project proposes to utilize an onsite septic leach field and existing and expanded sewer lines onsite. Based

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on the Percolation Testing Report, the soils at this location are capable of supporting the proposed leach field (GeoSolutions 2019b). Further, the project would not require a waste discharge permit because the project is not expected to generate more than 2,500 gallons of wastewater per day. Therefore, the project would not exceed capacity of a community wastewater treatment provider because the project would utilize an onsite wastewater treatment system that is capable of supporting the proposed project; therefore, *no impact* would occur.

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

Based on the California Department of Resources Recycling and Recovery (CalRecycle; CalRecycle 2019), the project would result in the additional generation of approximately 36.69 pounds of solid waste per day (Table 6).

**Table 5. Estimated Project Solid Waste Generation**

Use	Generation Rate	Project	Pounds Solid Waste Per Day
Residential	12.23 lbs./household/day	3 units	36.69
<b>Total</b>			<b>36.69</b>

The project would result in two residential units and a guesthouse. Table 6 represents the amount of solid waste that would be generated by implementation of the proposed project. The project would be serviced by Cold Canyon Landfill, which has a total capacity of 23,900,000 cy and an estimated closure date of 2040 (CalRecycle 2015). Therefore, Cold Canyon Landfill has adequate capacity to serve the marginal increase in solid waste per day and impacts would be *less than significant*.

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

The project would conservatively result in approximately 36.69 pounds of solid waste per day, which is not considered substantial increase in waste generation during project construction or operation (CalRecycle 2019). Construction waste disposal would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, potential impacts would be *less than significant*.

### Conclusion

The project would not result in significant increased demands on water, wastewater, or stormwater infrastructure and facilities. The project would install a new cistern and upgraded wastewater treatment system that would require implementation of Mitigation Measures AES-1 through AES-4, AQ-1, BIO-1 through BIO-9, and GEO-1 through GEO-3 to reduce potential environmental impacts. Therefore, with the implementation of the identified mitigation measures, impacts would be less than significant.

### Mitigation

Implement Mitigation Measures AES-1 through AES-4, AQ-1, BIO-1 through BIO-9, GEO-1 through GEO-3.

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### XX. WILDFIRE

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

#### Setting

In central California, the fire season usually extends from roughly May through October, however, recent events may indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) 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." In San Luis Obispo County, most of the area that has been designated as a "Very High Fire Hazard Severity Zone" is located in the Santa Lucia Mountains, which extends from Monterey County to the north, to Santa Barbara County to the south. The Moderate Hazard designation does not mean the area cannot experience a damaging fire, rather that the probability is reduced, generally because the number of days a year that the area has "fire weather" is less. According to the CAL FIRE FHSZ Viewer, the project is located in a very high fire hazard zone (CAL FIRE 2021).

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

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

Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread (Barros et al. 2013). Topography of the project site ranges from nearly level to steep, wooded slopes that extend south toward Avila Ridge Trail. The average slope of the area is approximately 40 percent.

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

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

### Discussion

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

Applicable Emergency Response Plans and Emergency Evacuation Plans include the County's General Plan Safety Element, the County's EOP, and Coastal Zone Framework for Planning. The plans provide guidance and set standards related to emergency access throughout the county and the coastal zone. The proposed project would be located on an existing parcel that is accessed by a private driveway from Avila Beach Drive. Implementation of the project would not alter or prohibit access to the local circulation system and estimated emergency response time is approximately 5 minutes (County of San Luis Obispo 2016). The proposed project would be able to accommodate emergency vehicles and would not conflict with any emergency response plans or emergency evacuation plans. Further, implementation of the proposed project would not result in a significant temporary or permanent road closure that may be inconsistent with previously adopted emergency response plans or emergency evacuation plans. Any potential traffic controls would be required to comply with the California Manual on Uniform Traffic Control Devices (CA-MUTCD). Therefore, potential impacts would be *less than significant*.



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

Proposed structures at the project site would be located on relatively flat to moderately sloping land and the area has an average wind speed of 8–10 mph (Weather Spark 2021). The project site is located on a north-facing slope approximately 0.54 mile north of the Pacific Ocean coastline in a very high fire hazard severity zone. The average emergency response time to the site is approximately 5 minutes and the project site contains adequate emergency access. Further, all components of the project site would be compliant with California Fire Code, PRC, and other CBC regulations. Additionally, the project would be required implement the following CAL FIRE requirements in order to protect people and structures from increased wildfire risk. The requirements include defensible space within 10-feet of roads and within 100-feet of all structures, fire sprinklers, fire hydrants, at least 10,000 gallons of stored water, and appropriate fire access and roads. Although the project site is located within a very high fire hazard severity zone, based on compliance with existing regulations and implementation of CAL FIRE recommendations, impacts would *be less than significant*.

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

The project proposes the implementation and expansion of utility infrastructure including an asphalt driveway, not to exceed an 18 percent gradient, a septic leach field, sewer lines, water lines, water mains, and electric lines. Project construction does not require utility breaks, such as a break in water supply, that could exacerbate fire risk at the project site. Additionally, proposed infrastructure would be built according to applicable standards and regulations; therefore, impacts would *be less than significant*.

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

The project is located in an area with a very high fire hazard area and in an area with low landslide risk (CAL FIRE 2021; Geo Solutions 2019a). The project is not expected to increase landslide due to project construction or operational activities. Landslide risk would be reduced through compliance with applicable 2019 CBC and engineering standards (refer to section VII, Geology and Soils) during project development. In addition, the project site would be compliant with California Fire Code, PRC, CBC regulations, and CAL FIRE recommendations. Compliance with applicable standards would reduce the risk of fire and post-fire hazards; therefore, impacts would be *less than significant*.

### Conclusion

The project site is located in very high fire hazard severity zone. However, the project would be compliant with applicable building regulations and CAL FIRE recommendations; therefore, impacts would be less than significant, and no mitigation is necessary.

### Mitigation

None necessary.

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### XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion

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

As discussed in each resource section above, upon implementation of identified mitigation measures, the proposed project would not result in significant impacts to biological or cultural resources and would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, impacts would be *less than significant with mitigation incorporated*.

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

### *Aesthetics*

The discussion of cumulative impacts in Section I, Aesthetics, relates to the potential for the project to contribute to an aggregate change in visual quality from the surrounding public viewing areas, taking into consideration existing as well as proposed development.

As described in the resource section, the proposed project would be predominately blocked from public views due to intervening topography and natural vegetation. An exception to this is the barn structure located along Avila Beach Drive. A portion of the barn structure would be visible to the public. The project would implement landscape screening to block the lower portion of the barn; however, the upper portion would be visible. New development would be consistent with design guidelines in the County's CZLUO; therefore, the project would not result in aesthetically nonconforming structures along Avila Beach Drive. Additionally, due to the rural land uses within the area, the level of any and all future development would be low-density and would be required to maintain the rural and open space character of the area. Therefore, the contribution of the subject project to potential impacts to air quality are considered less than cumulatively considerable.

### *Agricultural Resources*

The analysis conducted in Section II, Agriculture and Forestry Resources, determines that the project does not have the potential to convert agricultural land to non-agricultural use. Additionally, implementation of the project would not convert forest land to non-forest use. Therefore, impacts would be less than cumulatively considerable.

### *Air Quality*

The analysis provided in Section III, Air Quality, concludes that the project's potential construction-related and operational emissions will fall below SLOAPCD thresholds of significance for both project-related and cumulative impacts, except for ROG+NO<sub>x</sub> and DPM, which can be less than significant with implementation of AQ-1. Therefore, when considered with the potential impacts of other reasonably foreseeable projects in the unincorporated county, the contribution of the subject project to potential impacts to air quality are considered less than cumulatively considerable.

### *Biological Resources*

The analysis provided in Section IV, Biological Resources, concludes that the project would have a less-than-significant impact with implementation of the identified mitigation measures for special-status wildlife species and their habitats, and avoidance and replacement of potentially impacted native trees. With implementation of Mitigation Measures BIO-1 through BIO-9, potential impacts to biological resources would be less than significant. All surrounding proposed development projects would undergo evaluation for potential to impact biological resources. Based on the mitigation measures identified to reduce potential project impacts and discretionary review of surrounding projects, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with biological resources would be less than cumulatively considerable.

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### *Cultural Resources*

The analysis provided in Section V, Cultural Resources, concludes that the project site is located within an Archaeologically Sensitive Area; however, in the unlikely event cultural resources are uncovered during project activities, California Health and Safety Code Section 7050.5 and CZLUO 23.05.140 (Archaeological Resources) identify the proper protocol to follow in the unlikely event that human remains are uncovered during project activities. All surrounding proposed development projects would undergo evaluation for potential to impact cultural resources. Based on the forgoing, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with cultural resources would be less than cumulatively considerable.

### *Energy Use*

The analysis provided in Section VI, Energy, concludes that the projects energy use would not result in unnecessary or wasteful energy use and would not conflict with applicable energy efficiency standards. Therefore, when considered with the potential impacts of other reasonably foreseeable projects in the unincorporated county, the contribution of the subject project to potential impacts to energy are considered less than cumulatively considerable.

### *Greenhouse Gas Emission.*

The analysis provided in Section VIII, Greenhouse Gas Emissions, concludes that the project's potential construction-related and operational emissions will fall below SLOAPCD thresholds of significance for both project-related and cumulative impacts. Therefore, when considered with the potential impacts of other reasonably foreseeable projects in the unincorporated county, the contribution of the subject project to potential impacts to GHG emissions are considered less than cumulatively considerable.

### *Hydrology/Water Demand*

As discussed in Section X, Hydrology and Water Quality, there is sufficient water supply in the existing well to support the project. Additionally, implementation of Mitigation Measure BIO-9 and compliance with existing regulations and/or required plans would adequately reduce potential impacts associated with hydrology and water quality to be less than significant. All surrounding proposed development projects would undergo evaluation for potential to impact hydrological resources. Based on the mitigation measures identified to reduce potential project impacts and discretionary review of surrounding projects, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with hydrology and water quality resources would be less than cumulatively considerable.

### *Noise*

As discussed in Section XIII, Noise, noise associated project construction and operation would not cause adverse effects on surrounding areas due to the rural nature a distance from surrounding sensitive receptors and no mitigation is necessary. Future projects with potential to generate noise above County standards or noise that would adversely affect surrounding sensitive receptors would be required to implement measures to reduce associated impacts. Therefore, when considered with the potential impacts of other reasonably foreseeable development projects in the unincorporated county, the contribution of the subject project to potential noise impacts is considered less than cumulatively considerable.

### *Population and Housing*

Based on the discussion in Section XIV, Population and Housing, the most recent projection of regional growth for San Luis Obispo County is the 2050 Regional Growth Forecast (RGF) for San Luis Obispo

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County prepared and adopted by SLOCOG in 2017. Using the Medium Scenario, the total county population, housing and employment for both incorporated and unincorporated areas is projected to increase at an average annual rate of 0.50% per year. Between 2015 and 2050, the County's population is projected to increase by 44,000, or about 1,260 residents per year. Within the unincorporated area, the population is expected to increase by about 19,500 residents, or about 557 per year. Employment is expected to increase by about 6,441, or about 184 per year.

The proposed project is not expected to induce substantial population growth. The project would be limited to two residential units and a guesthouse on a single parcel. Therefore, when considered with the potential impacts of other reasonably foreseeable projects in the unincorporated county, the contribution of the subject project to impacts related to housing and population is considered less than cumulatively considerable.

### *Public Services*

Based on the discussion in Section XV, Public Services, the project and surrounding reasonably foreseeable future development would be subject to adopted public facility (County) and school (California Government Code Section 65995 et seq.) fee programs to offset impacts to public services. Therefore, when considered with the potential impacts of other reasonably foreseeable development projects in the unincorporated county, the contribution of the subject project to potential public services impacts would be less than cumulatively considerable.

### *Recreation*

Based on the discussion in Section XVI, Recreation, the project would not substantially induce population growth that could result in the need for new or expanded recreational facilities or cause deterioration of existing ones. The project would be subject to adopted public facility fee programs to offset impacts on public recreational facilities. Therefore, when considered with the potential impacts of other reasonably foreseeable development projects in the unincorporated county, the contribution of the subject project to potential recreation impacts would be less than cumulatively considerable.

### *Transportation*

Based on the analysis in Section XVII, Transportation, the project is not expected to significantly increase peak hour trips to and from the project site. Based on the trip generate rate for single family residences from the Institute of Transportation Engineers Trip Generation Manual 10<sup>th</sup> Edition, the project would generate approximately 28.32 average daily trips. Therefore, the project would generate fewer than 110 daily trips. . Additionally, the project and any other reasonably foreseeable development projects in the area would be subject to Road Improvement fees. Therefore, when considered with the potential impacts of other reasonably foreseeable development projects in the unincorporated county, the contribution of the subject project to potential transportation impacts would be less than cumulatively considerable.

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

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section above. In addition, implementation of Mitigation Measures AES-1 through AES-4, AQ-1, BIO-1 through BIO-9, and GEO-1 through GEO-3 identified in the resource sections above would reduce potential adverse effects on human beings to less than significant; therefore, impacts would be *less than significant with mitigation*.



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### *Conclusion*

Potential impacts would be less than significant upon implementation of mitigation measures identified in the resource sections above.

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### Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Services	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	None
<input checked="" type="checkbox"/>	CA Department of Forestry (CAL FIRE)	In File**
<input checked="" type="checkbox"/>	CA Department of Transportation	In File**
<input type="checkbox"/>	Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Avila Valley Advisory Council</u>	In File**
<input checked="" type="checkbox"/>	Other _____	In File**

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

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

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

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

California Department of Conservation (DOC). 2015. Fault Activity Map of California. Available at: [Fault Activity Map of California](#). Accessed on April 19, 2021.

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California Department of Forestry and Fire Protection (CAL FIRE). 2007. Draft Fire Hazard Severity Zones in Local Responsibility Areas. Available at [http://frap.fire.ca.gov/webdata/maps/san\\_luis\\_obispo/fhszl06\\_1\\_map.40.pdf](http://frap.fire.ca.gov/webdata/maps/san_luis_obispo/fhszl06_1_map.40.pdf).

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California Department of Toxic Substances Control (DTSC). 2019. EnviroStor. Available at: <https://www.envirostor.dtsc.ca.gov/public/>. Accessed on April 19, 2021.

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

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County of San Luis Obispo. 1999. Safety Element. Available at: [Final Cover and Table of Contents \(ca.gov\)](#). December 14, 1999.

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\_\_\_\_\_. 2009b. Coastal Allowable Use Table and Definitions. Available at: [Coastal-Allowable-Land-Use-Categories.pdf](#).

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\_\_\_\_\_. 2016. Emergency Operation Plan. December 2016.

\_\_\_\_\_. 2018. Coastal Zone Framework for Planning. Available at: [GP: CZ FRAMEWK - MASTER \(ca.gov\)](#).

GeoSolutions, Inc. (GeoSolutions). 2019a. Soils Engineering Report and Engineering Geology Investigation Parcel 74 Avila Beach Drive APN: 076-231-074, Avila Beach Area San Luis Obispo County, California. December 26, 2019.

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Pacific Gas and Electric (PG&E). 2019. Delivering Low-Emission Energy. Available at: [https://www.pge.com/en\\_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page](https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page). Accessed on April 19, 2021.

Padre Associates, Inc. (Padre). 2020a. Avila Beach Drive Residential Development San Luis Obispo County, California. May 2020.

\_\_\_\_\_. 2020b. Phase I Archaeology Study Phased Development Proposal APN 076-231-074. January 2020.

San Luis Obispo Air Pollution Control District (APCD). 2012. CEQA Air Quality Handbook. Available at: [Microsoft Word - CEQA Handbook 2012 v1.doc \(storage.googleapis.com\)](#).

\_\_\_\_\_. 2021. SLOAPCD Naturally Occurring Asbestos (NOA) Map. Available at: [Naturally Occurring Asbestos | SLO County APCD \(slocleanair.org\)](#). Accessed on April 19, 2021.

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

State Coastal Conservancy (SCC). 2021. California Coastal Trail. Available at: [California Coastal Trail – California State Coastal Conservancy](#). Accessed on April 19, 2021.

State Water Resources Control Board (SWRCB). 2015. Geotracker. Available at: <http://geotracker.waterboards.ca.gov/>. Accessed on April 19, 2021.

U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS). 2017. Web Soil Survey. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed on April 19, 2021.

U.S. Geological Survey (USGS). 2019. Areas of Land Subsidence in California. Available at: [https://ca.water.usgs.gov/land\\_subsidence/california-subsidence-areas.html](https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html). Accessed on April 19, 2021.

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WeatherSpark. 2021. Average Weather in Avila Beach. Available at: [Average Weather in Avila Beach, California, United States, Year Round - Weather Spark](#). Accessed on April 19, 2021.