



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

PLN-2039
04/2019

Project Title & No.: Boulton Vesting Tentative Parcel Map SUB2017-00039/ ED17-272

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

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

DETERMINATION:

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.

Nicole Ellis

Prepared by (Print)
Steve McMasters, Principal
Environmental Specialist

Reviewed by (Print)

Signature

Signature

July 26, 2022

Date

July 26, 2022

Date

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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 County Planner's on-site inspection of the project site and surroundings on November 20, 2017 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 **Brad Boulton** for a Vesting Tentative Parcel Map (SUB2017-00039 / CO 17-0227) to subdivide an existing undeveloped 10.01-acre parcel into two approximately 5-acre parcels for the purpose of sale and/or development. Each resulting parcel will have a designated building envelope which could support a primary residence, accessory structures and supporting appurtenances. Both parcels will be served by an existing shared well. Improvements include the construction of a shared driveway and a 24-foot-wide access road serving a single building site on each parcel. The project will result in a total disturbance area of approximately three and one-half (<3.5) acres, including 4,500 cubic yards (cy) of cut and fill. The project includes requests for an adjustment to the County's Title 21 Real Property Division, design criteria, to allow for an exceedance of the maximum ratio of parcel depth to parcel width. The project site is located at 1688 Old Oak Park Road, approximately 1.5 miles north of the City of Arroyo Grande within the Residential Rural land use category. The site is in the San Luis Bay Inland Sub Area South of the South County Planning Area.

The project location is shown in Figures 1 and 2; an aerial view of the project vicinity is provided in Figure 3. Vehicular access to the site is provided by Old Oak Park Road, a two-lane collector serving rural residences north of the City of Arroyo Grande. Preliminary subdivision improvement plans (Figures 6 and 7) show a new shared driveway constructed on proposed parcel 1 and a 24-foot-wide all-weather access road (with 20 foot travel lane) extending eastward and upslope from Old Oak Park Road to a rectangular, 1.5 acre building envelope¹ located on each parcel. Following construction of required subdivision improvements, all new development (e.g., primary and accessory dwellings, accessory structures, septic leach field and expansion areas, water tank, and brush clearance) will be confined to each building envelope. Activities that may take place outside of building envelopes will include maintenance of the existing shared well and water line, and fuel management.

¹ For purposes of this MND, "building restriction area" and "building envelope" have the same meaning.

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The project description includes a Preliminary Wetland and Riparian Mitigation Plan (PWRMP) (Althouse and Meade, June, 2020) to provide mitigation for the loss of riparian and wetland resources associated with project construction. According to the PWRMP, about 0.23 acres of wetland habitat and about 0.20 acres of riparian habitat would be permanently impacted by the project. Permanent impacts are recommended to be mitigated by the enhancement and restoration of wetland habitat at a ratio of 3:1 and the enhancement of riparian resources at a ratio of 2:1. (Refer to Section IV. Biological Resources)

Baseline Conditions. The project site is vacant and consists of a single parcel of record of 10.1 acres that wraps around a 1.0 acre parcel located at 1680 Old Oak Park Road and contains a single family residence and accessory buildings. The project site is lot 5 of Tract 2163 which was approved in 1997 subject to certain conditions that apply to the subsequent development of each lot, including the project site. More specifically, to help protect visual and aesthetic resources, the applicant for the development of lot 5 is required to clearly delineate a building restriction area on the project plans consistent with an illustration included on an additional map sheet recorded with Tract 2163 (Figure 4). All new development within the building restriction area must incorporate the following features and limitations:

- A site screening plan for all new structures;
- Erosion control measures for disturbed areas,
- New development may not exceed 18 feet above the existing natural grade;
- The location and visual treatment of water tanks;
- Architectural elevations clearly illustrating exterior colors and materials that help to minimize building massing and complement the natural colors of the site;
- Specific provisions for the treatment of all cut and fill slopes visible from Old Oak Park Road and Ormonde Road;

These requirements and limitations will apply to parcels created by the subdivision of lot 5 (the project site).

Water is provided by an existing on-site well that will be shared by both parcels as well as the existing residence located on the adjacent parcel at 1680 Old Oak Park Road; there are two water tanks located in the center of the site. Other improvements include a fenced area with a propane tank that likely serves the residence at 1680 Old Oak Park. Topography of the site slopes moderately upward to the east from Old Oak Park Road to a relatively level area where the two residential building sites are proposed. Vegetation consists of native and non-native grasses as well as wetland and riparian vegetation associated with an unnamed ephemeral drainage on the east side of the project's Old Oak Park Road frontage. A small grove of eucalyptus trees has been established on the northerly portion of the site that extends onto the adjoining parcel to the north. Three small oak trees surround the existing propane tank. The project site contains no other significant physical features or improvements. Surrounding land uses include rural residences and ranches on parcels ranging in size from one to 12 acres. The project site has been used periodically for livestock grazing.

Adjustment. The County's Real Property Division Ordinance Section 21.03.010 limits the maximum ratio of lot depth to lot width for newly-created parcels to 3:1 (ie, the lot depth may be no more than three times the width). According to the application materials, both proposed parcels associated with this subdivision exceed the maximum allowable ratio. Accordingly, the project includes a request for an adjustment to the County Ordinance Design Criteria to allow for an exceedance of the maximum ratio of parcel depth to parcel width as allowed by Section 21.03.020. The applicant has submitted information in support of this adjustment.

ASSESSOR PARCEL NUMBER(S): 044-371-067

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Latitude: 35° 9' 34.56" N **Longitude:** 120° 36' 1.37" W **SUPERVISORIAL DISTRICT #** 3

B. Existing Setting

Plan Area: South County **Sub:** San Luis Bay Inland **Comm:** None
Land Use Category: Residential Rural
Combining Designation: None
Parcel Size: 10.01 acres
Topography: Primarily level to moderate with some steep sloping areas
Vegetation: Natural grasslands, a herbaceous wetland area along Old Oak Park Road, and woodlands (Eucalyptus and Willow)
Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

North:	Residential Rural; Residences	East:	Residential Rural; Residences
South:	Residential Rural; Residences	West:	Residential Rural; Residences & vacant parcel

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Figure 1: Project Location

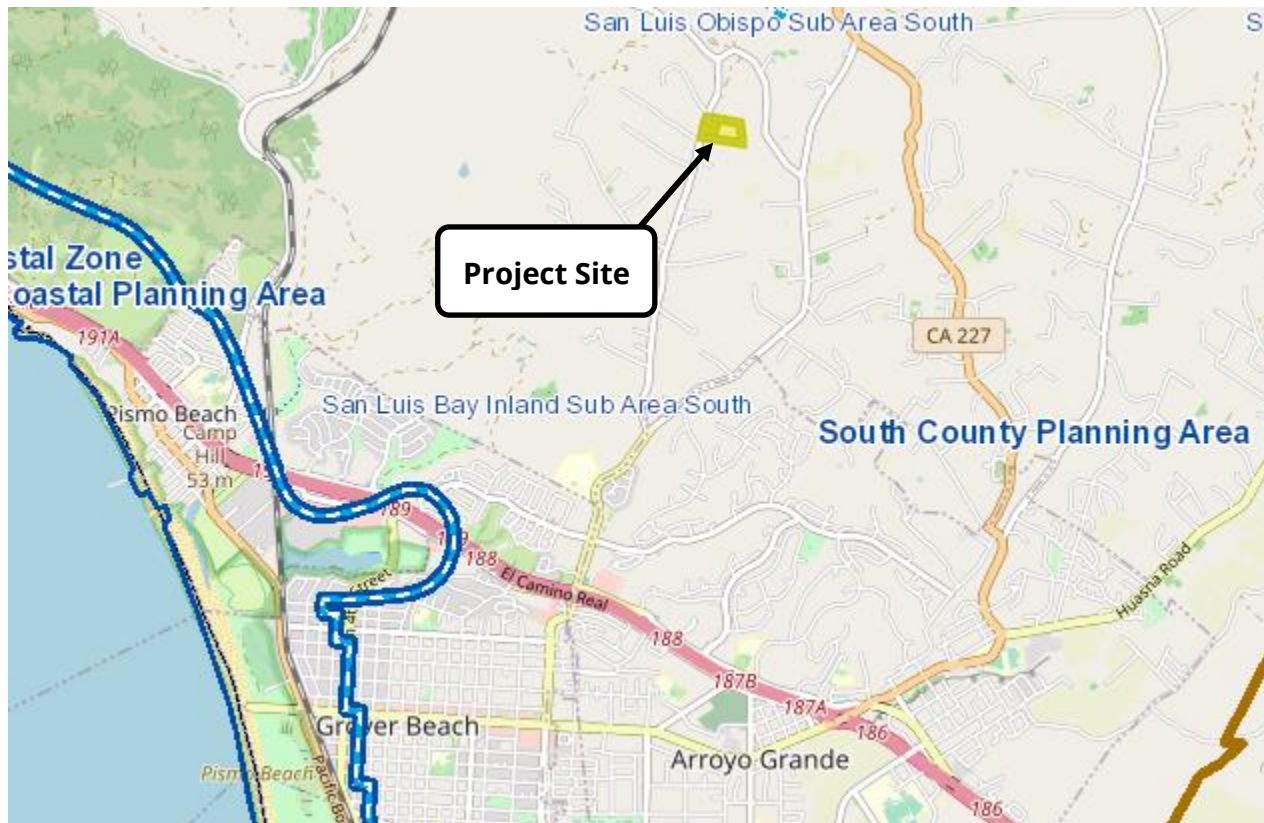
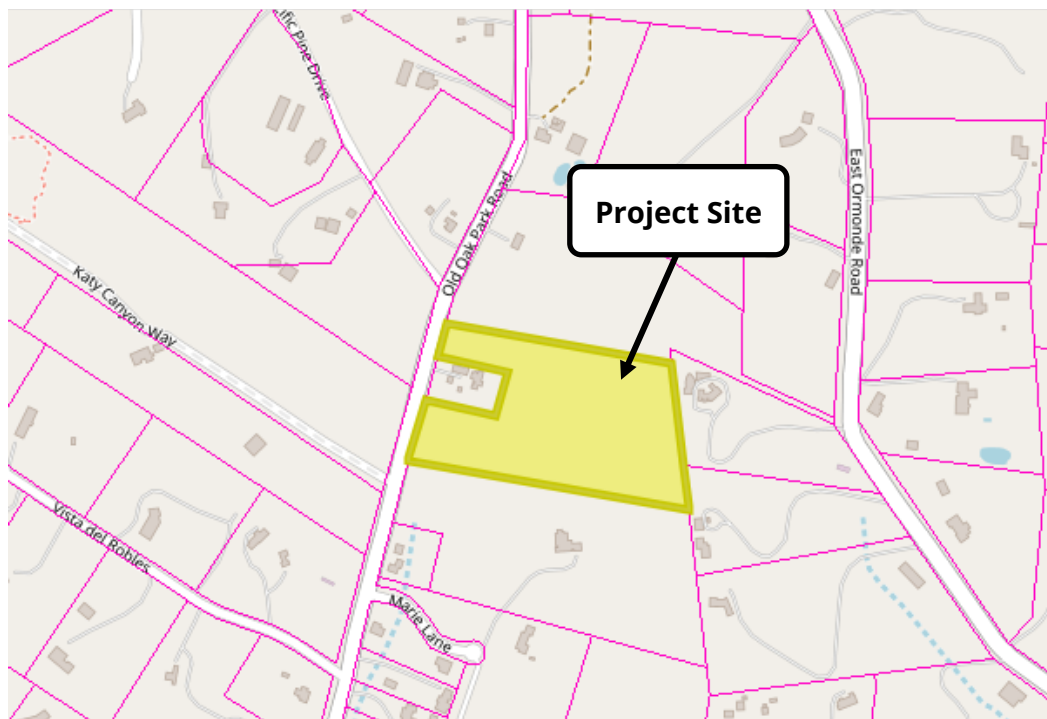


Figure 2: Project Vicinity



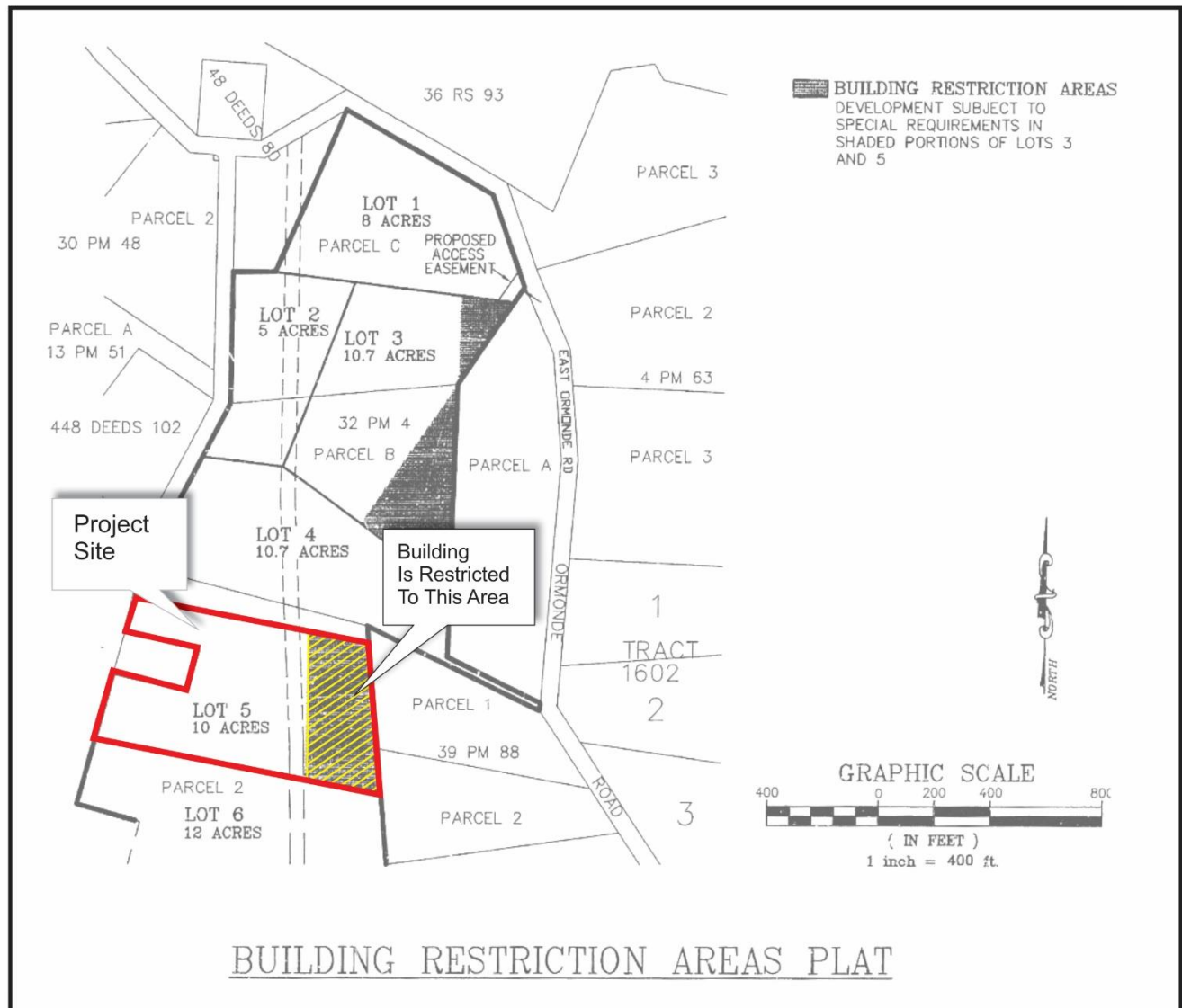
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Figure 3: Aerial View of the Project Site



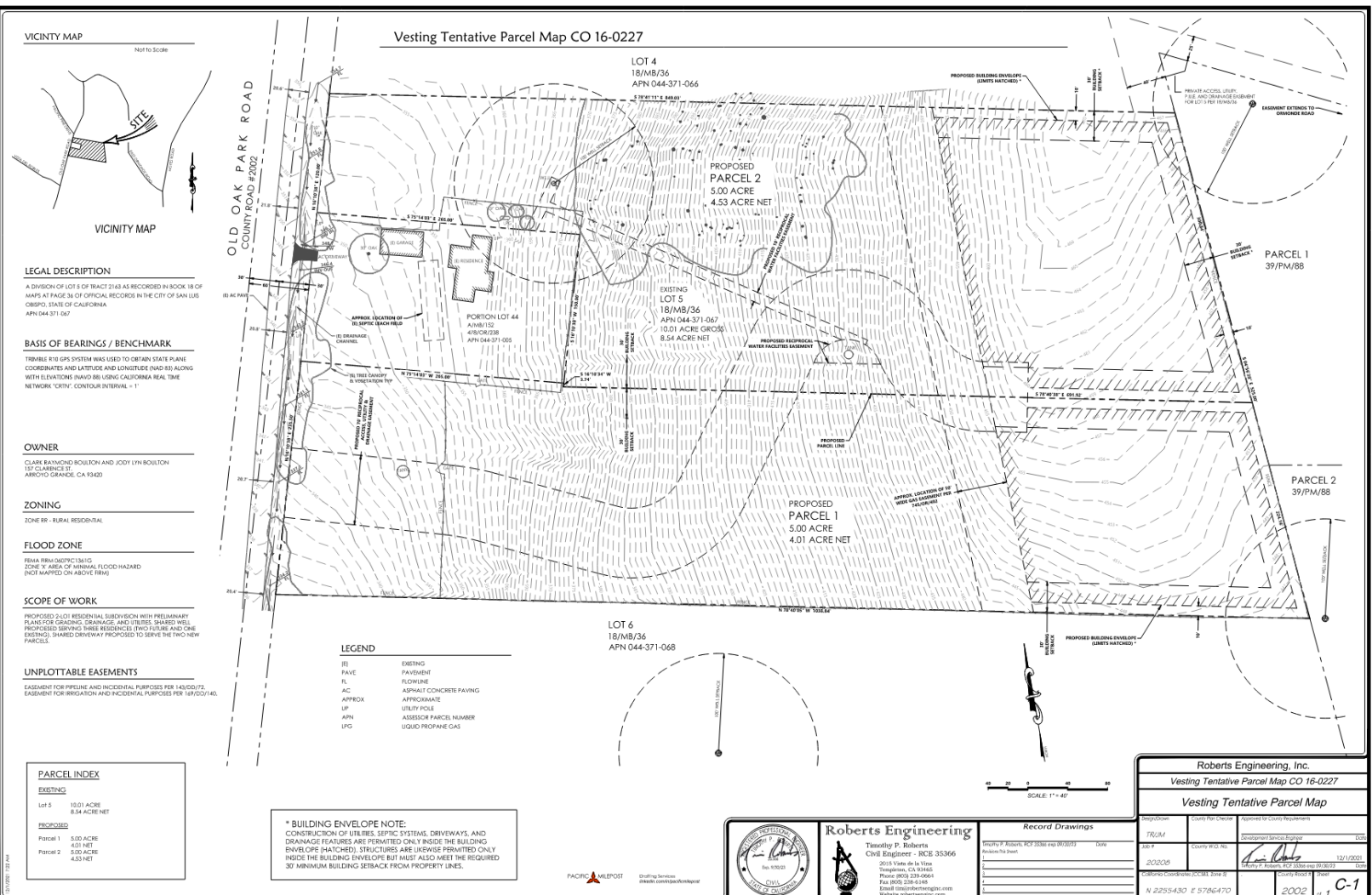
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Figure 4: Building Restriction Areas Plat (From Additional Map Sheet For Tract 2163)



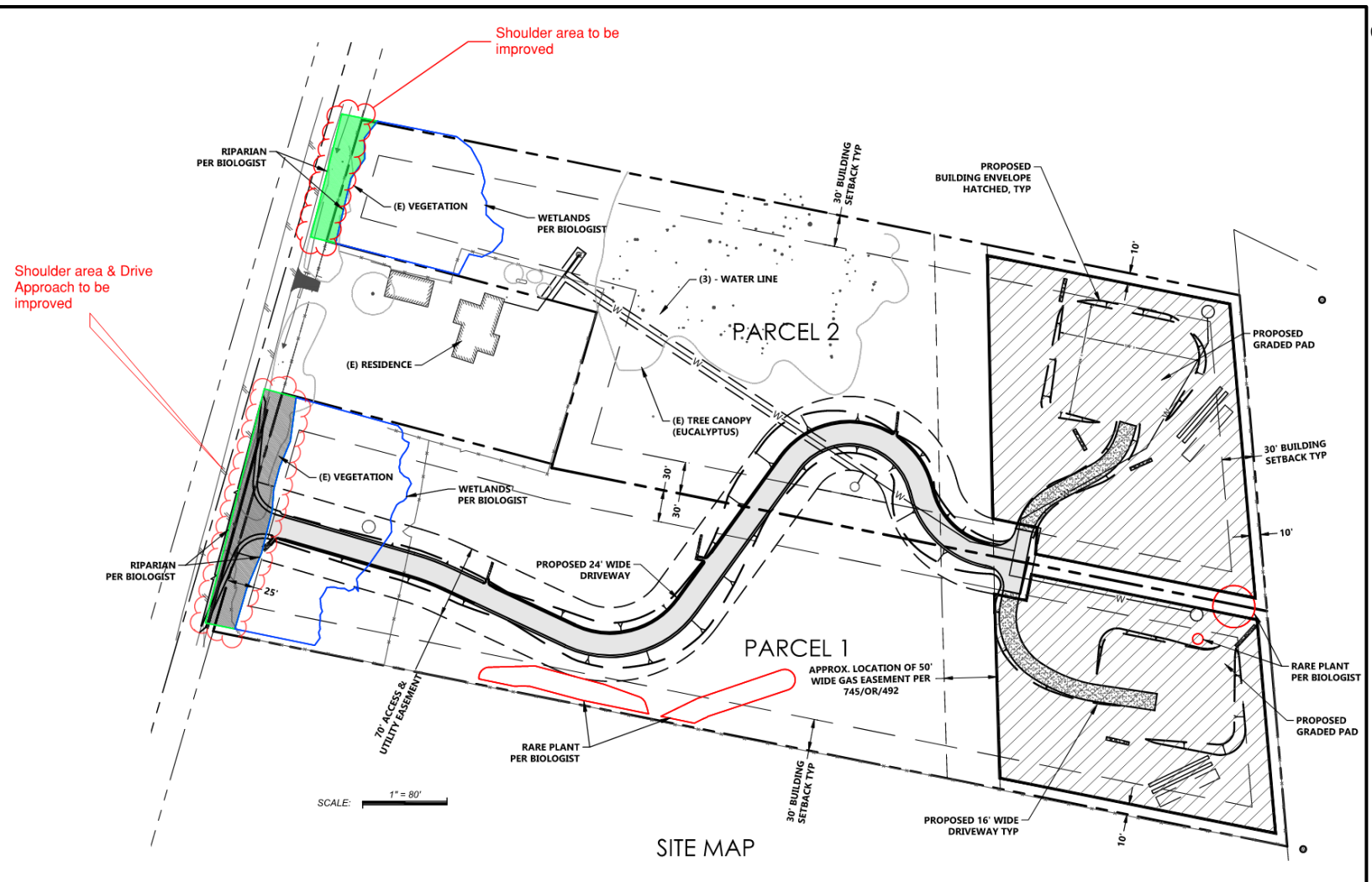
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Figure 5: Vesting Tentative Parcel Map



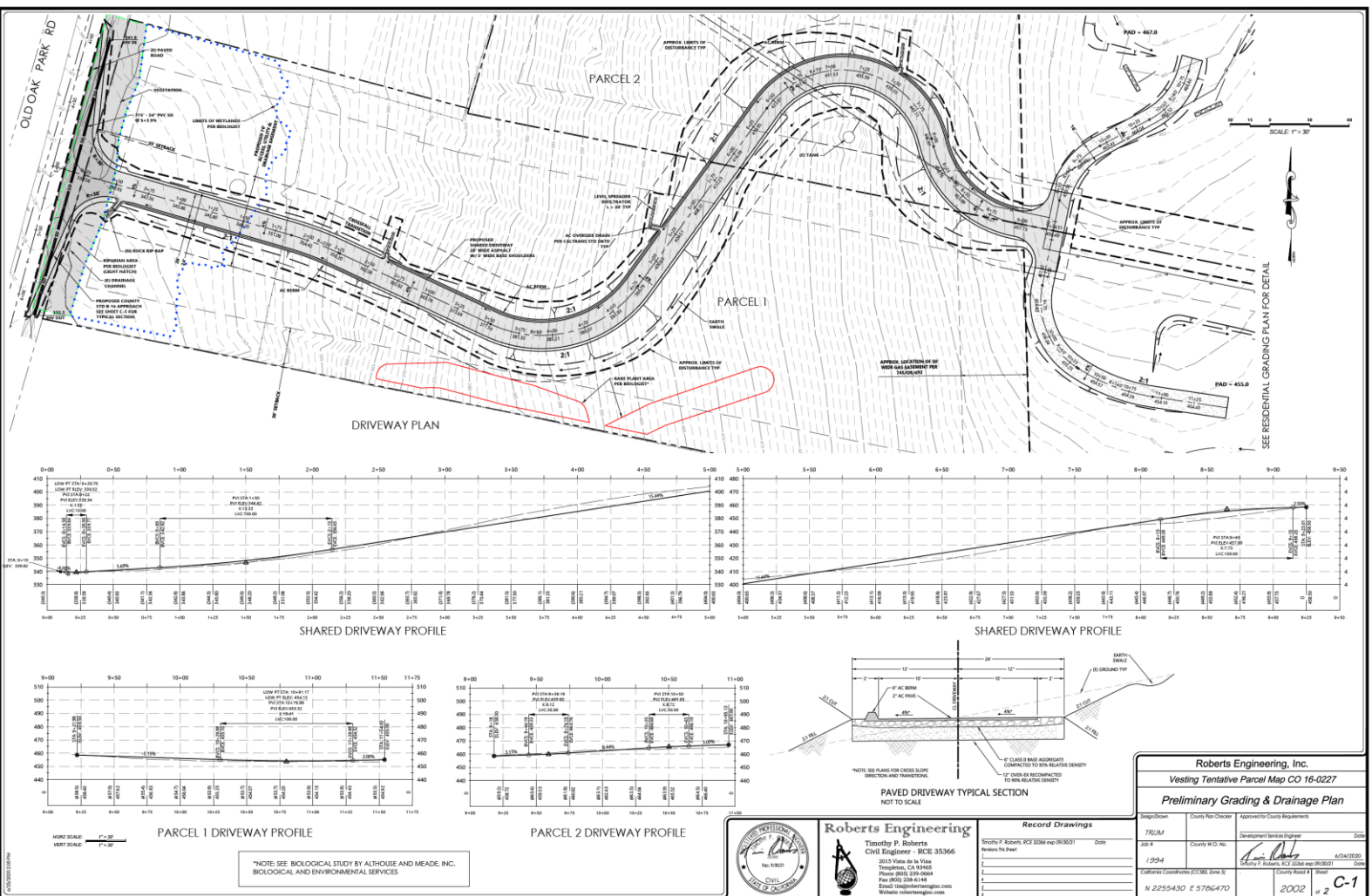
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Figure 6 – Overall Site Plan

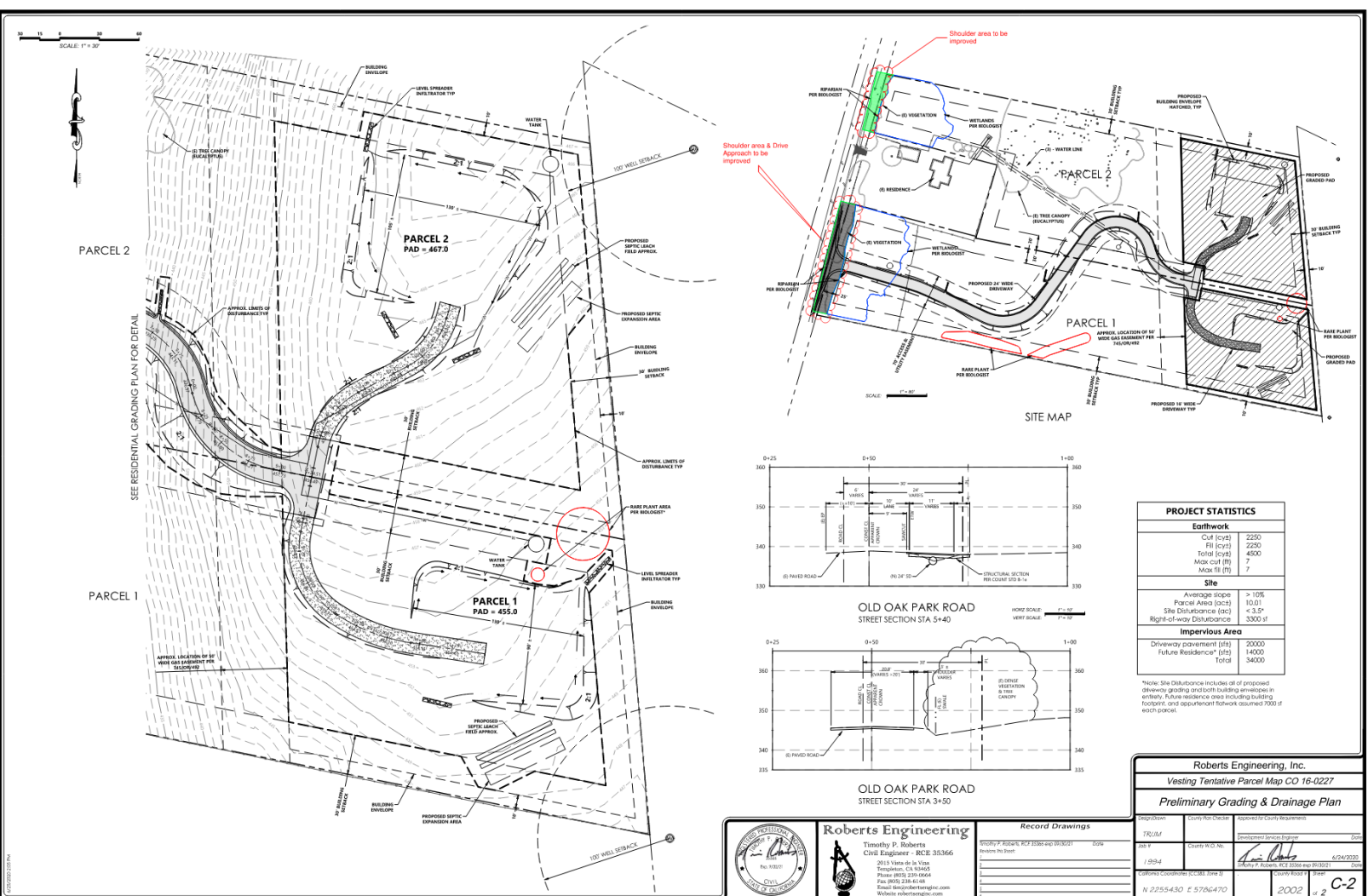


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Figure 7 - Preliminary Grading and Drainage Plans



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Figure 8 -- Site Photos



View from Old Oak Park Road looking southeast at subject property



View from Old Oak Park Road looking north east at subject property

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View from top (south portion) of subject property looking west toward Old Oak Park Road



View from top (east portion) of subject property looking south

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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.

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☒	☐	☐
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Setting

The project site consists of 10.1 acres located in a semi-rural area of the county north of the City of Arroyo Grande where the primary land use is large-lot residential and ranch development on parcels ranging in size from 1 acre to 12 acres. The project site takes access from Old Oak Park Road, a County-maintained rural collector that serves ranches and rural residences in the area. Traffic counts taken by the County on Old Oak Park Road in 2018 revealed 1,733 average daily trips (ADT) and 184 trips during the afternoon peak hour. Old Oak Park Road follows a fairly linear north/south corridor in the vicinity of the project site through rural residences with scattered oak trees and open pastures; the overall visual quality of the area is moderately high.

Topography of the project site slopes moderately upward to the east from Old Oak Park Road to a relatively level area where the two residential building sites are proposed. Existing vegetation includes native and non-native grasses as well as wetland and riparian vegetation associated with an unnamed ephemeral

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drainage on the east side of the project's Old Oak Park Road frontage. A small grove of eucalyptus trees has been established on the northerly portion of the site that extends onto the adjoining parcel to the north. The project site contains no other significant physical features or improvements. However, views of the project site from Old Oak Park Road are largely screened by the riparian and wetland vegetation associated with an ephemeral drainage along the project's entire Old Oak Park Road frontage (Figures 9, 10 and 11).

As discussed in the Baseline Conditions, the project site is subject to certain conditions to help protect visual and aesthetic resources. The applicant for development of lot 5 is required to clearly delineate a building restriction area on the project plans consistent with an illustration included on an additional map sheet recorded with Tract 2163 (Figure 4). All new development must be confined to the building restriction area and must incorporate the following features and limitations:

- A site screening plan for all new structures;
- Erosion control measures for disturbed areas,
- New development may not exceed 18 feet above the existing natural grade;
- The location and visual treatment of water tanks;
- Architectural elevations clearly illustrating exterior colors and materials that help to minimize building massing and complement the natural colors of the site.

These requirements and limitations will apply to the lots created through the subdivision of the project site and will be incorporated as an Additional Map Sheet recorded with the subdivision and implemented as mitigation measures at the time of development of each parcel with residences.

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

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

California's Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. There are several officially designated state scenic highways and several eligible state scenic highways within the county. State Route 1 is an Officially Designated State Scenic Highway and All-American Road from the City of San Luis Obispo to the northern San Luis Obispo County boundary. A portion of Nacimiento Lake Drive is an Officially Designated County Scenic Highway. Portions of Highway 101, Highway 46, Highway 41, Highway 166, and Highway 33 are also classified as Eligible State Scenic Highways – Not Officially Designated.

The County of San Luis Obispo Inland Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

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In addition to policies set forth in the LUO, the County Conservation and Open Space Element (COSE) provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. The COSE provides a number of goals and policies to protect the visual character and identify of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designation of scenic corridors along public roads and highways throughout the county, retaining existing access to scenic vista points, and setting the standard that new development in urban and village areas shall be consistent with the local character, identify, and sense of place. None of the roadways in the area are identified as a Suggested Scenic Corridor by Table VR-2 of the Conservation and Open Space Element.

Discussion

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

For the purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. If the project substantially degrades the scenic landscape as viewed from public roads, or in particular designated scenic routes, or from other public or recreation areas, this would be considered a potentially significant impact on the scenic vista.

While the project vicinity has a moderate to high scenic value and an appealing rural character, it is not considered a scenic vista as it does not offer expansive public views of a highly valued landscape and is not officially or unofficially designated as a scenic vista. Therefore, the project would not result in a substantial adverse effect on a scenic vista, and *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 site is not located along, nor visible from, a designated state scenic highway or eligible state scenic highway (Caltrans 2021), or a Suggested Scenic Corridor identified by Table VR-2 of the Conservation and Open Space Element. Therefore, the project would not result in substantial damage to scenic resources within a state scenic highway, and *no impacts* would result.

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

The project site is located within the Residential Rural land use designation. The purpose of this designation is to provide for residential development at a low density compatible with a rural character and life-style which maintains the character of the open countryside and is compatible with surrounding agricultural uses ((County of San Luis Obispo- Framework for Planning (Inland) Land Use Categories)). The project would be consistent with the Residential Rural designation. Each resulting parcel could support the construction of a primary and accessory dwelling and proposes to maintain the character of the open countryside.

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Temporary construction views would be visible to travelers along Old Oak Park Road. 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 primary vantage for public views of the project site is Old Oak Park Road. In the vicinity of the project site, traffic volumes on Old Oak Park Road are moderate and are expected to increase over time. Therefore, opportunities to view the project site by the public are considered moderate and increasing. Traffic speeds are usually about 35 miles per hour.

Visual Impacts Associated with Subdivision Improvements. Improvements associated with the subdivision will result in the construction of a new driveway on Parcel 1 as well as a 24 foot wide access road extending upslope to the east to serve the building sites for each parcel. As shown on the preliminary grading and drainage plans (Figure 7), construction of the access road will require grading on moderately steep (15%) slopes which in turn will result in cut and fill slopes with a maximum depth/height of about seven feet.

As shown in Figures 10 and 11, views of the project site from Old Oak Park Road as vehicles approach from either the north or the south are substantially screened by existing trees and riparian vegetation along the roadway. Views of the site from Ormonde Road to the east are likewise screened by existing vegetation and topography.

Figure 9 -- Screening Provided By Existing Features

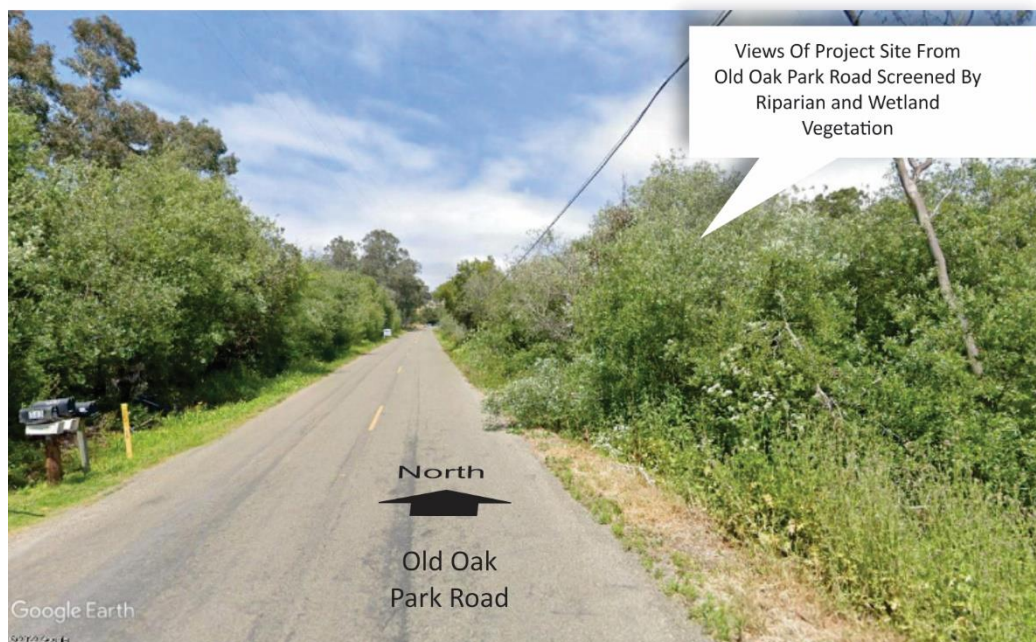


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Figure 10 -- Views of the Project Site Looking South From Old Oak Park Road



Figure 11 -- Views of the Project Site Looking North From Old Oak Park Road



However, construction of the driveway and frontage improvements will involve the removal of about 215 linear feet of the mature and well-established riparian and wetland vegetation along the Old Oak Park right-of-way which will slightly increase the visibility of the project site when viewed from the roadway; no mature trees with a trunk diameter of 6 inches or more will be removed.

Visual Impacts Associated with Future Development. The 1.5 acre building envelopes for each parcel are located on a relatively level area at the top of the slope adjacent to the easterly property line. Each building site would allow for the future construction of a primary and accessory residence as well as accessory structures, and utilities. Future construction activities may also include grading,

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driveway improvements, and fire clearance measures. The plans do not include preliminary designs for future dwellings; however, it is assumed that residences will be two-story, wood frame structures constructed on a slab foundation and of a form, scale and character generally consistent with residences on surrounding properties. As discussed above, new residential construction on each building site will be visible briefly to occupants of vehicles travelling on Oak Park Road. In addition, the building sites for both parcels are located on the site where there is a likelihood that future residences will “daylight” above the ridgeline.

However, as designed, the project will not substantially degrade the existing visual character or quality of public views of the site and its surroundings because:

- As shown in figures 9, 10 and 11 public views of the project site will be substantially screened by the existing riparian and wetland vegetation along Old Oak Park Road, the existing grove of eucalyptus trees, and the topography.
- Assuming vehicle speeds of 35 miles per hour on Old Oak Park Road, passing motorists would be able to view the project site where the new driveway is constructed for about 4.2 seconds (35 miles per hour = 51 feet per second; 215 ft./51 ft. per second = +/- 4.2 seconds). Accordingly views of the site through the gap in the vegetation would be very brief and the features associated with construction of the driveway and future residences would be in the distance.
- Recommended mitigation measures BIO-3, BIO-4 and BIO-6 (see Section IV. Biological Resources) requires the preparation of a mitigation plan for potential direct and indirect impacts to wetland and riparian resources, protection of state waters and wetlands through implementation of a 50-foot buffer with BMPs to prevent erosion and sedimentation into drainage and wetlands and stabilization methods, and establishment of an Open Space easement to protect San Luis Obispo Owl's Clover (*Castilleja densiflora ssp. obispoensis*) as well as the wetland and riparian resources. Preservation, enhancement and restoration efforts associated with implementation of BIO-3, BIO-4 and BIO-6 will increase the density and robustness of the resources along the roadway and help offset the visual impacts associated with driveway construction.
- Recommended mitigation measure BIO-6 requires each parcel to establish an Open Space Easement to permanently protect sensitive plant species, including the riparian and wetland resources associated with each parcel.
- Development of the project site is subject to the building restrictions and mitigation measures associated with the underlying parcel (lot 5 of Tract 2163) as described in the Baseline Conditions. These requirements and limitations will be applied as mitigation measures during the construction of subdivision improvements and will be incorporated as an Additional Map Sheet recorded with the subdivision and implemented as mitigation measures at the time of building permit application for the subsequent development of each parcel.
- Lastly, to further reduce visibility of the proposed project from surrounding areas, Mitigation Measure AES-4 would require exterior colors of the proposed development including but not limited to new structures and associated accessory improvements (i.e. water tanks, barns, etc.) to be compatible with natural colors of the surrounding environment and to be applied to minimize the structures' massing.

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With implementation of the wetland and riparian resources mitigation plan as required by mitigation measure BIO-3, together with the previously identified building restriction mitigation measures (listed below AS AES-1, AES-2 and AES-3), in addition to Mitigation Measure AES-4, the project will not substantially degrade the existing visual character or quality of public views of the site and its surroundings and impacts will be *less than significant with mitigation*.

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

The project would result in a significant impact if it subjects public viewing locations to a substantial amount of point-source lighting visibility at night, or if project illumination results in a noticeable spillover effect into the nighttime sky, increasing the ambient light over the region. The placement of lighting, source of illumination, and fixture types combined with viewer locations, adjacent reflective elements, and atmospheric conditions can affect the degree of change to nighttime views. If the project results in direct visibility of a substantial number of lighting sources, or allows a substantial amount of light to project toward the sky, significant impacts on nighttime views and aesthetic character would result.

The parcel is currently vacant and does not support any land uses that contribute to nighttime lighting within the project vicinity. Each resulting parcel from the project could support the construction of a primary and accessory dwelling, 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-5 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-5, 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 is not located within view of a scenic vista. The project would be consistent with existing policies and standards in the County Land Use Ordinance (LUO) and the County of San Luis Obispo- Framework for Planning (Inland) Residential Rural Land Use Category, as well as the County Conservation and Open Space Element (COSE) related to the protection of scenic resources. 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. Following construction activities, the project would revegetate graded areas. Construction views would be temporary in nature and would not result in substantial adverse views. Therefore, impacts related to aesthetic resources would be *less than significant with mitigation* through implementation of Mitigation Measure BIO-3, BIO-4 and BIO-6 along with the previously identified building

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restriction mitigation measures associated with the underlying parcel AES-1, AES-2 and AES-3, in addition to Mitigation Measure AES-4 and AES-5.

Mitigation

Implement mitigation measures AES-1 through AES-5 (below) and BIO-3, BIO-4 and BIO-6 (see Section IV. Biological Resources)

AES-1 Building Restriction Areas. At the time of application for subdivision improvement plan and construction permits on the individual lots, the applicant shall clearly delineate the building restriction areas on the project plans for each lot, as shown on the tentative parcel map.

AES-2 Revegetation of Cut Slopes. At the time of application for subdivision improvement plan and construction permits on the individual lots, the applicant shall clearly delineate the vertical height of all cut and all slopes on the plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:

1. Revegetation program must be designed and overseen by a landscape professional.
2. The goal of revegetation shall be to establish a permanent self-sustaining plant cover that will blend and be compatible with the surrounding environment.
3. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
4. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.

Within fifteen (15) months of completing grading, the applicant shall submit a letter prepared by a landscape professional to the Department of Planning and Building summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

AES-3 The applicant shall prepare an additional map sheet to be approved by the County Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel map and shall include the following:

1. The applicant shall clearly delineate the vertical height of all cut and all slopes on the improvement plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:
 - a. Revegetation program must be designed and overseen by a landscape professional.
 - b. The goal of revegetation shall be to establish a permanent self-sustaining plant cover that will blend and be compatible with the surrounding environment.

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- c. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
 - d. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.
- 2. Prior to building permit issuance, all new development within the restriction areas (e.g. residences, detached garages, guest houses, sheds, access roads, and driveways) shall provide or demonstrate compliance with the following requirements:
 - a. A landscape screening plan shall be prepared and implemented by the applicant. The plan shall provide for screening of all structures by native vegetation to be established for a minimum of three years. The landscaping shall screen a minimum of 50% when viewed from Ormonde and Old Oak Park Roads;
 - b. The size and type of native plant material to be used for screening;
 - c. Planting specifications for native plant material;
 - d. Irrigation and maintenance for the native plant material;
 - e. Erosion control measures for any disturbed areas, including areas disturbed by landscaping;
 - f. Clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 18 feet in height above the existing ground surface;
 - g. Clearly delineate the location and visual treatment of water tanks on the project plans. All water tanks shall be located in the least visually prominent location feasible when viewed from Ormonde and Old Oak Park Roads. Screening with topographic features, existing vegetation or existing structures is encouraged. If the tank(s) cannot be screened, then the tank(s) shall be a neutral non-contrasting color, and landscape screening shall be provided,
 - h. Submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, gray, slate blue, or brown colors for the roof structures.
 - i. **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 3 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

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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.

- j. **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 3 years. At the end of the 3-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-4 Exterior Colors & Material Palette.** Prior to issuance of construction permits, the following measure shall be incorporated into the construction phase of the project and shown on all applicable plans:

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 proposed development, including but not limited to new structures and associated accessory improvements (i.e. water tanks, barns, etc.) 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.

- AES-5 Exterior Light Plan.** Prior to issuance of construction permits, the following measure shall be incorporated into the construction phase of the project and shown on all applicable plans:

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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, and from Old Oak Park Road. 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.

Sources

Provided in Exhibit A.

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II. AGRICULTURE AND FORESTRY RESOURCES

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

Setting

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

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Element includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here:

<https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report.aspx>.

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes, 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, about 8.84 acres of the 10.1 acre project site are classified as Grazing land and 0.86 acres associated with the wetland and riparian vegetation along the Old Oak Park Road right-of-way are classified as Farmland of Local Potential.

The project site is within the Residential Rural land use category and is undeveloped. No agricultural activities are currently being pursued. The property was not grazed by livestock at the time of the 2017 or 2020 Biological Surveys, but a history of grazing is likely.

Chapter 6 of the County COSE identifies resource management goals, policies, and strategies to protect agricultural soils from conversion to urban and residential uses. Important Agricultural Soils within the County are identified in Table SL-2 of the COSE and Policy SL 3.1 states that proposed conversion of agricultural lands to non-agricultural uses shall be evaluated using the applicable policies in the COSE and Agricultural Element.

Soils of the site are described in detail below.

Pismo loamy sand, 9 to 30 percent slopes

This soil is shallow, well drained soils derived from weathered sandstone that occurs in gentle to moderately steep slopes on foothills and mountains. The water holding capacity is very low with rapid permeation. The potential for water erosion hazard is moderate to high and wind erosion potential hazard is high. This soil type is poorly suited for rangeland and is associated with the formation of gullies. The high sand content, slope, erosion hazard and shallow depth of rock require special design and consideration for engineering practices. Permanent plant cover may be difficult to maintain due to the droughty conditions of this soil type.

Corralitos sand, 2 to 15 percent slopes

This soil is a very deep, excessively drained soil derived from sedimentary rock. It occurs on gentle to moderately sloping alluvial fans and plains. The typical surface layer is sand that is about 24 inches thick. The permeability is high and the water capacity is low. Potential for water erosion is low however, wind erosion is high. This soil is moderately suited for rangeland, small grains and hay crops though the sand can create droughty conditions. Urban development on this soil type may be limited by the slope and course texture of this soil.

None of the soils on the project site are classified as prime farmland by either the FMMP or the COSE.

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The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The project site is located within the Edna Valley Agriculture preserve area which encompasses much of the planning area. However, this property is not currently enrolled in a Land Conservation Act (Williamson Act) contract.

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

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?*

As discussed above, none of the soils on the project site are considered Prime, Unique or Farmland of Statewide Importance by the FMMP. About 0.86 acres of the project is located on Farmland of Local Potential. However, this area lies along the road right-of-way and is largely covered by dense wetland and riparian resources and is unsuitable for crop production. Therefore, the project will not convert important farmland to a non-agricultural use and impacts are *less than significant*.

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

The project site is within the *Residential Rural* land use category and is not subject to a Williamson Act contract. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts 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 zoned for forest land, timberland, or Timberland Protection, and is not listed as Private Timberland or Public Land with Forest by the CDFW. The proposed project will not conflict with zoning or cause rezoning of forest land or timberland, therefore *no impacts would occur*.

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

The project site is not zoned for forest land, timberland, or Timberland Protection, and is not listed as Private Timberland or Public Land with Forest by the CDFW. The proposed project will not result in the loss of forest land or convert forest land to non-forest use, therefore *no impact would occur*.

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

The project site is generally surrounded by small ranches and rural residences. Surrounding small-scale agricultural uses (orchards and grazing) would be temporarily affected by noise and dust generated during the construction phase of the project. These impacts would be temporary in nature and would not result in the direct impairment or conversion of agricultural land to other uses. The creation of a new lot would allow for the construction of two additional residential units (a primary and secondary unit) and accessory structures as well as grading and road/driveway improvements. The proposed project would not result in the indirect conversion of existing farm or forestland to another use. Therefore, *no impacts would occur*.

Conclusion

Potential impacts to agricultural resources would be *less than significant* and no mitigation measures are necessary.

Mitigation

None required.

Sources

Provided in Exhibit A.

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III. AIR QUALITY

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

Setting

Regulatory Agencies and Standards

San Luis Obispo County is part of the South Central Coast Air Basin, (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM₁₀ and PM_{2.5}), ozone (O₃), nitrogen dioxide (NO₂), sulfate, carbon monoxide (CO), sulfur dioxide (SO₂), visibility reducing particles, lead (Pb), hydrogen sulfide (H₂S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO₂, ozone, PM₁₀ and PM_{2.5}, and SO₂.

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

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

Air Quality Monitoring

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

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

San Luis Obispo County Clean Air Plan

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

As proposed, the project will result in a total 4,500 cy of cut and fill (2,250 cy of cut, 2,250 cy of fill) and a total area of disturbance (proposed driveway improvements and both building envelopes) is expected to be less than three and a half (<3.5) acres per the preliminary grading and drainage engineered plans. This would result in the creation of construction dust, as well as short- and long-term vehicle emissions. According to the United States Department of Agriculture's Wind Erodibility Index, the wind erodibility of the soils which would be disturbed by the proposed project is "high" in both soil types found on the property.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. The APCD website includes a map of zones throughout SLO County where NOA has been found and a geological evaluation is required prior to any grading.

According to the web site map, the project site would not be within close proximity to any serpentine rock outcrops and/or soil formations which may have the potential to contain naturally occurring asbestos and therefore, does not lie in an area where a geologic study for the presence of NOA is required.

Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others

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who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences.

The closest sensitive receptor is the residence located to the west of the project site at 1680 Old Oak Park Road (APN 044-371-005), at a distance of approximately 15 feet respectively from the subdivision property line, which can be occupied by sensitive receptors who could be exposed to diesel particulates and fugitive dust from construction activities. The project and future development will be subject to limited dust and/or emission control measures during construction.

SLOAPCD Criteria Pollutant 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. This handbook includes established thresholds for both short-term construction emissions and long-term operational emissions. The APCD Handbook includes screening criteria to determine the significance of project impacts. According to the Handbook, a project with grading in excess of 4.0 acres and moving 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM₁₀).

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 (NO_x), 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. The SLOAPCD has established thresholds of significance 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. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (referred to as stationary source emissions). Table 1-1 of the APCD's CEQA Handbook provides screening criteria based on the size of different types of projects that would normally generate sufficient motor vehicle trips that would cause an exceedance of the operational thresholds of significance for ozone precursors. A project consisting of 99 single family residences generating 970 average daily vehicle trips would be expected to exceed the 25 lbs/day operational threshold for ozone precursors.

The APCD has also estimated the number of vehicular round trips on an unpaved roadway necessary to exceed the 25 lbs/day threshold of significance for the emission of particulate matter (PM₁₀). According to the APCD estimates, an unpaved roadway of one mile in length carrying 6.0 round trips would likely exceed the 25 lbs/day PM₁₀ threshold.

Developmental Burning

As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application.

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The prevailing winds in the project vicinity are from the north and south.

Discussion

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

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 does not include development of retail 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 construction of two single family residences that would typically be occupied by six total full-time residents. The project would not generate a significant number of employees and therefore would not significantly affect the local area's jobs/housing balance.

Adopted transportation control measures include, but are not limited to, a voluntary commute options program, local and regional transit system improvements, bikeway enhancements, and telecommuting programs. The voluntary commute options program targets employers in the county with more than 20 full time employees; the project consists of two single family residences and would have no employees. The project would not conflict with regional plans for transit system or bikeway improvements.

Overall, the project would not conflict with or obstruct implementation of the CAP; 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

Based on the project description, the project will be moving less than 1,200 cubic yards/day of material and will result in a total area of disturbance of less than three and a half (<3.5) acres. Based on the volume of proposed grading, area of project site disturbance, and the estimated duration of the construction period (3 months for the frontage improvements, driveway, infrastructure, and building pad grading), the project would not result in the emission of criteria pollutants that would exceed construction-related thresholds established by the SLOAPCD. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment, and impacts would be *less than significant*.

Operational Impacts

The project could result in the construction of two single family residences and two accessory dwellings that will likely generate about 38 average daily trips based on 9.6 ADT per dwelling. The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds. Therefore, potential operational emissions would be *less than significant*.

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

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity to exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. The nearest sensitive receptor is a residence located on the adjoining parcel to the west at 1680 Old Oak Park Road which is about 200 feet from the area of disturbance associated with construction of the access drive. This residence may be occupied by sensitive receptors, and the close proximity, combined with the prevailing coastal winds from the south could result in exposure to diesel particulates and fugitive dust from construction activities. Therefore, potential impacts to sensitive receptors would be *less than significant with mitigation* with implementation of mitigation measures AQ-1 and AQ-2.

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

Construction could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. The project site is not located in an area identified as containing NOA by the SLOAPCD. The project does not propose to burn any onsite vegetative materials and would be subject to SLOAPCD restrictions on developmental burning of vegetative material. No long-term operational odors would be generated by the project. Therefore, potential odor-related impacts would be *less than significant*.

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan. However, construction related dust emissions and diesel emissions could adversely impact surrounding sensitive receptors. Therefore, potential impacts to air quality would be *less than significant with mitigation*.

Mitigation

AQ-1 Fugitive Dust Construction Control Measures. The following measure shall be implemented **prior to, and during, construction activities associated with subdivision improvements** and shall be included on all applicable subdivision improvement plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

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

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible;
3. All dirt stock-pile areas shall be sprayed daily as needed;

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4. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
5. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
6. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

AQ-2 ROG, NO_x, DPM Emissions. The following measure shall be implemented **during construction activities associated with subdivision improvements** and shall be included on all applicable subdivision improvement plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on all applicable grading and construction plans:

- a. Implement Mitigation Measure AQ-1.
- b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation.

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- f. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
- g. Electrify equipment when possible.
- h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
- i. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Sources

Provided in Exhibit A.

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IV. BIOLOGICAL RESOURCES

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

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Regulatory Setting

Federal Laws and Regulations

Bald and Golden Eagle Protection Act. The Bald and Golden Eagle Protection Act (BGEPA) prohibits anyone, without a permit issued by the Secretary of the Interior, from taking (pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb) bald or golden eagles, including their parts, nests, or eggs. This includes substantially interfering with normal breeding, feeding, or sheltering behavior. Activities that may result in the take of a bald or golden eagle require permits; the three activities eligible for permits include to remove or relocate an eagle nest; to transport, exhibit, collect, or control eagles or eagle parts, and for incidental take of eagles.

Clean Water Act. The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The purpose of the CWA is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. Permitting is required for filling waters of the U.S. (including wetlands). Permits may be issued on an individual basis or may be covered under approved nationwide permits.

Endangered Species Act. The federal Endangered Species Act (FESA) provides the legal framework for the listing and protection of species (and their habitats) identified as being endangered or threatened with extinction. “Critical Habitat” is a term within the FESA designed to guide actions by federal agencies and is defined as “an area occupied by a species listed as threatened or endangered within which are found physical or geographical features essential to the conservation of the species, or an area not currently occupied by the species which is itself essential to the conservation of the species.” Actions that jeopardize endangered or threatened species and/or critical habitat are considered a ‘take’ under the FESA. “Take” under federal definition means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

Projects that would result in “take” of any federally listed threatened or endangered species, or critical habitats, are required to obtain permits from the USFWS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. Through Section 10, it is required to prepare a Habitat Conservation Plan (HCP) to be approved by the United States Fish and Wildlife Service (USFWS), which results in the issuance of an Incidental Take Permit (ITP). Through Section 7, which can only occur when a separate federal nexus in a project exists (prompting interagency consultation), a consultation by the various federal agencies involved can take place to determine appropriate actions to mitigate negative effects on endangered and threatened species and their habitat.

Migratory Bird Treaty Act. All migratory, non-game bird species that are native to the U.S. or its territories are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13), as amended under the Migratory Bird Treaty Reform Act of 2004. MBTA makes it illegal to purposefully take (pursue, hunt, shoot, wound, kill, trap, capture, or collect) any migratory bird, or the parts, nests, or eggs of such a bird, except under the terms of a valid Federal permit. Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA).

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State Law and Regulations

California Endangered Species Act. The California Endangered Species Act (CESA), similar to FESA, contains a process for listing of species and regulating potential impacts to listed species. State threatened and endangered species include both plants and wildlife, but do not include invertebrates. The designation “rare species” applies only to California native plants. State threatened and endangered plant species are regulated largely under the Native Plant Preservation Act in conjunction with the CESA. State threatened and endangered animal species are legally protected against “take.” The CESA authorizes the California Department of Fish and Wildlife (CDFW) to enter into a memorandum of agreement for take of listed species to issue an incidental take permit for a state-listed threatened and endangered species only if specific criteria are met.

Section 2080 of the CESA prohibits the take of species listed as threatened or endangered pursuant to the Act. Section 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: 1) the taking is incidental to an otherwise lawful activity; 2) the taking will be minimized and fully mitigated; 3) the applicant ensures adequate funding for minimization and mitigation; and 4) the authorization will not jeopardize the continued existence of the listed species.

California Environmental Quality Act (CEQA). CEQA defines a “project” as any action undertaken from public or private entity that requires discretionary governmental review (a non-ministerial permittable action). All “projects” are required to undergo some level of environmental review pursuant to CEQA, unless an exemption applies. CEQA’s environmental review process includes an assessment of existing resources, broken up by categories (i.e., air quality, aesthetics, etc.), a catalog of potential impacts to those resources caused by the proposed project, and a quantifiable result determining the level of significance an impact would generate. The goal of environmental review under CEQA is to avoid or mitigate impacts that would lead to a “significant effect” on a given resource; section 15382 of the CEQA Guidelines defines a “significant effect” as *a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.*

California Fish and Game Code (CFGC). The California Fish and Game Code (CFGC) is one of the 29 legal codes that form the general statutory law of California. A myriad of statutes regarding fish and game are specified in the CFGC; the following codes are specifically relevant to the proposed Project:

California Native Plant Protection Act. Sections 1900-1913 of the California Fish and Game Code contain the regulations of the Native Plant Protection Act of 1977. The intent of this act is to help conserve and protect rare and endangered plants in the state. The act allowed the CFGC to designate plants as rare or endangered.

Lake and Streambed Alteration. Section 1602 of the CFGC requires any person, state, or local governmental agency to provide advance written notification to CDFW prior to initiating any activity that would: 1) divert or obstruct the natural flow of, or substantially change or remove material from the bed, channel, or bank of any river, stream, or lake; or 2) result in the disposal or deposition of debris, waste, or other material into any river, stream, or lake. The state definition of “lakes, rivers, and streams” includes all rivers or streams that flow at least periodically or permanently through a well-defined bed or channel with banks that support fish or other aquatic life, and watercourses with surface or subsurface flows that support or have supported riparian vegetation.

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Nesting Birds. Sections 3503, 3503.5 and 3513 of CFGC states that it is “unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto,” and “unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird” unless authorized.

Regional Water Quality Control Board. The Regional Water Quality Control Board (RWQCB) not only regulates impacts to water quality in federal waters of the U.S. under Section 401 of the Clean Water Act, but they also regulate any isolated waters that are impacted under the state Porter Cologne Act utilizing a Waste Discharge Requirement. Discharge of fill material into waters of the State not subject to the jurisdiction of the USACE pursuant to Section 401 of the Clean Water Act may require authorization pursuant to the Porter Cologne Act through application for waste discharge requirements or through waiver of waste discharge requirements.

Under the 2020 Clean Water Act Section 401 Certification Rule, all applicants applying for a 401 water quality certification are required to request a “Pre-Filing Meeting” with the appropriate Water Board (locally, Central Coast [RB-3]) a minimum of 30 days prior to submitting a complete application for a Clean Water Act Section 401 water quality certification.

A draft application with a request for a Pre-Filing Meeting is encouraged as a way to receive guidance on final submittal and streamline the review and permit issuance process. At the time of submitting the complete application for a Clean Water Act Section 401 water quality certification a certification request must also be submitted to the U.S. Army Corps of Engineers (Corps). The timeline for the RWQCB to act depends on the Corps determination of a “reasonable time period”, which is on a case-by-case basis though is generally 60 days and no longer than one year following the request.

Special Status Species and Sensitive Habitat Regulations

Special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the FESA; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the CESA; animals designated as “Species of Special Concern,” “Fully Protected,” or “Watch List” by the CDFW; and plants with a California Rare Plant Rank (CRPR) of 1, 2, 3, or 4.

California Natural Diversity Database (CNDDDB)

“Special Plants” and “Special Animals” are broad terms used to refer to all the plant and animal taxa inventoried by the CNDDDB, regardless of their legal or protection status (CNDDDB 2020a and 2020b). The Special Plants list includes vascular plants, high priority bryophytes (mosses, liverworts, and hornworts), and lichens. The Special Animals list is also referred to by the California Department of Fish and Wildlife (CDFW) as the list of “species at risk” or “special status species.”

According to the CNDDDB (2020a, 2020b), Special Plants and Animals lists include: taxa that are officially listed or proposed for listing by California or the Federal Government as Endangered, Threatened, or Rare; taxa which meet the criteria for listing, as described in Section 15380 of CEQA Guidelines; taxa deemed biologically rare, restricted in range, declining in abundance, or otherwise vulnerable; population(s) in California that may be marginal to the taxon’s entire range but are threatened with extirpation in California; and/or taxa closely associated with a habitat that is declining in California at a significant rate. Separately, the Special Plants List includes taxa listed in the California Native Plant Society’s Inventory of Rare and Endangered Plants of California, as well as taxa determined to be Sensitive Species by the Bureau of Land Management, U.S. Fish and Wildlife Service, or U.S. Forest Service. The Special Animals List distinctively

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includes taxa considered by the CDFW to be a Species of Special Concern (SSC) and taxa designated as a special status, sensitive, or declining species by other state or federal agencies.

Federal and State Endangered Species Listings

The Federal and California Endangered Species Acts are the regulatory documents that govern the listing and protection of species, and their habitats, identified as being endangered or threatened with extinction. Possible listing status under both Federal and California ESA includes Endangered and Threatened (FE, FT, CE, or CT). Species in the process of being listed are given the status of either Proposed Federally Endangered/Threatened, Candidate for California Endangered/Threatened (PE, PT, CCE, or CCT). The CESA has one additional status: Rare (CR).

Global and State Ranks

Global and State Ranks reflect an assessment of the condition of the species (or habitats, see 1.6.6 below) across its entire range. Basic ranks assign a numerical value from 1 to 5, respectively for species with highest risk to most secure. Other ranking variations include rank ranges, rank qualifiers, and infraspecific taxon ranks. All Heritage Programs, such as the CNDDDB use the same ranking methodology, originally developed by The Nature Conservancy and now maintained and recently revised by NatureServe. Procedurally, state programs such as the CNDDDB develop the State ranks. The Global ranks are determined collaboratively among the Heritage Programs for the states/provinces containing the species. Rank definitions, where G represents Global and S represents State, are as follows:

- **G1/S1:** Critically imperiled globally/in state because of extreme rarity (5 or fewer populations).
- **G2/S2:** Imperiled globally/in state because of rarity (6 to 20 populations).
- **G3/S3:** Vulnerable; rare and local throughout range or in a special habitat or narrowly endemic (on the order of 21 to 100 populations).
- **G4/S4:** Apparently secure globally/in state; uncommon but not rare (of no immediate conservation concern).
- **G5/S5:** Secure; common, widespread, and abundant.
- **G#G#/S#S#:** Rank range - numerical range indicating uncertainty in the status of a species, (e.g., G2G3 more certain than G3, but less certain that G2).
- **G/S#?:** Inexact numeric rank
- **Q:** Questionable taxonomy - Taxonomic distinctiveness of this entity is questionable.
- **T#:** Infraspecific taxa (subspecies or varieties) – indicating an infraspecific taxon that has a lower numerical ranking (rarer) than the given global rank of species.

California Rare Plant Ranks

Plant species are considered rare when their distribution is confined to localized areas, their habitat is threatened, they are declining in abundance, or they are threatened in a portion of their range.

The California Rare Plant Rank (CRPR) categories range from species with a low threat (4) to species that are presumed extinct (1A). All but a few species are endemic to California. All of them are judged to be vulnerable under present circumstances, or to have a high potential for becoming vulnerable. Threat ranks are assigned as decimal values to a CRPR to further define the level of threat to a given species. The rare plant ranks and threat levels are defined below.

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- **1A:** Plants presumed extirpated in California and either rare or extinct elsewhere.
- **1B:** Plants rare, threatened, or endangered in California and elsewhere.
- **2A:** Plants presumed extirpated in California, but common elsewhere
- **2B:** Plants rare, threatened, or endangered in California, but more common elsewhere
- **4:** Plants of limited distribution - a watch list
- **0.1:** Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)
- **0.2:** Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)
- **0.3:** Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known)

California Department of Fish and Wildlife Animal Rank

The California Department of Fish and Wildlife (CDFW) assigns one of three ranks to Special Animals: Watch List (WL), Species of Special Concern (SSC), or Fully Protected (FP). Unranked species are referred to by the term Special Animal (SA).

Animals listed as Watch List (WL) are taxa that were previously designated as SSC, but no longer merit that status, or taxa that which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status.

Animals listed as California Species of Special Concern (SSC) may or may not be listed under California or federal Endangered Species Acts. They are considered rare or declining in abundance in California. The Special Concern designation is intended to provide the CDFW biologists, land planners, and managers with lists of species that require special consideration during the planning process to avert continued population declines and potential costly listing under federal and state endangered species laws. For many species of birds, the primary emphasis is on the breeding population in California. For some species that do not breed in California but winter here, emphasis is on wintering range. The SSC designation thus may include a comment regarding the specific protection provided such as nesting or wintering.

Animals listed as Fully Protected (FP) are those species considered by CDFW as rare or faced with possible extinction. Most, but not all, have subsequently been listed under the CESA or FESA. Fully Protected species may not be taken or possessed at any time and no provision of the California Fish and Game code authorizes the issuance of permits or licenses to take any Fully Protected species.

Sensitive Habitats

A Sensitive Natural Community is a state-wide designation given by CDFW to specific vegetation associations of ecological importance. Sensitive Natural Communities rarity and ranking involves the knowledge of range and distribution of a given type of vegetation, and the proportion of occurrences that are of good ecological integrity (CDFW 2018a). Evaluation is conducted at both the Global (G) and State (S) levels, resulting in a rank ranging from 1 for very rare and threatened to 5 for demonstrably secure. Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities in California and may need to be addressed in the environmental review processes of CEQA and its equivalents.

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Environmental Setting

A biological resources assessment (BRA) was prepared for the project site in October, 2017 by Althouse and Meade, Inc. which included field surveys and an assessment of potential sensitive biological resources. A spring survey for sensitive plants was conducted in July, 2020. These studies are incorporated herein by reference and available for review in their entirety at the Department of Planning and Building, 976 Osos Street, Suite 200 San Luis Obispo. The following is a summary of the findings and recommendations of these studies.

The Property is a rural parcel situated on a west-facing grassy slope along Old Oak Park Road. An existing residence is bounded on three sides by the subject Property. Behind the residence to the northeast is an old grove of blue-gum eucalypts trees, several of which have fallen down, that straddles the Property line. Parallel to Old Oak Park Road is an herbaceous wetland area that extends outside and east of a narrow band of willow trees associated with a roadside drainage ditch between the Property fenceline and the road. Standing water was present in the herbaceous wetland in late spring 2017. The Property was not grazed by livestock at the time of the 2017 site visits, but a history of grazing is likely. There are no shrub dominated habitat areas on the Property. Their presence on adjacent parcels suggests they were cleared or grazed off in past decades.

Methodology

The biologists conducted a search of the California Natural Diversity Database (CNDDDB) (June 7, 2017 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California for special status species known to occur in the eight U.S. Geological Survey (USGS) 7.5-minute quadrangles surrounding the Property: San Luis Obispo, Lopez Mountain, Santa Margarita Lake, Pismo Beach, Arroyo Grande NE, Tar Spring Ridge, Oceano, and Nipomo.

Special status species lists produced by database and literature searches were cross-referenced with the described habitat types on the Property to identify all potential special status species that could occur on or near the Property. Each special status species that could occur on or near the Property is individually discussed in Section 4.0 of the BRA.

The Property was surveyed for biological resources on April 24, May 9, and May 24, 2017 (Table 2 of the BRA). Surveys were conducted by Principal Biologist Jason Dart, and Biologists Monica Brick and Jeremy Pohlman. Surveys were conducted on foot in order to compile species lists, search for special status plants and animals, map habitats, and to photograph the site. The entire Property was surveyed.

Each habitat type occurring on the Property was inspected, described, and catalogued (Section 4.1, Table 3 of the BRA). All plant and animal species observed on the Property were identified and recorded (Sections 4.3 and 4.4 of the BRA). Pedestrian transects were utilized to map boundaries of different vegetation types, describe general conditions and dominant species, compile species lists, and evaluate potential habitat for special status species. Transects were meandering with an emphasis on locating habitat suitable for special status species. Identification of botanical resources included field observations and laboratory analysis of collected material.

Botanical surveys were conducted according to agency guidelines (USFWS 2000, CDFG [CDTW] 2009, and CNPS 2001). Botanical surveys were appropriately timed to identify all special status plant species known from the region (refer to Section 4.1, and Table 4 of the BRA) that have potential to occur on the Property. Botanical nomenclature used in the BRA follows the Jepson Manual, Second Edition (Baldwin et al. 2012). The BRA also provides the Jepson Manual First Edition names in brackets where nomenclature has recently changed (Hickman 1993).

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Wildlife documentation included observations of animal presence and wildlife sign such as nests, tracks, and scat. Observations of wildlife were recorded during field surveys in all areas of the Property (Table 7 of the BRA). Birds were identified by sight, using 10-power binoculars, or by vocalizations. Reptiles and amphibians were identified by sight, often using binoculars; traps were not used. Mammals recorded on the Property were identified by sight, tracks and other sign.

Habitats

Habitats identified on the Property include blue gum eucalyptus woodland, California annual grassland, wetland and riparian (see Figure 12). Table 1 summarizes the habitat types occurring on the Property, the location, and acreage. The wetland and riparian habitats described are based on vegetation composition and do not reflect jurisdictional delineations.

Table 1 -- Habitats and Corresponding Acres

Habitat Type	Approximate Acres
Blue Gum Eucalyptus	1.1
California Annual Grassland	7.9
Wetland	0.8
Riparian	0.2
Total:	10.1

Source: Althouse and Meade, Inc., 2017

Blue gum eucalyptus woodland

A grove of planted blue gum eucalyptus (*Eucalyptus globulus*) occupies approximately 1.1 acres of the Property. The blue gum trees are mature, reaching heights of over 70 feet. Understory vegetation is relatively sparse, consisting of mostly introduced species such as Italian thistle (*Carduus pycnocephalus*) and foxtail barley (*Hordeum murinum*). A number of large trees have fallen, suggesting that the grove is senescent. Wildlife habitat is limited in the woodland. However many birds utilize blue gum trees for sheltering, foraging and nesting.

California annual grassland

California annual grassland habitat covers approximately 7.9 of the 10.0 acre Property. The grassland habitat is dominated by introduced Mediterranean annual grass species, including soft chess brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), wild oat (*Avena fatua*) and Italian rye grass (*Festuca perennis*). Native and introduced forbs are also common, including blue sky lupine (*Lupinus nanus*), dove weed (*Croton setigerus*), western ragweed (*Ambrosia psilostachya*), and lotus (*Acmispon strigosus*, *A. brachycarpus*).

Riparian

A roadside ditch along Old Oak Park Road on the western Property boundary supports an intermittent thicket of arroyo willows (*Salix lasiolepis*). This riparian habitat is directly associated with the ditch and does not extend east into the Property where an herbaceous wetland occurs. The channel supports wetland vegetation beneath and between the willows, such as annual beard grass (*Polypogon monspeliensis*), hedge nettle (*Stachys bullata*), willow dock (*Rumex salicilblus*) and others.

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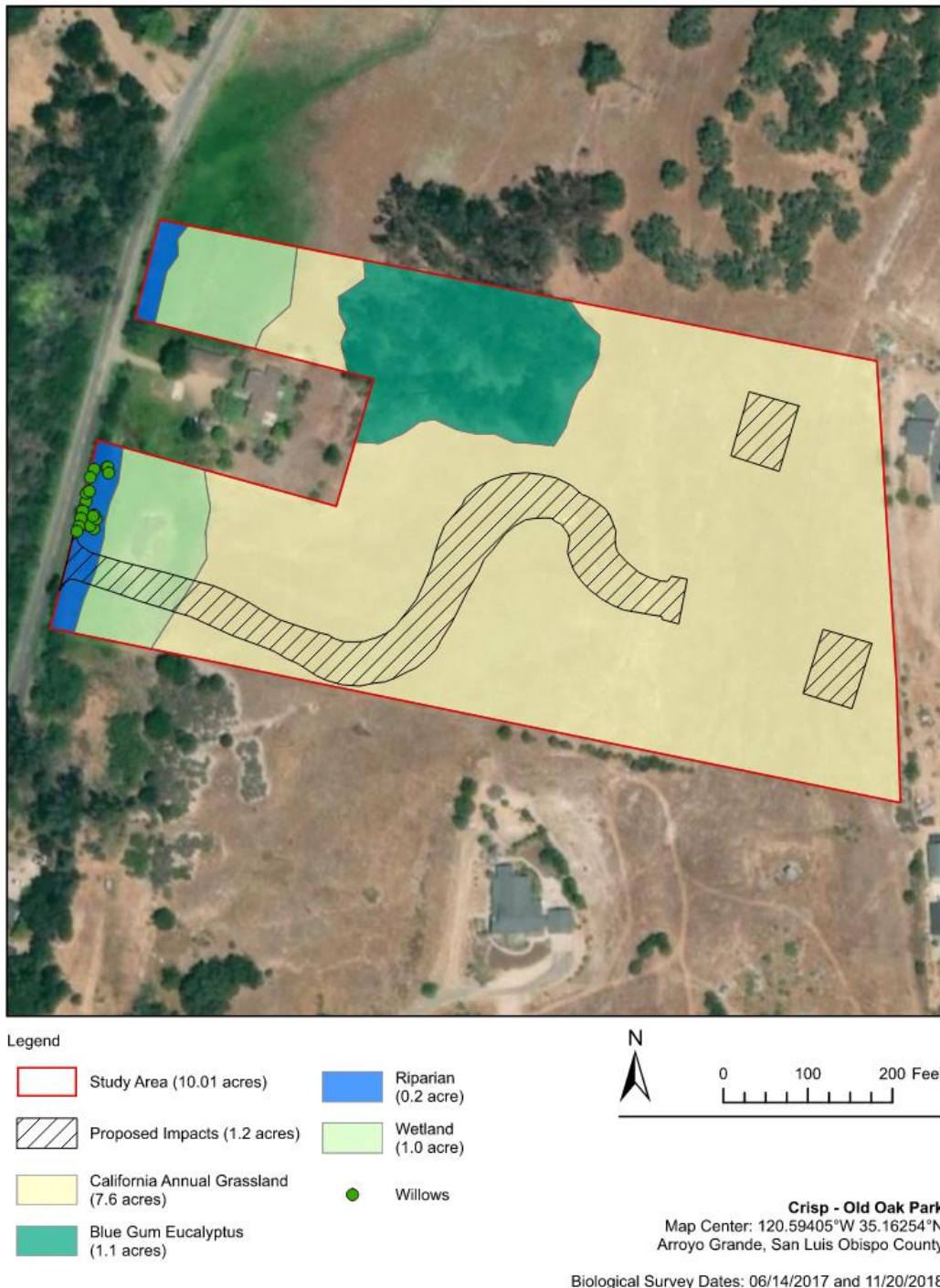
Wetland

East of the riparian canopy, mesic conditions support herbaceous hydrophytic vegetation in a topographically low area parallel to the roadside ditch. Calla lily (*Zantedeschia aethiopica*), water smartweed (*Persicaria amphibia*), kikuyu grass (*Pennisetum clandestinum*), annual beard grass, and marsh clover (*Trifolium wormskioldii*) were common with occasional spiny cocklebur (*Xanthium spinosum*), California blackberry (*Rubus californicus*), and bur-reed (*Sparganium eurycarpum*).

Wetland habitat mapped parallel to Old Oak Park Road was not evaluated as part of this study for jurisdictional status which would be determined by a formal wetland delineations conducted according to state and federal standards to determine the extent of Clean Water Act (CWA) section 404 jurisdictional wetlands, waters of the United States, and jurisdictional waters and wetlands of the State of California.

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Figure 12 -- Habitats of the Project Site-(Source: Biological Report Revised December 2018- Biological Resources Figure 6)



Map Updated:
December 31, 2018 02:10 PM by JBB

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Special Status Species

The CNDDDB and the CNPS On-line Inventory of Rare and Endangered Plants of California contain records for 60 special status plant species within the designated search area. The search area includes the following nine USGS 7.5-minute quadrangles that include and surround the Property: San Luis Obispo, Lopez Mountain, Santa Margarita Lake, Pismo Beach, Arroyo Grande NE, Tar Spring Ridge, Ocean°, and Nipomo. Appropriate habitat and soil conditions are present on the Property for 5 special status plants and 7 special status animals (Tables 4 and 5 of the BRA). Figures 4 and 5 in Section 8.0 of the BRA depict the current GIS data for special status species and critical habitat mapped in the vicinity of the Property by the CNDDDB and the U.S. Fish and Wildlife Service (USFWS).

Special Status Plants

California Rare Plant Ranks. Plant species are considered rare when their distribution is confined to localized areas, when there is a threat to their habitat, when they are declining in abundance, or are threatened in a portion of their range. The California Rare Plant Rank (CRPR) categories range from species with a low threat (CRPR 4) to species that are presumed extinct (CRPR 1A). The plants of CRPR 1B are rare throughout their range. All but a few species are endemic to California. All of them are judged to be vulnerable under present circumstances, or to have a high potential for becoming vulnerable.

CNDDDB definitions. "Special Plants" is a broad term used to refer to all the plant taxa inventoried by the CNDDDB, regardless of their legal or protection status (CDFG July 2017). Special plants include vascular plants and high priority bryophytes (mosses, liverworts, and hornworts).

Potential special status plant list. Table 4 of the BRA lists 60 special status plant species reported from the region. Federal and California State status and CRPR status for each species are given. Typical blooming period, habitat preference, potential habitat on site, and whether or not the species was observed on the Study Area are also provided. There are 5 special status plant species that could potentially occur on the Property based on an analysis of known ecological requirements of these species and the habitat conditions that were observed on the Property in 2017. We discuss each species and describe habitat, range restrictions, known occurrences, and survey results for the Study Area.

Hoover's Bent Grass (Agrostis hooveri) is a CRPR 18.2 species endemic to San Luis Obispo and Santa Barbara Counties. It occurs in dry sandy soils in open chaparral, oak woodlands, closed cone coniferous forest, and grassland habitats below 600 meters in the coastal zone and south coastal range. It blooms from April to July. The closest herbarium record of this species in the Consortium of California Herbaria (CCH) is from 1995, documented 0.3 miles northwest of the Property (013157104). Sandy soils near coast live oak trees on the Property are suitable for Hoover's bent grass. This species was not detected during appropriately timed botanical surveys conducted in spring 2017.

San Luis Obispo Owl's-clover (Castilleja densiflora ssp. obispoensis) is a CRPR 113.2 subspecies endemic to San Luis Obispo County. It is an annual wildflower that occurs in coastal grasslands in sandy, clay or serpentinite soils. It flowers from March to May. The closest known occurrence is 1.8 miles southeast of the Property (CNDDDB 19). Appropriate grassland habitat is present on the Property for San Luis Obispo Owl's-clover. This species was not detected during appropriately timed botanical surveys conducted in spring 2017 but was discovered in small patches at the time of subsequent appropriately timed surveys conducted in the spring of 2020.

Pismo Clarkia (Clarkia speciosa ssp. immaculatei) is listed as an endangered species under the federal Endangered Species Act (FESA) and listed rare under the California Endangered Species Act (CESA). It is endemic to southern San Luis Obispo County where it grows on sandy soils in grasslands, openings in

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chaparral, and cismontane woodland. It blooms from May to July. The sandy soils on the Property are suitable for Pismo clarkia. The closest known occurrence is approximately 0.6 miles northwest of the Property (CNDDDB 2). Pismo Clarkia was not detected during appropriately timed botanical surveys conducted in spring 2017 or at the time of subsequent appropriately timed surveys conducted in the spring of 2020.

San Luis Obispo County Lupine (*Lupinus ludovicianus*) is a CRPR 1B.2 species endemic to San Luis Obispo County. It is now known by relatively few occurrences from east Arroyo Grande to High Mountain Road and Santa Margarita. The closest reported occurrence is approximately 0.3 miles north of the Property (CNDDDB 10). This occurrence is documented as extirpated. San Luis Obispo County lupine was not detected during appropriately timed botanical surveys conducted in spring 2017.

Gambel's Watercress (*Nasturtium gambelii*) is listed as an endangered species under FESA and CESA. It occurs in saturated soils of marsh habitats and on stream and lake margins where it blooms from April to October. It is known from only four extant colonies; three in southwestern San Luis Obispo County and one in northwestern Santa Barbara County. There are no recent records of this species in the vicinity of the Property. Moderately appropriate habitat for Gambel's watercress is present in wetland habitat on the Property. This species was not detected during appropriately timed botanical surveys conducted in spring 2017.

Special Status Animals

The CNDDDB On-line Inventory of Rare and Endangered Animals of California contain records for 27 special status animals within the designated search area (Table 5 of the BRA). The search area included eight USGS 7.5-minute quadrangles surrounding the Study Area: San Luis Obispo, Lopez Mountain, Santa Margarita Lake, Pismo Beach, Arroyo Grande NE, Tar Spring Ridge, Ocean°, and Nipomo. Suitable habitat conditions are present on the Property for 7 special status animals.

CNDDDB definitions. "Special Animals" is a general term that refers to all of the animal taxa inventoried by the CNDDDB, regardless of their legal or protection status (CDFG July 2017). The Special Animals list is also referred to by the California Department of Fish and Wildlife (CDFW) as the list of "species at risk" or "special status species". These taxa may be listed or proposed for listing under the California and/or Federal Endangered Species Acts, but they may also be species deemed biologically rare, restricted in range, declining in abundance, or otherwise vulnerable.

Animals listed as California Species of Special Concern (SSC) may or may not be listed under California or Federal Endangered Species Acts. They are considered rare or declining in abundance in California. The Special Concern designation is intended to provide the California Department of Fish and Wildlife, biologists, land planners and managers with lists of species that require special consideration during the planning process in order to avert continued population declines and potential costly listing under federal and state endangered species laws. For many species of birds, the primary emphasis is on the breeding population in California. For some species that do not breed in California but winter here, emphasis is on wintering range. The SSC designation thus may include a comment regarding the specific protection provided such as nesting or wintering.

Animals listed as Fully Protected are those species considered by CDFW as rare or faced with possible extinction. Most, but not all, have subsequently been listed under the CESA4 or the Federal Endangered Species Act (FESA). Fully Protected species may not be taken or possessed at any time and no provision of the California Fish and Game code authorizes the issuance of permits or licenses to take any Fully Protected species.

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Potential special status animals list. Table 5 of the BRA lists 27 special status animal species reported from the region. Federal and California State status and CDFW listing status for each species are given. Typical nesting or breeding period, habitat preference, potential habitat on site, and whether or not the species was observed on the Study Area are also provided (CNDDDB 2017). Seven special status animals have potential to occur on the Property based on an analysis of known ecological requirements and the habitat conditions that were observed on the Property. The species, habitat, range restrictions, known occurrences, and survey results for the Study Area are discussed below.

Northern California Legless Lizard (*Anniella pulchra*) is a California Species of Special Concern that occurs from Contra Costa to Santa Barbara County. Northern California legless lizard inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Adapted to subterranean life, the legless lizard thrives near native coastal shrubs that produce an abundance of leaf litter and have strong roots systems (Kuhn et al. 2005). Areas of exotic vegetation and open grassland do not provide suitable habitat for the legless lizard since these plant communities support smaller populations of insect prey and offer little protection from higher ground temperatures and soil desiccation (Jennings and Hayes 1994; Slobodchikoff and Doyen 1977). The closest reported occurrence of the northern California legless lizard is located approximately 6.8 miles south of the Property (CNDDDB 101). The only potentially suitable habitat for legless lizards on the Property would be areas beneath tree canopy, outside wetlands. The habitat quality on site is very low. Legless lizards were not observed during surveys conducted in spring 2017 and are not expected to be present.

White-tailed Kite (*Elanus leucurus*) is a Fully Protected species that nests primarily in evergreen trees, especially coast live oaks, near meadows, marshes, or grasslands. The closest known occurrence of nesting white-tailed kites is 12.3 miles northwest of the Property (CNDDDB 79). Suitable foraging habitat is present on the Property, and low quality nesting habitat is present in the blue gum eucalyptus trees on the Property. White-tailed kites were not observed on the Property during the spring 2017 surveys, and are not expected to nest onsite.

Western Mastiff Bat (*Eumops perotis californicus*) is a California Species of Special Concern that roosts in crevices in a variety of materials, including buildings, tunnels, boulders, and trees. This species could occur on the Property in trees with loose bark. The closest reported occurrence of the western mastiff bat is 12.3 miles north of the Property (CNDDDB 180). The blue gum eucalyptus trees on the Property could be used for temporary roosting sites. Focused bat surveys were not conducted as part of this study.

Western Red Bat (*Lasiurus blossevillii*) is a California Species of Special Concern. This is a solitary species that roosts in the foliage of large shrubs and trees in habitats bordering forests, rivers, cultivated fields, and urban areas. Suitable roosting habitat is present for western red bat on the Property. The closest reported occurrence of the western red bat is 14.6 miles northeast of the Property (CNDDDB 15). The blue gum eucalyptus trees on the Property could be used for temporary roosting sites. Focused bat surveys were not conducted as part of this study.

Coast Horned Lizard (*Phrynosoma blainvillii*) is a California Species of Special Concern. The coast horned lizard is distributed from northern Baja California through Northern California occurring in open areas of valley foothill hardwood, conifer, riparian, pine-cypress, juniper and annual grassland habitats (CDFG 2007). The horned lizard needs friable sandy soil with rocks and logs essential for burrows and reproduction (CDFG 2007). Suitable habitat for the horned lizard must include an abundance of the native harvester ant (*Pogonornyx* and *Ales.svr*). The non-native Argentine ant (*Linepithema humile*) is detrimental to horned lizard food resources as it is out competing the native harvester ant, and the

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lizard will not eat the Argentine ant (CNDDDB 2017). Very little data exists on the habitat requirement for reproduction of the coast horned lizard; however it has been reported that in southern California the egg laying season is from late May through June (CDFW 2014). The closest reported occurrence of the coast horned lizard is located approximately 4.4 miles east of the Property (CNDDDB 624). Habitat on the Property is poorly suited to support this coast horned lizard. Coast horned lizards were not observed on the Property during the spring 2017 surveys and are not expected to occur onsite.

Yellow Warbler (*Setophaga petechia*) is a California Species of Special Concern with a restricted breeding range in Central and Southern California. They frequent riparian habitats, nesting in sycamores, cottonwoods, willows, and other riparian trees. There are no breeding records in the CNDDDB for yellow warbler in SLO County; however yellow warbler is a regular spring and fall migrant that will breed in the County. The riparian habitat on the Property is moderately suitable for nesting yellow warblers. This species was not observed on or near the Property during the spring 2017 surveys.

American Badger (*Taxidea taxus*) is a California Species of Special Concern with a widespread range across the state (Brehme et. al. 2015; CDFW 2014). It is a permanent but uncommon resident in all parts of California, except for forested regions of the far northwestern corner, and is more abundant in dry, open areas of most shrub and forest habitats (CNDDDB 2017). The American badger requires friable soil in order to dig burrows for cover and breeding. The main food source for the species is fossorial rodents, mainly ground squirrels and pocket gophers (CDFW 2014). The breeding season for badgers is in summer and early fall, and females give birth to litters usually in March and April (CDFW 2014). The closest reported occurrence of the American badger is located approximately 0.8 miles north of the Property (CNDDDB 199) in grazed grassland habitat that is adjacent to oak woodland and chaparral. Grassland habitat and sandy soils on the Property are suitable for American badger, however low prey base and increasing residential development reduce the likelihood of badgers occurring on the site. No American badgers, or evidence of badgers such as dens or dig-outs, were observed during the spring 2017 surveys.

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?*

Special-status Plants

Botanical surveys conducted in spring 2017 identified 94 species, subspecies, and varieties of vascular plant taxa on the Property (Table 6 of the BRA). The list includes 42 species native to California and 52 introduced (naturalized or planted) species. Native plant species account for approximately 45 percent of the taxa within the Property; introduced species account for approximately 55 percent. No special status plant species were identified on the Property. Botanical nomenclature used in the BRA follows the Jepson Manual, Second Edition (Baldwin et al. 2012). The BRA also provides Jepson Manual First Edition names in brackets where nomenclature has recently changed (Hickman 1993). A subsequent spring botanical survey conducted in June, 2020 found four small patches of San Luis Obispo Owl's-clover (*Castilleja densiflora* ssp. *obispoensis*) which is a CRPR 113.2 subspecies. Direct impacts to this species could occur from construction activities associated with the access roadway and future residence on Parcel 1. These potential impacts could include removal of individual plants and intact seed banks that occur within and immediately adjacent to work areas, as well as permanent conversion of occupied habitat. Indirect impacts to special-status

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plants in adjacent areas may result from dust emissions during construction, altered hydrology, or the spread of non-native and invasive plant species to areas not previously impacted.

To mitigate for the potential impacts to this species, prior to construction activities, mature seeds will be collected from plants and spread across suitable habitat on the property outside of the impact zone. Topsoil underneath and surrounding the populations that will be impacted will be salvaged, stockpiled on-site during construction, and then spread over temporary disturbance areas. Collected seed will be broadcast by hand within suitable areas that are not within the construction footprint to enhance and expand upon unimpacted populations on the property.

With implementation of mitigation measures BIO-5 and BIO-6, this impact is considered *less than significant with mitigation*.

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Figure 13 -- Results of July 7, 2020, Spring Botanical Survey- (Source: July 7, 2020 Spring Botanical Survey Updated Map- Biological Resources and Impacts Figure 3)



Legend

 Study Area (10.01 acres)	 Riparian (0.2 acre)
 Permanent Impacts (3.47 acres)	 Wetland (0.9 acre)
 Temporary Impacts (0.12 acre)	 San Luis Obispo owl's-clover
 California Annual Grassland (7.7 acres)	 Drainage
 Blue Gum Eucalyptus (1.1 acres)	● Willows



0 100 200 Feet

Crisp - Old Oak Park
 Map Center: 120.59405°W 35.16254°N
 Arroyo Grande, San Luis Obispo County

Imagery Source: USDA NAIP, 07/14/2018



ALTHOUSE AND MEADE, INC.
 BIOLOGICAL AND ENVIRONMENTAL SERVICES

Map Updated:
 July 07, 2020 11:14 AM by SAF

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Special Status Wildlife

Several special-status animal species (and nesting birds) have potential to be directly impacted during vegetation removal, grading and construction activities. In addition, several special-status animal species have potential to be indirectly affected during construction activities through increased noise, vibration, lighting, and dust. Such indirect disturbance has the potential to affect foraging patterns and disorient special-status bird species that have the potential of occurring in the project area. Increased anthropogenic disturbance and waste (e.g., litter) during and following project construction could also attract predators of special-status species to the project vicinity.

Special-status animal species deemed to have at least a low to moderate potential of occurrence within the project area include, northern California legless lizard (*Anniella pulchra*), white-tailed kite (*Elanus leucurus*), western mastiff bat (*Eumops perotis californicus*), western red bat (*Lasiurus blossevillii*), coast horned lizard, (*Phrynosoma blainvillii*), yellow warbler (*Setophaga petechia*), and American badger (*Taxidea taxus*). With implementation of mitigation measures BIO-7 through BIO-10, potential impacts to listed wildlife species is considered *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?*

As discussed in the setting, above, a roadside ditch along Old Oak Park Road on the western Property boundary supports an intermittent thicket of arroyo willows (*Salix lasiolepis*). This riparian habitat is directly associated with the ditch and does not extend east into the Property where an herbaceous wetland occurs. The channel supports wetland vegetation beneath and between the willows, such as annual beard grass (*Polypogon monspeliensis*), hedge nettle (*Stachys bullata*), willow dock (*Rumex salicifolius*) and others.

East of the riparian canopy, mesic conditions support herbaceous hydrophytic vegetation in a topographically low area parallel to the roadside ditch. Calla lily (*Zantedeschia aethiopica*), water smartweed (*Persicaria amphibia*), kikuyu grass (*Pennisetum clandestinum*), annual beard grass, and marsh clover (*Trifolium wormskioldii*) were common with occasional spiny cocklebur (*Xanthium spinosum*), California blackberry (*Rubus calif. ornatus*), and bur-reed (*Sparganium eurycarpum*).

Wetland habitat mapped parallel to Old Oak Park Road was not evaluated as part of this study for jurisdictional status which would be determined by a formal wetland delineations conducted according to state and federal standards to determine the extent of Clean Water Act (CWA) section 404 jurisdictional wetlands, waters of the United States, and jurisdictional waters and wetlands of the State of California. However, according to the BRA, construction of the proposed driveway on Old Oak Park Road and construction of the access road would permanently impact approximately 0.17 acres of wetland and 0.06 acres of riparian habitat. An additional 0.05 acres could be temporarily impacted by the project (0.02- and 0.03- acres for wetland and riparian habitat).

The project description includes a Preliminary Wetland and Riparian Mitigation Plan (PWRMP) (Althouse and Meade, June, 2020) to provide mitigation for the loss of these resources associated with project construction. Mitigation for permanent impacts is recommended to be mitigated by the enhancement and restoration of wetland habitat at a ratio of 3:1 and the enhancement of riparian resources at a ratio of 2:1. Enhancement and restoration efforts associated with implementation of the PWRMP will increase the density and robustness of the resources along the roadway and

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mitigate for the loss of these resources. Therefore, with implementation of mitigation measures BIO-2 through BIO-5 potential impacts to riparian and wetland resources will 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?*

See response to item b above. Upon implementation of recommended mitigation measures, impacts to state or federally protected wetlands would be *less than significant with mitigation*.

- (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?*

Wildlife Corridors

Maintaining connectivity between areas of suitable habitat is critical for the survival and reproduction of plants and wildlife. Intact habitats benefit plants by ensuring proper dispersal of pollen and seeds, which sustains or grows the population and contributes to the genetic health of the species. Wildlife need contiguous habitats for the acquisition of food, access to mates and suitable habitat that supports reproduction, migration, and rest, and for the successful dispersal of young.

Based on the California Essential Habitat Connectivity Project, the project site is not located in an identified Essential Connectivity Area.

The BRA prepared for this project site states that scrub and woodland habitats suitable for wildlife occurs in the vicinity of the Property. Therefore, the Property could provide low quality habitat connectivity and wildlife movement between natural (undeveloped) habitats, but it is not likely to be part of a significant wildlife movement corridor.

Migratory Birds

In addition to those species protected by the state or federal ESA, all native avian species are protected by state and federal legislature, most notably the Migratory Bird Treaty Act and the CDFW Fish and Game Code. Collectively, these and other international regulations make it unlawful to collect, sell, pursue, hunt, or kill native migratory birds, their eggs, nests, or any parts thereof. The laws were adopted to eliminate the commercial market for migratory bird feathers and parts, especially those of larger raptors and other birds of prey.

Avian species can be expected to occur within and adjacent to the project site during all seasons and throughout construction of the proposed project. The potential to encounter and disrupt these species is highest during the nesting season (generally February 1 through September 15) when nests are likely to be active, and eggs and young are present. Wetland, riparian, blue gum eucalyptus and grassland habitats of the project site provide suitable foraging and nesting habitat for many species.

Therefore, with implementation of mitigation measure BIO-8, potential impacts associated with wildlife movement are considered *less than significant with mitigation*.

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

According to the BRA, a total of 12 mature arroyo willow trees, with diameter at breast height (dbh) ranging from 2 to 5 inches, would be removed during construction of the driveway and access road. Three willows may be temporarily impacted if trimming is necessary during construction activities. There are no oak trees proposed to be removed. County policies and ordinances do not specifically address the removal of willows. However, impacts to willows and other sensitive biological resources are addressed through the environmental review process under CEQA as well as the permitting requirements of state and federal regulations including, but not limited to, the Clean Water Act and the state Fish and Game Code. In this case, as discussed under items c) and d) above, the project includes a Preliminary Wetland and Riparian Mitigation Plan (PWRMP) to provide mitigation for the loss of riparian and wetland resources including the loss of willows.

The project would be consistent with existing policies and standards in the County Land Use Ordinance (LUO) related to the protection of biological resources, such as a tree preservation policy or ordinance. Therefore there would be *no impact* associated with Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

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

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

Conclusion

Upon implementation of mitigation measures BIO-1 through BIO-10, impacts to biological resources would be *less than significant with mitigation*.

Mitigation

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BIO-1 Environmental Awareness Training – The following measure shall be implemented **prior to the onset of construction activities associated with subdivision improvements and construction on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Prior to the onset of construction activities, an environmental awareness training shall be presented to all project personnel by a qualified biologist. The training shall include color photographs and a description of the ecology of all special-status species known or determined to have potential to occur (e.g., San Joaquin kit fox), as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by any discretionary permits, an overview of the federal Endangered Species Act (ESA), the California Endangered Species Act (CESA), and implications of noncompliance with these regulations. This will include an overview of the required avoidance and protection measures. A sign-in sheet with the name and signatures of the qualified biologist who presented the training and the names and signatures of the environmental awareness trainees will be kept and provided to the County. If new project personnel join the project after the initial training period, they will receive the environmental awareness training from the qualified biologist before beginning work.

BIO-2 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Prior to issuance of grading or construction permits, the applicant shall engage a County-approved qualified biologist to conduct the monitoring and pre-construction surveys required by all relevant adopted mitigation measures associated with biological resources. The applicant shall submit a copy of the approved contract with the biological monitor to the Director prior to issuance of grading or construction permits. The contracted scope of work shall include performing pre-construction surveys prior to start of disturbance, followed by a confirmation of results via email to County Planning staff. The monitor shall provide monthly reports to the Department of Planning and Building and a summary report prior to final inspections or final release of improvements, grading or occupancy. The name and contact information of the contracted biological monitor shall be printed on the construction plans.

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BIO-3 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Other Agency Permits. The applicant understands that state or federal permits may be needed from one or more of the following resource agencies: California Department of Fish and Wildlife, U.S. Fish & Wildlife Service, Army Corps of Engineers, for construction activities including grading, road improvement, or maintenance work involving any riparian area or drainage feature. Where required, the Applicant shall obtain a Section 404 Nationwide Permit from USACE, a Section 401 Water Quality Certification from RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW to authorize project-related impacts in all areas potentially under the jurisdiction of these regulatory agencies and provide satisfactory evidence to the County, as follows:

- A. **Prior to the issuance of construction permits or the initiation of ground-disturbing activity**, the applicant shall provide to the County, for each of these resource agencies, that either a) evidence that a permit was not necessary, or b) a copy of the required permit(s). When such permits are required, the County shall review the permit(s) for consistency with County measures prior to issuance or start of construction. All applicable field requirements of the agency permit(s) shall be shown on applicable construction drawings and adhered to during construction.
- B. The following measures would apply where waters of the U.S. or waters of the State cannot be avoided:
 - 1) Based on final site designs, the applicant shall confirm with a qualified biologist or from the Corps that a Clean Water Act (CWA) Section 404 permit will not be required for activities within the Toad Creek riparian habitat. Assuming a Corps permit is not required, RWQCB compliance will need to occur via the Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction (Water Quality Order No. 2004-0004-DWQ).
 - 2) If the project design requires fill within waters of the U.S., the applicant shall obtain and implement all the terms and conditions of a Corps Nationwide Permit to the satisfaction of the Corps. Compliance with Corps regulatory permitting would also include obtaining and CWA 401 Water Quality Certification from the RWQCB that would satisfy approval of work in California waters of the State.
 - 3) The applicant shall also obtain Section 1600 regulatory compliance in the form of a Streambed Alteration Agreement from CDFW or a determination that no agreement would be required for impacts to the Toad creek riparian corridor.
 - 4) Compensatory mitigation will likely be required to be implemented on-site at a minimum ratio of 3:1 to offset permanent impacts to jurisdictional riparian habitat (note resource agencies may require a higher ratio). A mitigation and monitoring plan shall be prepared by a biologist familiar with restoration and mitigation techniques as part of the permit

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application packages. The plan shall include, but not be limited to the following components:

- Description of the project/impact site
- Goal(s) of the compensatory mitigation project
- Description of the proposed compensatory mitigation-site
- Implementation plan for the compensatory mitigation-site
- Maintenance activities during the monitoring period
- Monitoring plan for the compensatory mitigation-site
- Success criteria and performance standards
- Reporting requirements
- Contingency measures and funding mechanisms
- Erosion control and landscaping specifications included in the mitigation plan shall allow only natural-fiber, biodegradable meshes and coir rolls, to prevent impacts to the environment and to prevent entrapment of wildlife.

In addition, the mitigation plan shall incorporate all of the recommendations of the Regional Water Quality Control Board set forth in the letter of August 10, 2021 from Terra Verde Environmental Consulting summarizing the results of the pre-filing meeting of April 21, 2021 regarding the updated Section 401 Certification Rule, including at least the following:

- Proof of compliance with Post Construction Requirements (PCR) or provide an explanation if the project is not subject to PCRs.
- Incorporation of a bioswale along the driveway to prevent point-discharge pollutants into the wetland areas.
- Alternative's analysis for the driveway crossing location that includes an assessment of an alternate access to the property or installation of an environmentally superior alternative crossing such as a soft bottom culvert, an arch culvert, and/or a free span bridge.
- Preparation of an addendum to the FWRMP that separates the riparian and wetland impacts as well as increases the performance criteria for enhancement areas to 50 percent cover of native species and at least three native species present at the end of the monitoring period.

BIO-4 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Protection of State Waters and Wetlands. Prior to the issuance of construction permits or subdivision improvement work, a buffer of no less than 50 feet shall be mapped by a qualified biologist and drawn by a licensed surveyor or registered civil engineer. The buffer

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shall be shown on all applicable subdivision improvement plans. Project activity occurring within and/or within 50 feet of aquatic habitat (e.g., the riparian and wetland habitats identified in the BRA) shall occur only if appropriate authorizations have been issued and during the dry season (between June 1 and September 31). For short-term, temporary stabilization, an erosion and sedimentation plan control plan shall be developed outlining Best Management Practices (BMPs), which shall be implemented to prevent erosion and sedimentation into drainages and wetlands. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) fiber rolls, jute or coir netting, and/or other industry standards. BMPs shall be installed and maintained for the duration of the project.

- BIO-5** The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Special-status Botanical Species. The following specific measures are required to reduce the anticipated impacts to special status plant populations:

Prior to the start of construction, updated botanical surveys will be completed during the appropriate seasons (i.e., approximately April through July) unless construction activities will occur within 24 months of a previous appropriately timed botanical survey for all proposed disturbance areas. Surveys will include identification and mapping of the current extent of all special-status plant populations. To the extent feasible, ground disturbance shall avoid areas where special-status plant populations were mapped during 2020 surveys as shown in Figure A-1 and all subsequent surveys. In no case shall more than 10% of an on-site population be impacted based on the most recent appropriately timed survey.

- BIO-6 Open Space Easement.** Prior to subdivision improvements, the applicant shall enter into an agreement with the County, in a form acceptable to County Counsel, to establish an Open Space Easement to protect existing populations of San Luis Obispo Owl's Clover (*Castilleja densiflora* ssp. *obispoensis*) as well as the wetland and riparian resources (identified in the July 7, 2020, Spring Botanical Survey- Updated Map- Biological Resources and Impacts Figure 3) associated with each parcel.

The San Luis Obispo owl's-clover plants which were detected by the Biologist (Althouse and Meade, Inc.) within the grassland habitat, as located along the northeasterly portion of Parcel 1 and southeasterly portion of Parcel 2, and as identified on the Updated Map from July 7, 2020, Spring Botanical Survey- Biological Resources and Impacts Figure 3, are to be excluded from the Open Space Easement and are assumed to be impacted and mitigated pursuant to BIO-6.f. below. Collected seed and salvaged topsoil from these two areas shall be redistributed within the Open Space Easement Areas located along the southern boundary of Parcel 1, where the population of the San Luis Obispo owl's-clover is notably larger and can be protected with a buffer.

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The terms of the Open Space Easement shall include at least the following limitations:

- a. The area subject to the Open Space Easement shall be drawn by a licensed surveyor and shall be maintained in its current state subject to the limitations listed below.
 - i. The Updated Map from the July 7, 2020, Spring Botanical Survey- Biological Resources and Impacts Figure 3, shall be imbedded into the recorded Open Space Easement.
- b. Foot traffic, only, shall be allowed within the Open Space Easement throughout the calendar year;
- c. Fuel management is allowed and shall be the minimum required by Cal Fire /County Fire;
- d. Grazing may be allowed from September through February and shall be prohibited between March and August;
- e. Such other measures as deemed necessary by the Director to ensure the permanent preservation of areas currently occupied by San Luis Obispo Owl's Clover and wetland and riparian resources within the areas identified as such in the Open Space Easement.
- f. **Pre-construction survey for the San Luis Obispo owl's-clover plants & Restoration of Impacted Areas.**
 - If work is to occur between approximately June through August; a County-approved qualified biologist shall conduct a pre-construction survey for the San Luis Obispo owl's-clover plants at least one-week prior to the initiation of ground disturbing activities.
 - During the appropriate season (i.e., approximately June through August) prior to the start of construction, mature seed will be collected from individual plants that will be removed as a result of the proposed development. This seed will be temporarily stored in paper bags or envelopes in a cool, dry location. Collected seed will be spread in areas of suitable habitat on site that will not be disturbed as part of the proposed development. In particular, the seed should be used to enhance and expand upon existing population patches that were mapped throughout the site. The top four to six inches of topsoil will be salvaged during initial grading and stored separately. Stored topsoil will be spread in temporary disturbance areas (e.g., road edges, and utility trench lines) following the completion of construction.

BIO-7 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction survey for American badger. A qualified biologist shall complete a pre-construction survey for badger no less than 14 days and no more than 30 days prior to the start of initial project activities to ensure badger is not present within all proposed work areas and a 200-foot buffer. If dens are discovered, they shall be inspected to determine if they are currently occupied. If active badger dens are found, an exclusion zone shall be established around the den. A minimum of a 50-foot exclusion zone shall be established during the non-breeding season (July 1 to January 31) and a minimum 100-foot exclusion zone during the breeding season (February 1 to June 30). Each exclusion zone shall be roughly circular in configuration with a radius of 50 feet

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(non-breeding season) or 100 feet (breeding season) measured outward from the burrow entrances. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the appropriate resource agency shall be contacted for further guidance. The results of the survey shall be provided to the County prior to initial project activities.

If a significant amount of time lapses between different phases of project activities (e.g., vegetation trimming and the start of grading), where no or minimal work activity occurs, the badger survey shall be updated. The amount of time necessary to trigger an updated survey will depend on the work location, habitat of the area to be disturbed, and season during which work is planned.

BIO-8 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction Survey for Sensitive and Nesting Birds. If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to initial project activity, including ground disturbance and/or tree removal/trimming, beginning on site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A 50-foot exclusion zone shall be placed around non-listed, passerine species, and a 250-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall be roughly circular in configuration with a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species) measured outward from the nest. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young. If other special-status avian species (aside from the burrowing owl or tricolored blackbird [if identified in biological report]) are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the local CDFW biologist, and/or the USFWS. The results of the survey shall be provided to the County prior to initial project activities. The results shall detail appropriate fencing or flagging of any needed exclusion zones and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending upon site conditions and species (if non-listed).

If a significant amount of time lapses between different phases of project activities (e.g., vegetation trimming and the start of grading), where no or minimal work activity occurs, the nesting bird survey shall be updated. The amount of time necessary to trigger an updated survey will depend

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on the work location, habitat of the area to be disturbed, and season during which work is planned.

- BIO-9** The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction survey for Special-status Reptiles. A qualified biologist shall conduct a pre-construction survey for California legless lizard immediately prior to initial project activities (i.e., the morning of the commencement of project activities) within 50 feet of suitable habitat. Construction monitoring shall also be conducted by a qualified biologist during all initial ground disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, vegetation removal including tree removal, etc.) within suitable habitat. If any special-status reptile species is discovered during surveys or monitoring, they will be allowed to leave on their own or will be hand-captured by a qualified biologist and relocated to suitable habitat outside the area of impact. If any additional ground- or vegetation-disturbing activities occur on the project site, the above surveys and monitoring shall be repeated. A monitoring report summarizing results of the monitoring shall be submitted to the County Department of Planning and Building within one week of completing monitoring work for this species.

- BIO-10** The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Roosting Bats Avoidance Measures and Preconstruction Survey. Site preparation, ground disturbance, and construction activities including any tree trimming and/or vegetation removal shall be conducted outside of the typical bat maternity roosting and pupping season (from February 1st to August 31st), if feasible. If site disturbance activities are to occur within this season, the applicant shall retain a County-qualified biologist to conduct a preconstruction survey within 14 days prior to commencement of proposed site disturbance activities. If any roosting bats are found during preconstruction surveys, no work activities shall occur within 100 feet of active roosts until bats have left the roosts. The County-qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County within 14 days of completion of each survey. If no bat roosting activities are detected within the proposed work area, site disturbance and noise-producing construction activities may proceed, and no further mitigation is required.

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Sources

Provided in Attachment A.

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July 7, 2020, Spring Botanical Survey- Updated Map- Biological Resources and Impacts Figure 3



Legend

- | | |
|--|--|
| Study Area (10.01 acres) | Riparian (0.2 acre) |
| Permanent Impacts (3.47 acres) | Wetland (0.9 acre) |
| Temporary Impacts (0.12 acre) | San Luis Obispo owl's-clover |
| California Annual Grassland (7.7 acres) | Drainage |
| Blue Gum Eucalyptus (1.1 acres) | ● Willows |



0 100 200 Feet

Crisp - Old Oak Park
Map Center: 120.59405°W 35.16254°N
Arroyo Grande, San Luis Obispo County

Imagery Source: USDA NAIP, 07/14/2018



ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES

Map Updated:
July 07, 2020 11:14 AM by SAF

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V. CULTURAL RESOURCES

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

Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, and immigrant settlers.

As defined by CEQA, a historical resource includes:

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

The County of San Luis Obispo LUO Historic Site (H) combining designation is applied to areas of the county to recognize the importance of archeological and historic sites and/or structures important to local, state, or national history. Standards are included regarding minimum parcel size and permit processing requirements for parcels with an established structure and Historic Site combining designation. For example, all new structures and uses within an H combining designation require Minor Use Permit approval, and applications for such projects are required to include a description of measures proposed to protect the historic resource identified by the Land Use Element (LUO 22.14.080).

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

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The COSE identifies and maps anticipated culturally sensitive areas and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native American, or cultural significance. Based on the COSE, the project is not located in a designated Archaeological Sensitive Area or Historic Site.

Discussion

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

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

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

The project will result in a total 4,500 cy of cut and fill (2,250 cy of cut, 2,250 cy of fill) and a total area of disturbance (proposed driveway improvements and both building envelopes) is expected to be less than three and a half (<3.5) acres per the preliminary grading and drainage engineered plans. The creation of a new lot would allow future construction of two additional residential units (a primary and secondary unit) and accessory structures. In order to meet AB52 Cultural Resources requirements, outreach to four Native American tribal groups had been conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). No responses were received.

A Phase I Archaeological Study of the project site Cultural Resource Management Services conducted was undertaken in August 2017. The study was conducted by a qualified archaeologist consistent with County guidelines and includes a cultural resources records search, a site visit, and the preparation of a technical report documenting the results of the assessment which includes management recommendations. The study included a records search from the Sacred Lands Search at the Native American Heritage Commission (NAHC) and Native American groups cited by the NAHC were contacted. Concurrent with the field survey, a records and literature search was conducted at the Central Coast Information Center (CCIC), located at the University of California, Santa Barbara. A search also included inventories for the State Historic Property Files, National Register of Historic Places, National Register of Determine Eligible Properties, California Historical Landmarks and California Points of Historic Interest. A record search encompassed a one-quarter mile foot buffer zone around the parcel. The Central Coast Information Center reported that seven cultural resource surveys have been completed within the search area. No archeological sites have been recorded within the search area.

No evidence of significant prehistoric or historic artifacts, features or other indications of cultural resources were encountered during the investigation. No further archeological investigation is required for the eastern portion of the parcel where the majority of the driveway access road will be constructed and where the two building sites have been located. The lower (western) area of the lot along Old Oak Park Road, contains wetland vegetation that was not surveyed due to the presence of dense vegetation and the resulting poor visibility to the ground surface in these limited areas.

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However, based on the absence of surface resources elsewhere on the project site as revealed by the Phase I survey and literature search, it is the opinion of the archaeologist that it is unlikely that resources are present.

In the unlikely event that resources are uncovered during grading activities, implementation of LUO 22.10.040 (Archaeological Resources) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. This protocol would ensure full compliance with California State Health and Safety Code Section 7050.5 as well as CDFA requirements regarding accidental discovery of cultural resources.

Therefore, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

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

Based on existing conditions, buried human remains are not expected to be present on the project site. In the event of an accidental discovery or recognition of any human remains, during future grading activities, California State Health and Safety Code Section 7050.5 and LUO 22.10.040 (Archaeological Resources) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and County LUO Section 22.10.040, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant*.

Conclusion

No evidence of significant prehistoric or historic artifacts, features or other indications of cultural resources were encountered during the investigation. In the event unanticipated sensitive archaeological resources or human remains are discovered during future project construction activities, adherence with County LUO Section 22.10.040 standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to cultural resources would be *less than significant* and no mitigation measures are necessary.

Mitigation

None are required.

Sources

Provided in Attachment A.

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VI. ENERGY

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

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2019).

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

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

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

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where

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renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100).

The project is located in the County's Renewable Energy (RE) Area Combining Designation. The RE Area Combining Designation is used to encourage and support the development of local renewable energy resources, conserving energy resources, and decreasing reliance on environmentally costly energy sources.

Discussion

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

Project implementation would require minimal consumption of energy resources. During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. The Residential Rural land use category would allow for a primary and a secondary residence to be constructed on each parcel as well as accessory structures along with construction activities. Energy demands during project operation would be provided through existing infrastructure and would not substantially increase over existing demands. Operational energy use would be consistent with that of similar facilities and would not be wasteful or inefficient. There are no unique project characteristics that would result in a significant increase in energy usage, or an inefficient, wasteful use, or unnecessary consumption of energy resources. The project is required to meet the mandatory measures laid out in the most current edition of the California Green Building Standards Code. Potential impacts would be *less than significant*.

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

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

Conclusion

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

Mitigation

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

Sources

Provided in Attachment A.

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VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
(ii) Strong seismic ground shaking?	☐	☐	☒	☐
(iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
(iv) Landslides?	☐	☐	☒	☐
(b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☒	☐	☐

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Setting

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

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to the seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. There are no active faults within 1 mile of the project.

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

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

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of

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moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. Per the County's Land Use View Mapping Application, the project site is in areas of Moderate and High Potential Landslide Risk. The front (west) portion of the site, adjacent to Old Oak Park Road, and the rear third of the proposed lots where the building envelopes are proposed are located within Low Potential Landslide Risk areas. The middle portion of the proposed lots where future development is limited to driveway/access improvements, are located within an area of Moderate Potential Landslide Risk.

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

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate, with the exception of construction of one single-story single family residence, agricultural uses not involving a building, agricultural accessory structures, and alterations or additions to any structure which does not exceed 50 percent of the assessed value of the structure. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault within an Earthquake Fault Zone (LUO 22.14.070).

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

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

Geotechnical Study

A geotechnical engineering report was prepared for the project site by Beacon Geotechnical, Inc. in February of 2018 which is incorporated by reference and available for review at the Department of Planning and Building, 976 Osos Street, Suite 200, San Luis Obispo. The findings and recommendations of the investigation are summarized below. This study is based on the location of the improvements as described in the project description and as shown in Figures 6 and 7.

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Discussion

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

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

Based on the California Department of Conservation Earthquake Zone Map, the project site is not located within a mapped Alquist-Priolo earthquake hazard zone (CGS 2018). Based on the County Safety Element Fault Hazards Map, the project site is not located within 1 mile of a known active or potentially active fault. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault and *no impacts* would result.

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

Based on the County Safety Element Fault Hazards Map, the project site is not located within 1 mile of a known active or potentially active fault. However, San Luis Obispo County is located in a seismically active region and there is always a potential for seismic ground shaking. The project would be required to comply with the California Building Code (CBC) to ensure the effects of a potential seismic event would be minimized to the greatest extent feasible. Implementation of the project in compliance with relevant construction codes, and incorporating the recommendations of the geotechnical study prepared for the project site, 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, the project site is located in an area with low potential for liquefaction. Future development would be required to comply with CBC seismic requirements to address the site's potential for seismic-related ground failure including liquefaction. Therefore, the project would not cause adverse effects involving liquefaction, a product of landslides, and impacts would be *less than significant*.

(a-iv) *Landslides?*

Per the County's Land Use View Mapping Application, the project site includes areas with a Moderate to High Potential Landslide Risk.

The project site is within Low to Moderate Potential Landslide Risk areas. However, according to the geotechnical study prepared for the project site and incorporated into the project description, due to the lack of evidence of prior landslide or slumping features observed during site exploration, aerial photograph interpretation and geologic map review, the potential for landslides is considered low at the project site. With implementation of the recommendations for grading and drainage provided in the geotechnical engineering report, impacts associated with landslides will be *less than significant*.

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

The project will result in the disturbance of approximately 3.5 acres of disturbance and will include 2,250 cubic yards (cy) of cut and 2,250 cy of fill. Construction of the proposed access road will involve grading on slopes in excess of 15 percent which in turn will result in cut slopes and retaining walls as high as 7 feet in some areas. During grading activities there would be a potential for erosion and sedimentation to occur. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) 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.

Lastly, development of the project site is also subject to the applicable building restrictions and mitigation measures associated with the underlying parcel (lot 5 of Tract 2163) as described in the Baseline Conditions. These requirements and limitations will be applied as mitigation measures during the construction of subdivision improvements and will be incorporated as an Additional Map Sheet recorded with the subdivision and implemented as mitigation measures at the time of building permit application for the subsequent development of each parcel.

Compliance with existing regulations, together with the previously identified building restriction mitigation measures (included below as GEO-1), would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant with mitigation*.

(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?*

As discussed above under item a-iv, based on the geotechnical investigation, the project site is located in an area with low landslide risk. The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction risk and the project is not located within the GSA combining designation. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse would be *less than significant*.

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

Based on the Soil Survey of San Luis Obispo County and Web Soil Survey, the project site is not located within an area known to contain expansive soils as defined in the Uniform Building Code. In addition, all future development would be required to comply with the most recent CBC requirements, which have been developed to properly safeguard structures and occupants from land stability hazards, such as expansive soils. Therefore, potential impacts related to expansive soil would be *less than significant*.

(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 project proposes the use of on-site wastewater treatment systems. Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State

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installation requirements can be met. The County Environmental Health Services Division will certify that field investigations show that ground slopes and soil conditions will allow for satisfactory disposal by on-site septic systems. All septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from any domestic water wells or watercourse, 200 feet away from reservoirs, shall be located in areas free from bedrock, and shall not be placed on natural slopes that exceed 30%. Should a wastewater disposal system be installed in an area with greater than 20% slope then it must be designed and the installation certified by a registered civil engineer.

The majority of the site is mapped as Pismo loamy sand (9 to 30 percent slopes) with the west portion mapped as Corralitos sand (2 to 15 percent slopes). Percolation testing was done on the site as part of the geotechnical evaluation in accordance with the County of San Luis Obispo standards. Eight (8) percolation borings were drilled and the borings were presaturated and subsequently tested. Based on the resulting percolation rates, the geotechnical study recommends that any septic system be designed using a rate of forty (40) minutes per inch. Accordingly, the geotechnical evaluation demonstrates that a septic system is feasible for the project site.

Prior to building permit issuance, the proposed septic system design will be evaluated and future development must comply with ordinance requirements for the placement and design of septic systems. Development of the project site is also subject to the applicable building restrictions and mitigation measures associated with the underlying parcel (lot 5 of Tract 2163) as described in the Baseline Conditions. These requirements and limitations will be applied as mitigation measures during the construction of subdivision improvements and will be incorporated as an Additional Map Sheet recorded with the subdivision and implemented as mitigation measures at the time of building permit application for the subsequent development of each parcel.

Compliance with existing regulations, together with the previously identified building restriction mitigation measures (included below as GEO-1), potential impacts associated with having soils incapable of adequately supporting the use of septic tanks would be *less than significant with mitigation*.

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

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

Conclusion

The project site is not within the GSA combining designation or an area of high risk of landslide, liquefaction, subsidence, or other unstable geologic conditions. The on-site soils would be able to support the proposed on-site wastewater treatment systems. The project and future development would be required to comply with CBC and standard LUO requirements which have been developed to properly safeguard against seismic and geologic hazards. Therefore, together with the previously identified building restriction mitigation measures (GEO-1), potential impacts related to geology and soils would be less than significant and no mitigation measures are necessary.

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Mitigation

GEO-1 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

1. The applicant shall clearly delineate on the improvement plans that all cut and fill slopes are to be revegetated for erosion control and maintained in a viable condition thereafter. Grading plans are to be reviewed and approved by the Department of Planning and Building in consultation with the Environmental Coordinator.
2. At the time of application for building permits for each lot, the owner shall submit a soils report prepared by a California civil engineer. The soils report shall address the criteria required for all building foundations and the foundations shall be designed by a California registered architect or engineer. If a qualified soils professional determines that a soils report is not required for the building site, they shall state this in a letter and assume responsibility for any building foundation designs. The County Department of Planning and Building may require a soils report even if a soils engineering company determines the location of the proposed structure would not require the information such a report would provide.
3. At the time of application for building permits for each lot, a percolation test prepared by a California registered civil engineer shall be required to determine the appropriate design for the septic system. If percolation rates exceed 30 minutes per inch then the entire sewage disposal system shall be designed by a California licensed civil engineer per Title 19 of the County Code.
4. At the time of application for building permits for subdivision improvements, the applicant shall clearly delineate the vertical height of all cut and all slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:
 - a. Revegetation program must be designed and overseen by a landscape professional.
 - b. The goal of revegetation shall be to establish a permanent self-sustaining plant cover that will blend and be compatible with the surrounding environment.
 - c. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
 - d. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.

Sources

Provided in Attachment A.

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VIII. GREENHOUSE GAS EMISSIONS

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

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 (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). Carbon dioxide (CO₂) 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.

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

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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 climate change 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 that were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 MTCO_{2e} 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 the Global Warming Solutions Act (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. The bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020 and the SLOAPCD no longer recommends the use of these thresholds for CEQA evaluations.

Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020 and the SLOAPCD no longer recommends the use of these thresholds for 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 which demonstrated that no-net GHG increase was feasible and defensible. 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 (ie, di minimus: 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:

- *Meeting Local GHG Emission Targets with Best Management Practices*

On April 23, 2020, the Sacramento Metropolitan Air Quality Management District (SMAQMD) adopted Greenhouse Gas Thresholds for Sacramento County. This substantial evidenced based document sets SB 32-based local GHG emission targets for 2030 by evaluating the GHG inventory for local emission sectors relative to statewide sector inventories and the state's GHG

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reduction target of 40% below 1990 levels. Relative to business-as-usual, the document considered the commercial and residential sector emission reductions needed from new development to help achieve the SB 32 goal. To help secure these reductions, best management practices were established for new development.

- o *GHG Bright-line and Efficiency Thresholds*

SB 32 based local bright-line and operational efficiency thresholds can be established by evaluating local emission sectors in a jurisdiction's GHG inventory relative to statewide sector inventories and the state's GHG reduction target of 40% below 1990 levels. This approach is found in earlier drafts of SMAQMD's SB 32 threshold work and the AEP Climate Change Committee may provide guidance on a similar approach.

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 MMTCO₂e, which was 7 million MMTCO₂e below the 2020 GHG target of 431 MMTCO₂e 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% relative to the 2006 baseline². Therefore, application of the 1,150 MMTCO₂e 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 MMTCO₂e per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 MMTCO₂e 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 MMTCO₂e Bright Line threshold ($1,150 \times 0.6 = 690$ MMTCO₂e) 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 MMTCO₂e 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?*

The California Energy Emissions Model (CalEEMod) was utilized to estimate the project's projected annual carbon dioxide equivalent emissions in metric tons (MTCO₂e; Table 2). The estimated emissions were then compared with the interim threshold of 690 MMTCO₂e per year to determine significance.

² 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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Table 2 -- Projected Operational GHG Emissions

Project Component	Quantity	Emissions Rate (Annual MTCO ₂ e/sf)		Estimated Projected Annual CO ₂ Emissions (MT/year) Without Mitigation ¹
		Construction	Operation	
Single Family Residence	2 ²	n/a	4.20	8.40

Sources: County of San Luis Obispo Department of Planning and Building, 2020, CalEEMOD version 2016.3.2

Notes:

1. CalEEMOD version 2016.3.2
2. Assumes no secondary dwellings.

As shown in Table 2, project-related GHG emissions will be well below the 690 MTCO₂e interim threshold. As stated above, a project estimated to generate less than 690 MMTCO₂e GHG is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

Therefore, potential impacts associated with GHG emissions would be *less than significant and less than cumulatively considerable*.

(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 which in turn may conflict with state and local plans for energy efficiency.

2011 EnergyWise Plan (EWP). As discussed above, the County of San Luis Obispo EnergyWise plan (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 Cal Green 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 mobile home will be required to satisfy all applicable provisions of the 2016 California Residential Code as well as Title 19 of the County Code.
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.	No new habitable structures are proposed.

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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).	
Minimize heat gain from surface parking lots.	No parking areas are proposed.
Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities and in some of the communities north of the Cuesta Grade.	No new roadways are proposed.

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.

As discussed in Section III. Air Quality, the project does not include development of retail 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 site is currently undeveloped. The proposed subdivision will create the potential for the development of new residences within an Urban Reserve area which will increase the supply of homes in the area leading to potential, small population growth. This is in line with County and Local plans to increase housing availability. The proposed project would not result in new jobs in the area that would require new housing. The project does not propose new roads or infrastructure to undeveloped or underdeveloped areas that would indirectly result in population growth.

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.

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- Implement SB 1383 which is aimed at reducing Short-Lived Climate Pollutants to reduce highly potent GHGs.
- Implement the 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 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.

Conclusion

GHG emissions would be *less than significant* and *less than cumulatively considerable* and consistent with plans adopted to reduce GHG emissions.

Mitigation

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

Sources

Provided in Attachment A.

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IX. HAZARDS AND HAZARDOUS MATERIALS

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

Setting

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The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>. The project would not be located in an area of known hazardous material contamination and is not on a site listed on the Cortese List (State Water Resources Control Board [SWRCB] 2015).

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The project is located within a high fire hazard severity zone, and, based on the County's response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

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

The project is not located within an Airport Review Area and there are no active public or private landing strips within the immediate project vicinity.

Discussion

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

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

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

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. The project site is currently undeveloped. The project will result in a total 4,500 cy of cut and fill (2,250 cy of cut, 2,250 cy of fill) and a total area of disturbance (proposed driveway improvements and both building

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envelopes) is expected to be less than three and one half (<3.5) acres per the preliminary grading and drainage engineered plans. The project will not require the importation of soil to backfill excavated areas. The creation of a new lot would allow for the future construction of a primary and a secondary residence on each parcel and accessory structures as well as activities associated with construction such as grading, tree trimming, road/driveway improvements, and fire clearance measures.

There is not enough traffic on Old Oak Park Road to generate the potential for aerially deposited lead (ADL) contaminated soils to be present on-site. There will be minimal disturbance directly adjacent/perpendicular to Old Oak Park Road. The closest construction to Old Oak Park Road will be construction of a 20-foot wide shared driveway with tapers to meet Cal Fire and Department of Public Works standards. The majority of grading activities will occur at the rear (eastern) portion of the proposed parcels where the building envelopes are sited, and not in close proximity to Old Oak Park Road. During construction, contractors will be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials.

The project does not include any building demolition, which otherwise may involve surveys to test for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated. There is no indication of extensive farming or weed abatement that would result in an accumulation of organochlorinated pesticides in the soil.

Future construction is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, potential impacts would be *less than significant*.

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

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

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

Based on a search of the CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project site or vicinity. Therefore, *no impacts would occur*.

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

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

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

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

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

Based on the County Safety Element, the project is located within a high fire hazard severity zone with a response time of 5 to 10 minutes within a State/Cal Fire Responsibility Area. Future development will be conditioned to implement building and site improvements in accordance with the Fire Code, as detailed in the referral response letter, including, but not limited to implementation of a fire safety plan. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential impacts would be *less than significant*.

Conclusion

The proposed project does not propose the routine transport, use, handling, or disposal of hazardous substances. It is not located within proximity to any known contaminated sites and is not within close proximity to populations that could be substantially affected by upset or release of hazardous substances. Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. Finally, the threats posed by the project's location within a High Fire Hazard Severity Zone will be minimized to less than significant levels through Future development being conditioned to meet the requirements set forth by Cal Fire. Therefore, potential impacts related to hazards and hazardous materials would be *less than significant* and no mitigation measures are necessary.

Mitigation

None required.

Sources

Provided in Attachment A.

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X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
(iv) Impede or redirect flood flows?	☐	☐	☐	☒
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Setting

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

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

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

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

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

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.

The project site is not located within a Flood Hazard combining designation. The project site is not within a 100-year Flood Hazard designation.

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The proposed project will utilize an existing on-site shared domestic well which is proposed to serve three residences (two future and one existing residence). There are two existing water tanks and a reciprocal water facilities easement will be located on Parcel 2. The project proposes the use of on-site wastewater treatment systems. Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. Prior to building permit issuance, the proposed septic system design will be evaluated and future development must comply with ordinance requirements for the placement and design of septic systems.

The project was referred to CalFIRE for review and comment regarding life-safety requirements, including fire suppression water storage. Their response letters of November 28, 2017 and March 25, 2020 set forth requirements that will be incorporated into the conditions of approval.

The project is not within a groundwater basin identified by Bulletin 118 of the Department of Water Resources, nor has it been assigned a Level of Severity by the County Resource Management System. Therefore, no water demand offset is required.

Discussion

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

With regards to project impacts on water quality the following conditions apply:

- Earthwork quantities for the project are expected to include a total 4,500 cy of cut and fill (2,250 cy of cut, 2,250 cy of fill) and a total area of disturbance (proposed driveway improvements and both building envelopes) is expected to be less than three and a half (<3.5) acres per the preliminary grading and drainage engineered plans;
- Storm Water Pollution Prevention Plan (SWPPP) is required because the project will involve disturbance of more than one acre;
- The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- The project is on soils with "high" erodibility, and is level to moderate with some steep sloping areas;
- The project site is not within a 100-year Flood Hazard designation;

The Property is within Carpenter Canyon, a subwatershed within the Arroyo Grande Creek parent watershed, which in turn falls within the Central California Coastal Hydrologic Unit Code (HUC 18060006). An unnamed tributary seasonally flows southwest along Old Oak Park Road toward Oak Park Boulevard and Noyes Road, where it potentially connects with a second tributary leading to Meadow Creek and eventually outlets into Pismo Lake to the west. All coastal creeks within this watershed drain to the Pacific Ocean. Most stormwater near the Property flows into the riparian channel, partially located on the site. The main drainage running through the site originates approximately 0.5 miles north at the subwatershed headwaters. Water also enters the Project from the western boundary of Carpenter Canyon. A Preliminary Wetland and Riparian Mitigation Plan, prepared by Althouse and Meade, Inc, dated June 2020, provides Mitigation Measures which are included in Section IV. Biological Resources addressing potential impacts to wetland and riparian habitats.

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- All hazardous materials and/or wastes will be properly stored onsite, which include secondary containment should spills or leaks occur; and
- Stockpiles will be properly managed during construction to avoid material loss due to erosion.

Lot development will be designed and constructed in accordance with the recommended Best Management Practices (BMPs) as listed in Table 4.10 of the "Arroyo Grande Creek Erosion, Sedimentation and Flooding Alternatives Study" (Swanson Hydrology & Geomorphology, January 2006), and county Public Improvement Standards as stated in the Public Works Department referral response dated March 2, 2020.

To reduce construction-related surface water quality impacts, the project will be subject to Section 22.52.080 of the County's Land Use Ordinance (Title 22) which requires a drainage plan. Compliance with this plan will direct surface flows in a non-erosive manner through the site.

Implementation of Land Use Ordinance Section 22.52.110 and Section 22.52.120 will help ensure less than significant impacts to water quality standards and surface and ground water quality. Therefore, impacts would be *less than significant*. See also the discussion of erosion and sedimentation provided in Section VII, Geology and Soils under items b. and e..

- (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 within a State-designated groundwater basin. The proposed project will utilize an existing on-site shared domestic well which is proposed to serve three residences (two future and one existing residence). There are two existing water tanks and a reciprocal water facilities easement will be located on Parcel 2. Satisfactory preliminary evidence of water availability was provided in the form of a production test performed by Filipponi & Thompson Drilling Inc. dated August 17, 2017 and verified by County Environmental Health Services. According to the well production report, the well can produce about 30 gallons per minute (1,800 gallons per hour) and the water level in the well recovers in about one hour. Assuming five total dwellings being served by the well (two primary dwellings, two accessory dwellings plus the existing dwelling located on the adjacent parcel) total water demand would be about 835 gallons assuming three persons per household and 55 gallons per day consumption per person.

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. Future water demands of the creation of a new lot which would allow for the construction of two additional residential units (a primary and secondary unit) and accessory structures, would not be substantially different than existing demands. The project would not deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project would not interfere with sustainable management of the groundwater basin. Potential impacts associated with groundwater supplies would be *less than significant*.

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- (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?*
 - (c-ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
 - (c-iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
 - (c-iv) *Impede or redirect flood flows?*

The subdivision will be conditioned to provide final grading, drainage, erosion and sedimentation control plans, and SWPPP for review and approval prior to improvement plan or building permit issuance as required by LUO Section 22.52.100, 110 and 120. The amount of increased impervious surfaces is not expected to exceed the capacity of stormwater conveyances or increase downslope flooding. Therefore, impacts would be *less than significant*.

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

Based on the County Safety Element, the project site is not located within a 100-year flood zone or within an area that would be inundated if dam failure were to occur. Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami (DOC 2019). The proposed project is greater than 10 miles from the Pacific Ocean. The project site is not located within close proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur*.

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

The project is not located within a State-designated groundwater basin. The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge. The project would not conflict with the Central Coastal Basin Plan, SGMA, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, *no impacts would occur*.

Conclusion

No significant hydrology and water quality impacts would occur.

Mitigation

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

Sources

Provided in Attachment A.

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XI. LAND USE AND PLANNING

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

Setting

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

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

The inland LUE also contains the area plans of each of the four inland planning areas: Carrizo, North County, San Luis Obispo, and South County. The area plans establish policies and programs for land use, circulation, public facilities, services, and resources that apply "areawide", in rural areas, and in unincorporated urban areas within each planning area. Part three of the LUE contains each of the 13 inland community and village plans, which contain goals, policies, programs, and related background information for the County's unincorporated inland urban and village areas.

The project site is currently undeveloped. The creation of a new lot would allow for the future construction of a primary and a secondary residence on each parcel and accessory structures as well as activities associated with construction such as grading, tree trimming, road/driveway improvements, and fire clearance measures. Future construction activities will be required to obtain a land use permit.

The proposed project is located within the Residential Rural (RR) land use category and is located on the east side of Old Oak Park Road, approximately 0.3-mile south of the junction with West Ormonde Road, in San Luis

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Obispo County, California and approximately 1.5 miles east of the City of Arroyo Grande. The site is in the San Luis Bay Inland Sub Area South of the South County Planning Area. The proposed project is located in a rural residential setting. The surrounding visual character consists of rural residences. Surrounding parcels consist of moderate to large rural residential lots.

Surrounding uses are identified on Page 3 of this Initial Study and the proposed project is considered compatible with these surrounding uses. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g., Inland County Land Use Ordinance, South County Area Plan, etc.). Referrals were sent to outside agencies and other County departments to review for policy consistencies (e.g., County Fire/CAL FIRE for Fire Code, Environmental Health, Public Works, City of Arroyo Grande, 3rd District Admin, HEAL SLO, County Parks, AT&T, Charter Cable TV, PG& E, So Cal Gas and Native American Tribes). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

Discussion

(a) *Physically divide an established community?*

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

(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?*

Future development will be consistent with the land use designation and the guidelines and policies for development within the applicable area plan (Inland County Land Use Ordinance, South County Area Plan, etc.). The project is consistent with existing surrounding developments and does not contain sensitive on-site resources; therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. The project would be consistent with existing land uses and designations for the proposed site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. Impacts would be *less than significant*.

Conclusion

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

Mitigation

None required.

Sources

Provided in Attachment A.

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XII. MINERAL RESOURCES

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

Setting

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

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

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

The County LUO 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:

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

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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?*

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

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

The project is not located within a designated mineral resource zone or within an Extractive Resource Area combining designation. There are no known or mapped mineral resources in the project area and the likelihood of future mining of important resources within the project area is very low. Therefore *no impacts would occur*.

Conclusion

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

Mitigation

None required.

Sources

Provided in Attachment A.

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

Setting

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

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

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

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- Bed and breakfast facilities
- Outdoor sports and recreation
- Offices

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

The proposed project is located within the Residential Rural (RR) land use category. The proposed project is located in a rural residential setting. The surrounding setting consists of rural residences. Surrounding parcels consist of moderate to large rural residential lots.

The existing ambient noise environment of the project site is characterized by light traffic on Old Oak Park Road from surrounding residential properties. The closest noise sensitive receptor is the residence located to the west of the project site at 1680 Old Oak Park Road (APN 044-371-005), at a distance of approximately 15 feet respectively from the subdivision property line.

The proposed project site is not exposed to loud noise sources based on the County's noise contour map (Noise Element Appendix A- page A-8). The project site is not located within an Airport Review Area.

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

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

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

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

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

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

The project site is currently undeveloped. The creation of a new lot would allow for the future construction of a primary and a secondary residence on each parcel and accessory structures as

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well as activities associated with construction such as grading, tree trimming, road/driveway improvements, and fire clearance measures. Future construction activities will be required to obtain a land use permit and comply with the County's Noise Element.

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 LUO 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 for future development would ensure short-term construction noise would be less than significant.

Based on the limited nature of future construction activities, impacts associated with the generation of a substantial temporary or permanent increase in ambient noise levels would be *less than significant*.

Operational noise will be limited to motor vehicle traffic and home ownership. Therefore, operational noise will be below than County standards and impacts would be *less than significant*.

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

Based on the soils report and preliminary grading plan the project does not propose substantial grading/earthmoving activities, pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during future grading activities and construction. Construction equipment associated with future development has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration and are not likely to be perceptible from adjacent areas. The project does not propose a use that would generate long-term operational groundborne noise or vibration. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be *less than significant*.

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

The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport (the nearest being the Oceano County Airport located approximately 6.1 miles south of the project site) or private airstrip; therefore, *no impact would occur*.

Conclusion

Future construction related short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a result of future residential uses. The project shall comply with the County Noise Element. There is no evidence that additional measures beyond those required by ordinance or codes are needed. No significant noise impacts are anticipated. Therefore, potential impacts related to noise would be *less than significant* and no mitigation measures are necessary.

Mitigation

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

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Sources

Provided in Attachment A.

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XIV. POPULATION AND HOUSING

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

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 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.

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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 proposed subdivision will create the potential for the development of new residences which will increase the supply of homes in the area leading to a small increase in the local population. This is in line with County and Local plans to increase housing availability. The proposed project would not result in new jobs in the area that would require new housing. The project does not propose new roads or infrastructure to undeveloped or underdeveloped areas that would indirectly result in population growth. Therefore, impacts would be *less than significant*.

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

The proposed project does not involve the displacement, either directly or indirectly, of existing people or housing that would necessitate the construction of replacement housing elsewhere. The project would facilitate the creation of additional housing to increase home supply. Therefore, *no impacts would occur*.

Conclusion

No significant population and housing impacts are anticipated. Potential impacts related to population and housing would be *less than significant* and no mitigation measures are necessary.

Mitigation

None required.

Sources

Provided in Attachment A.

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XV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The proposed project is located in a High Fire Hazard Severity Zone. The project site is within an area classified as State Responsibility Area (SRA). The project site is located approximately 10 minutes and 5 miles from the nearest Cal Fire/ San Luis Obispo County Fire Station (Pismo Station 64) which is located at 9900 Bello Street, Pismo Beach. Based on the County's response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety.

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

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Station in Templeton, and the South Station in Oceano. The proposed project area is served by County Sheriff and the nearest station is the South Station in Oceano, 1681 Front Street, Oceano, CA 93445, located approximately 5.1 miles south of the project site.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project is within the Lucia Mar School District, between Santa Maria and San Luis Obispo, which is the largest school district in San Luis Obispo County. The Lucia Mar Unified School District covers 550 square miles and serves the adjoining communities of Arroyo Grande, Grover Beach, Nipomo, Oceano, Pismo Beach, and Shell Beach. Lucia Mar School District includes eleven elementary schools, three middle schools, three comprehensive high schools, one continuation high school, one independent study school, adult transitions program, and adult education. The project site is also within the San Luis Obispo Joint Community College District.

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

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

Discussion

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

Fire protection?

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

Police protection?

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

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Schools?

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

Parks?

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

Other public facilities?

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

Conclusion

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

Mitigation

None required.

Sources

Provided in Attachment A.

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XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Setting

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

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

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county. Old Oak Park Road is not identified as an existing or proposed bikeway in the County's Bikeways Plan.

The Recreation Element does not show any existing or potential future trails going through or adjacent to the project site.

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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 proposed project would have a cumulative effect on the use of existing parks and recreational facilities through population growth caused by the construction of new homes. The project is subject to the Quimby Act. The Quimby fees shall be collected at a time of building issuance, per 21.09.010 (Parks and recreation facilities). Therefore, the local area has the recreational capacity to handle the increased use caused by the project, and impacts 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 is subject to the Quimby Act. The Quimby fees shall be collected at a time of building issuance, per 21.09.010 (Parks and recreation facilities), which would ensure any incremental increase in use of recreational facilities would be reduced to *less than significant*.

Conclusion

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

Mitigation

None required.

Sources

Provided in Attachment A.

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XVII. TRANSPORTATION

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

Setting

The County has established the acceptable Level of Service on roads for this residential area as “C” or better. The existing road network in the area including the project’s access street, Old Oak Park Road, is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

The project is located outside of the County’s Airport Review combining designation (AR). The project is located within approximately 1.5 drive miles from the City of Arroyo Grande. The proposed project is not located within a quarter mile buffer of a railroad crossing. The closest bus station and park and ride lot are located on Bennett Way, approximately 0.6 miles to the west.

The project site takes access from Old Oak Park Road, a County-maintained rural collector that serves ranches and rural residences in the area. Traffic counts taken on Old Oak Park Road in 2018 revealed 1,733 average daily trips (ADT) and 184 trips during the afternoon peak hour. A project referral package was sent to the County Public Works Department and no traffic-related concerns were identified.

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

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urban systems operate between the City of San Luis Obispo and South County, Los Osos, and the North Coast.

In 2013 SB 743 was signed into law with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). In December, 2018, the Office of Planning and Research (OPR) published a Technical Advisory On the Evaluation of Transportation Impacts In CEQA to assist local governments in implementing the new VMT requirements. The 2018 Technical Advisory states that a development project that generates less than 110 average daily trips (ADT) will not have a project-specific or cumulatively considerable impact with respect to vehicle miles travelled.

County Public Works and County Planning retained a consultant team to assist the County in developing tools for VMT analysis consistent with the State technical guidance. This team (GHD, Rincon Consultants & Convergence Planning) developed guidance documents for use by the County (Transportation Impact Analysis Guidelines; Rincon, October 2020 & VMT Thresholds Study; GHD, March 2021).

Discussion

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

The project does not interfere or conflict with applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities. Marginal increases in traffic can be accommodated by existing local streets and the project would not result in any long-term changes in traffic or circulation. Therefore, potential impacts would be *less than significant*.

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

Based on the nature and location of the project, the project would not generate a significant increase in construction-related or operational traffic trips or vehicle miles traveled. Two single family residences (assuming no secondary dwellings) would typically generate about 19.2 trips per day which is considerably less than the 110 ADT threshold identified in the 2018 VMT Technical Advisory. The project would not change existing land uses and would not result in the need for additional new or expanded transportation facilities. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. Therefore, potential impacts would be *less than significant*.

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

The proposed driveway and approach will be improved to meet Cal Fire access requirements as well as the requirements set forth in Resolution 2008-152 which states that Old Oak Park Rd shall be improved to an A-1 standards along the project frontage (projected ADT>100, >20 lots, needed for area circulation) per the Department of Public Works referral response dated March 2, 2020). As

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discussed in the project description, the project includes a request for two exceptions to the roadway design standards for Old Oak Park Road as provided in Section 1.2 of the County's Public Improvement Standards (PWS):

Road Section. As provided in the PWS, Old Oak Park Road is required to be widened along the entire project frontage consistent with an A-1d rural road section with 12 foot travel lanes and a 4 foot wide shoulder. The applicant is requesting a design modification to allow the existing 10 foot travel lanes to remain along the entire project frontage consistent with the Rural Road Section A-1b standard.

Driveway Design. The applicant is also requesting a design modification to allow for the construction of a new driveway serving the project site consistent with the B-1a driveway standard rather than the B-1e standard to minimize project impacts to the riparian and wetland resources along the project frontage.

The Public Works Department has reviewed these requests and has issued an updated referral response letter dated January 12, 2022 with a recommended condition of approval approving both design exceptions.

Therefore, impacts would be *less than significant*.

(d) *Result in inadequate emergency access?*

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during future construction activities and throughout the project area. Any future construction-related detours would include a traffic control plan for the construction of the frontage improvements and proper signage and notification and would be short-term and limited in nature and duration. Therefore, the project would not adversely affect existing emergency access and *no impacts would occur*.

Conclusion

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Compliance with existing regulations such as improvement of the proposed driveway and approach to be improved to meet Cal Fire access requirements as well as in the County's roadway design and improvement standards would ensure potential impacts were reduced to less than significant. Therefore, potential impacts related to transportation would be *less than significant* and no mitigation measures are necessary.

Mitigation

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

Sources

Provided in Attachment A.

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XVIII. TRIBAL CULTURAL RESOURCES

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

Setting

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

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

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

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

AB 52 consultation letters were sent to the Northern Chumash Tribe, Northern Chumash Tribal Council, Salinan Tribe of Monterey and San Luis Obispo Counties, and Xolon Salinan Tribe.

Discussion

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

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

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and the project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. There were no responses to the offer to consult.

Potential impacts associated with the inadvertent discovery of tribal cultural resources during future development would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

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

The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery during

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future development would be minimized through compliance with existing standards and regulations (LUO 22.10.040). Therefore, potential impacts would be *less than significant*.

Conclusion

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

Mitigation

None required.

Sources

Provided in Attachment A.

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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?	☐	☐	☒	☐
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

The County Public Works Department provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater "will serve" letters. The Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the County rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for onsite wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0

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acre or more must obtain coverage under the SWRCB's Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo.

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

Discussion

- (a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?*

The proposed project will utilize an existing on-site shared domestic well which is sized to serve three residences (two future and one existing residence). There are two existing water tanks and a reciprocal water facilities easement will be located on Parcel 2. The project proposes the use of on-site wastewater treatment systems. No additional demand will be added to the community's provider's existing commitments.

Satisfactory preliminary evidence of water availability was provided in the form of a well production test performed by Filipponi & Thompson Drilling Inc. dated August 17, 2017 and verified by County Environmental Health Services. Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. The County Environmental Health Services Division will certify that field investigations show that ground slopes and soil conditions will allow for satisfactory disposal by on-site septic systems. All septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from any domestic water wells or watercourse, 200 feet away from reservoirs, shall be located in areas free from bedrock, and shall not be placed on natural slopes that exceed 30%. Should a wastewater disposal system be installed in an area with greater than 20% slope then it must be designed and the installation certified by a registered civil engineer.

Energy needs will be provided through proposed connection to existing infrastructure. The project would not require the expansion of existing community facilities.

Based on compliance with existing regulations and requirements, potential water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities impacts would be *less than significant*.

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

The proposed project will utilize an existing on-site shared domestic well which is proposed to serve a total of five residences (four future residences and one existing residence located on the adjacent parcel, APN 044-371-005). The project site is not located within a groundwater basin identified by the State Water Resources Control Board. Satisfactory preliminary evidence of the availability of water was provided in the form of a production test performed by Filipponi & Thompson Drilling Inc. dated August 17, 2017 and verified by County Environmental Health Services. According to the well production report, the well can produce about 30 gallons per minute (1,800 gallons per hour) and the water level in the well recovers in about one hour. Assuming five total dwellings being served by the well (two primary dwellings, two accessory dwellings plus the existing dwelling located on the

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adjacent parcel) total water demand would be about 835 gallons per day, assuming three persons per household and 55 gallons per day consumption per person. To meet this daily demand, the well would need to pump less than one hour per day, assuming the well can sustainably produce 1,800 gallons per hour.

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. Short-term construction activities would require minimal amounts of water, which would be met through available existing supplies. Operational water demands would not be substantially different than existing demands. Therefore, potential impacts on water supplies would be *less than significant*.

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

The project proposes the use of on-site wastewater treatment systems. No additional demand will be added to the community's provider's existing commitments. Therefore, there will be *no impact* associated with wastewater collection and treatment capacity.

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

Construction activities for future development would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant*.

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

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

Conclusion

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

Mitigation

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

Sources

Provided in Attachment A.

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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?	☐	☐	☒	☐
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Setting

The project is located within a State Responsibility Area (SRA) and is located in a High Fire Hazard Zone. The project site is located approximately 5 miles from the nearest Cal Fire/ San Luis Obispo County Fire Station (Pismo Station 64) which is located at 9900 Bello Street, Pismo Beach. Based on the County's response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety. Future development must conform to all fire safety rules and regulations of the California Fire Code and Public Resources Code.

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

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fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has “fire weather” is less than in high or very high fire severity zones.

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

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

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

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

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

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

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

Discussion

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

The project site is currently undeveloped. The project will result in a total 4,500 cy of cut and fill (2,250 cy of cut, 2,250 cy of fill) and a total area of disturbance (proposed driveway improvements and both building envelopes) is expected to be less than three and a half (<3.5) acres per the preliminary grading and drainage engineered plans. The creation of a new lot would allow for the future construction of a primary and a secondary residence on each parcel and accessory structures as well as activities associated with construction such as grading, tree trimming, road/driveway improvements, and fire clearance measures.

The project has been reviewed by County Fire/ Cal Fire for code requirements relating to fire protection. In their November 28, 2017 letter and letter dated March 25, 2020, County Fire/ Cal Fire indicated they had no significant fire or life safety concerns regarding the proposed two lot subdivision and no fire safety plan is required at this time. Future development on one or both parcels beyond current use will require a Fire Safety Plan from County Fire/CAL Fire for any residential structures and must meet California Fire Code. Issues addressed by the Fire Safety Plan will include, but is not limited to, accessibility for fire protection equipment; water storage; the need for fire sprinklers; fuel management; the use of ignition-resistant construction materials; addressing and smoke detectors. A Fire Protection Engineer may be required to submit a technical report for future structures. Future construction activities may also be required to obtain a land use permit during which project-specific fire protection measures would be identified.

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be *less than significant*.

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

Based on the County Safety Element Landslide Hazards Map, slopes on the project site are gently to moderately steep. Vegetation consists of natural grasslands, a herbaceous wetland area along Old Oak Park Road, and woodlands (Eucalyptus and Willow). The building envelope sites are located on a relatively flat area along the ridgeline of a north/south trending series of hills with the surrounding area comprised of more moderate slopes. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, potential impacts would be *less than significant*.

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- (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 would not require the installation or maintenance of utility or wildfire protection infrastructure and would not exacerbate fire risk or result in temporary or ongoing impacts to the environment as a result of the development of wildfire prevention, protection, and/or management techniques. Therefore, potential 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?*

At the time of application for construction permits for future development, the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 of the Land Use Ordinance. All drainage must be retained or detained on-site and the design of the basin shall be approved by the Department of Public Works.

At the time of application for construction permits, the applicant shall submit complete erosion and sedimentation control plans for review and approval in accordance with Section 22.52.120 of the Land Use Ordinance.

The project site is within Low to Moderate Potential Landslide Risk areas. The project does not include any design elements that would 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. Therefore, impacts would be *less than significant*.

Conclusion

The project would not expose people or structures to new or exacerbated wildfire risks and would not require the development of new or expanded infrastructure or maintenance to reduce wildfire risks. There is no evidence that additional measures beyond those required by ordinance or codes are needed. Therefore, potential impacts associated with wildfire would be less than significant and no mitigation measures are necessary.

Mitigation

None required.

Sources

Provided in Attachment A.

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XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

As discussed in each of the preceding resource sections, upon implementation of identified mitigation measures, the proposed project would not 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. 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)?*

Potential cumulative impacts of the proposed project have been analyzed within the discussion sections of each environmental resource area. Cumulative impacts associated with the proposed project would be minimized to *less than significant* levels through ordinance requirements and the implementation of proposed mitigation measures.

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

The project's environmental impacts which might result in adverse effects on human beings, either directly or indirectly, have been analyzed in the discussion section of each environmental resource area. With implementation of mitigation measures AQ-1 and AQ-2, adverse impacts to human beings will be *less than significant with mitigation*.

Conclusion

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

Mitigation

Implement mitigation measures AES-1, AES-2, AES-3, AES-4, AES-5, AQ-1, AQ-2, BIO-1 through BIO-10, and GEO-1.

Sources

Provided in Attachment A.

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Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Building Division	In File
☒	County Public Works Department	In File
☒	County Environmental Health Services	In File
☐	County Agricultural Commissioner's Office	Not Applicable
☐	County Airport Manager	Not Applicable
☐	Airport Land Use Commission	Not Applicable
☒	Air Pollution Control District	In File
☐	County Sheriff's Department	Not Applicable
☐	Regional Water Quality Control Board	Not Applicable
☐	CA Coastal Commission	Not Applicable
☐	CA Department of Fish and Wildlife	Not Applicable
☒	CA Department of Forestry (Cal Fire)	In File
☐	CA Department of Transportation	Not Applicable
☐	Community Services District	Not Applicable
☒	Other 3 rd District Administrative Assistant	No response
☒	Other HEAL SLO	No response
☒	Other Native American Consultation	In File
☒	Other County Parks Department	No response
☒	Other AT&T	No response
☒	Other Charter Cable TV	No response
☒	Other PG&E	No response
☒	Other So Cal Gas	No response
☒	Other City of Arroyo Grande	No response

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

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

☒ Project File for the Subject Application	☐ Design Plan
<u>County Documents</u>	☐ Specific Plan
☐ Coastal Plan Policies	☐ Annual Resource Summary Report
☒ Framework for Planning (Coastal/Inland)	☐ Circulation Study
☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<u>Other Documents</u>
☒ Agriculture Element	☒ Clean Air Plan/APCD Handbook
☒ Conservation & Open Space Element	☐ Regional Transportation Plan
☐ Economic Element	☒ Uniform Fire Code
☒ Housing Element	☐ Water Quality Control Plan (Central Coast Basin – Region 3)
☒ Noise Element	☒ Archaeological Resources Map
☒ Parks & Recreation Element/Project List	☒ Area of Critical Concerns Map
☒ Safety Element	☒ Special Biological Importance Map
☒ Land Use Ordinance (Inland/Coastal)	☒ CA Natural Species Diversity Database
☒ Building and Construction Ordinance	☒ Fire Hazard Severity Map
☒ Public Facilities Fee Ordinance	☒ Flood Hazard Maps

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- | | |
|--|---|
| ☐ Real Property Division Ordinance | ☒ Natural Resources Conservation Service Soil Survey for SLO County |
| ☐ Affordable Housing Fund | ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.) |
| ☐ Airport Land Use Plan | ☐ Other |
| ☐ Energy Wise Plan | |
| ☒ South County Area Plan | |

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

The project application materials, which are incorporated by reference and available for review at the Department of Planning and Building, 976 Osos Street, Suite 200, San Luis Obispo.

Land Use Permit Application Materials & Project Specific Studies

1. Land Use Permit Application- Prior Owner- Crisp
2. Updated Ownership Crisp to Boulton- Signed General Application
3. Updated Signed Consent of Property Owner Form- Boulton
4. Boulton Vesting Tentative Parcel Map CO 16-0227 (Roberts Engineering, Inc. dated 12-1-21)
5. Preliminary Grading and Drainage Plans
6. Bio Spring Addendum Althouse and Meade Inc July 8, 2020 Updated
7. July 7, 2020, Spring Botanical Survey- Updated Map- Biological Resources and Impacts Figure 3
8. Bio Report Old Oak Park Revised Althouse and Meade Inc December 2018
9. Bio Report Old Oak Park Althouse and Meade Inc October 2017
10. Preliminary Wetland & Riparian Mitigation Plan Althouse and Meade Inc June 2020
11. Terra Verde Memo_RWQCB Permitting Summary_08-10-21
12. Flood Inundation Map
13. Geotechnical Engineering Report Beacon Geotechnical Inc. February 23, 2018
14. Well Test Report- Arroyo Water Well Supply November 19, 2018
15. Preliminary Title Report (First American Title, dated 11-25-20)
16. Grant Deed- Ownership- Crisp to Boulton
17. Confidential- Archaeological Inventory Survey- CRMS September 2017

Department & Agency References

- | | |
|------------------------|---|
| Public Works: | Comments with Conditions received in letter dated January 12, 2022 (Peter Moreci & JR Beard, Development Services). |
| Building Division: | Comments received in email dated February 23, 2022 (Sylvia Aldana, Building Division). |
| Cal Fire/ County Fire: | Comments received in letter dated March 25, 2020 (Dell Wells, Fire Captain / Inspector, Cal Fire). |

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- Environmental Health Services: Comments received in letter dated September 28, 2017- cover page dated March 5, 2020 (Leslie Terry, Environmental Health Specialist, Environmental Health Services)
- Air Pollution Control District: Comments received in letter dated December 6, 2017 (Gary Arcemont, Air Quality Specialist, APCD)
- California Department of Conservation (DOC). 2019. Farmland Mapping and Monitoring Program - DLRP Important Farmland Finder. Accessed on: June 14, 2019. Available at: <<https://maps.conservation.ca.gov/DLRP/CIFF/>>
- California Department of Fish and Wildlife (CDFW). 2018. CDFW Lands Viewer. Accessed on July 1, 2019. Available at: < <https://apps.wildlife.ca.gov/lands/>>
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- California Department of Conservation (DOC). 2015. Fault Activity Map of California. Available at: Fault Activity Map of California.
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- California Department of Conservation (DOC). California Geological Survey Information Warehouse for Mineral Land Classification. 2020. Accessed on December 18, 2020. Available at <<https://maps.conservation.ca.gov/cgs/informationwarehouse/mlc/>>
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- Barros, Ana M.G., Jose M.C. Pereira, Max A. Moritz, and Scott L. Stephens. 2013. Spatial Characterization of Wildfire Orientation Patterns in California. Forests 2013, 4; Pp 197-217." 2013.
- 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>
- California Department of Toxic Substances Control (DTSC). 2019. EnviroStor. Available at: <<https://www.envirostor.dtsc.ca.gov/public/>>
- _____. 2021. SLOAPCD Naturally Occurring Asbestos (NOA) Map. Available at: Naturally Occurring Asbestos | SLO County APCD (slocleanair.org).
- County of San Luis Obispo. 1999. Safety Element. Available at: Final Cover and Table of Contents (ca.gov). December 14, 1999. [Final Cover and Table of Contents \(ca.gov\)](#)
- California State Water Resources Control Board. 2012. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems. June 19th, 2012.
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_____. 2018. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTUS Policy) Fact Sheet. August 2018.

Framework for Planning Inland. Available at: [Framework for Planning/Inland \(Part I\) \(V9200921\) \(ca.gov\)](#)

County of San Luis Obispo Inland Area Plans- Adopted 2014, Amended 2015 (San Luis Bay Inland Area of the South County Planning Area) Available at: [SLO County - The Area Plans \(ca.gov\)](#)

County of San Luis Obispo Inland Allowable Uses and Permit Requirements. Available at: Title 22, Section 22.06.030
https://library.municode.com/ca/san_luis_obispo_county/codes/county_code?nodeId=TIT22LAUSOR_ART2AL_LAUSPERE_CH22.06ALLAUSPERELAUSCA_22.06.030ALLAUSPERE

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_____. 2016. Emergency Operation Plan. December 2016.

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).

_____. 2018. San Luis Obispo County Parks & Recreation Group Day Use & Facilities. Available at: <https://slocountyparks.com/day-use-parks/>

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

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

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

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

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>.

U.S. Geological Survey (USGS). 2019. Areas of Land Subsidence in California. Available at:

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https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html.

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Exhibit B - Mitigation Summary

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

Aesthetics and Visual Resources

AES-1 Building Restriction Areas. At the time of application for subdivision improvement plan and construction permits on the individual lots, the applicant shall clearly delineate the building restriction areas on the project plans for each lot, as shown on the tentative parcel map.

AES-2 Revegetation of Cut Slopes. At the time of application for subdivision improvement plan and construction permits on the individual lots, the applicant shall clearly delineate the vertical height of all cut and all slopes on the plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:

5. Revegetation program must be designed and overseen by a landscape professional.
6. The goal of revegetation shall be to establish a permanent self-sustaining plant cover that will blend and be compatible with the surrounding environment.
7. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
8. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.

Within fifteen (15) months of completing grading, the applicant shall submit a letter prepared by a landscape professional to the Department of Planning and Building summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

AES-3 The applicant shall prepare an additional map sheet to be approved by the County Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel map and shall include the following:

1. The applicant shall clearly delineate the vertical height of all cut and all slopes on the improvement plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:
 - a. Revegetation program must be designed and overseen by a landscape professional.
 - b. The goal of revegetation shall be to establish a permanent self-sustaining plant

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- cover that will blend and be compatible with the surrounding environment.
- c. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
 - d. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.
2. Prior to building permit issuance, all new development within the restriction areas (e.g. residences, detached garages, guest houses, sheds, access roads, and driveways) shall provide or demonstrate compliance with the following requirements:
- a. A landscape screening plan shall be prepared and implemented by the applicant. The plan shall provide for screening of all structures by native vegetation to be established for a minimum of three years. The landscaping shall screen a minimum of 50% when viewed from Ormonde and Old Oak Park Roads;
 - b. The size and type of native plant material to be used for screening;
 - c. Planting specifications for native plant material;
 - d. Irrigation and maintenance for the native plant material;
 - e. Erosion control measures for any disturbed areas, including areas disturbed by landscaping;
 - f. Clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 18 feet in height above the existing ground surface;
 - g. Clearly delineate the location and visual treatment of water tanks on the project plans. All water tanks shall be located in the least visually prominent location feasible when viewed from Ormonde and Old Oak Park Roads. Screening with topographic features, existing vegetation or existing structures is encouraged. If the tank(s) cannot be screened, then the tank(s) shall be a neutral non-contrasting color, and landscape screening shall be provided,
 - h. Submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, gray, slate blue, or brown colors for the roof structures.
 - i. **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 3 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

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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.

- j. **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 3 years. At the end of the 3-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-4 Exterior Colors & Material Palette. Prior to issuance of construction permits, the following measure shall be incorporated into the construction phase of the project and shown on all applicable plans:

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 proposed development, including but not limited to new structures and associated accessory improvements (i.e. water tanks, barns, etc.) 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.

AES-5 Exterior Light Plan. Prior to issuance of construction permits, the following measure shall be incorporated into the construction phase of the project and shown on all applicable plans:

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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, and from Old Oak Park Road. 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.

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Air Quality

AQ-1 Fugitive Dust Construction Control Measures. The following measure shall be implemented **prior to, and during, construction activities associated with subdivision improvements** and shall be included on all applicable subdivision improvement plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

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

7. Reduce the amount of the disturbed area where possible;
8. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible;
9. All dirt stock-pile areas shall be sprayed daily as needed;
10. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
11. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
12. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

AQ-2 ROG, NO_x, DPM Emissions. The following measure shall be implemented **during construction activities associated with subdivision improvements** and shall be included on all applicable subdivision improvement plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on all applicable grading and construction plans:

- j. Implement Mitigation Measure AQ-1.
- k. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with

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gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:

- iii. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - iv. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- l. Maintain all construction equipment in proper tune according to manufacturer's specifications.
 - m. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
 - n. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation.
 - o. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
 - p. Electrify equipment when possible.
 - q. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
 - r. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

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Biological Resources

BIO-1 Environmental Awareness Training – The following measure shall be implemented **prior to the onset of construction activities associated with subdivision improvements and construction on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Prior to the onset of construction activities, an environmental awareness training shall be presented to all project personnel by a qualified biologist. The training shall include color photographs and a description of the ecology of all special-status species known or determined to have potential to occur (e.g., San Joaquin kit fox), as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by any discretionary permits, an overview of the federal Endangered Species Act (ESA), the California Endangered Species Act (CESA), and implications of noncompliance with these regulations. This will include an overview of the required avoidance and protection measures. A sign-in sheet with the name and signatures of the qualified biologist who presented the training and the names and signatures of the environmental awareness trainees will be kept and provided to the County. If new project personnel join the project after the initial training period, they will receive the environmental awareness training from the qualified biologist before beginning work.

BIO-2 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Prior to issuance of grading or construction permits, the applicant shall engage a County-approved qualified biologist to conduct the monitoring and pre-construction surveys required by all relevant adopted mitigation measures associated with biological resources. The applicant shall submit a copy of the approved contract with the biological monitor to the Director prior to issuance of grading or construction permits. The contracted scope of work shall include performing pre-construction surveys prior to start of disturbance, followed by a confirmation of results via email to County Planning staff. The monitor shall provide monthly reports to the Department of Planning and Building and a summary report prior to final inspections or final release of improvements, grading or occupancy. The name and contact information of the contracted biological monitor shall be printed on the construction plans.

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BIO-3 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Other Agency Permits. The applicant understands that state or federal permits may be needed from one or more of the following resource agencies: California Department of Fish and Wildlife, U.S. Fish & Wildlife Service, Army Corps of Engineers, for construction activities including grading, road improvement, or maintenance work involving any riparian area or drainage feature. Where required, the Applicant shall obtain a Section 404 Nationwide Permit from USACE, a Section 401 Water Quality Certification from RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW to authorize project-related impacts in all areas potentially under the jurisdiction of these regulatory agencies and provide satisfactory evidence to the County, as follows:

- C. **Prior to the issuance of construction permits or the initiation of ground-disturbing activity**, the applicant shall provide to the County, for each of these resource agencies, that either a) evidence that a permit was not necessary, or b) a copy of the required permit(s). When such permits are required, the County shall review the permit(s) for consistency with County measures prior to issuance or start of construction. All applicable field requirements of the agency permit(s) shall be shown on applicable construction drawings and adhered to during construction.
- D. The following measures would apply where waters of the U.S. or waters of the State cannot be avoided:
 - 5) Based on final site designs, the applicant shall confirm with a qualified biologist or from the Corps that a Clean Water Act (CWA) Section 404 permit will not be required for activities within the Toad Creek riparian habitat. Assuming a Corps permit is not required, RWQCB compliance will need to occur via the Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction (Water Quality Order No. 2004-0004-DWQ).
 - 6) If the project design requires fill within waters of the U.S., the applicant shall obtain and implement all the terms and conditions of a Corps Nationwide Permit to the satisfaction of the Corps. Compliance with Corps regulatory permitting would also include obtaining and CWA 401 Water Quality Certification from the RWQCB that would satisfy approval of work in California waters of the State.
 - 7) The applicant shall also obtain Section 1600 regulatory compliance in the form of a Streambed Alteration Agreement from CDFW or a determination that no agreement would be required for impacts to the Toad creek riparian corridor.
 - 8) Compensatory mitigation will likely be required to be implemented on-site at a minimum ratio of 3:1 to offset permanent impacts to jurisdictional riparian habitat (note resource agencies may require a higher ratio). A mitigation and monitoring plan shall be prepared by a biologist familiar with restoration and mitigation techniques as part of the permit

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application packages. The plan shall include, but not be limited to the following components:

- Description of the project/impact site
- Goal(s) of the compensatory mitigation project
- Description of the proposed compensatory mitigation-site
- Implementation plan for the compensatory mitigation-site
- Maintenance activities during the monitoring period
- Monitoring plan for the compensatory mitigation-site
- Success criteria and performance standards
- Reporting requirements
- Contingency measures and funding mechanisms
- Erosion control and landscaping specifications included in the mitigation plan shall allow only natural-fiber, biodegradable meshes and coir rolls, to prevent impacts to the environment and to prevent entrapment of wildlife.

In addition, the mitigation plan shall incorporate all of the recommendations of the Regional Water Quality Control Board set forth in the letter of August 10, 2021 from Terra Verde Environmental Consulting summarizing the results of the pre-filing meeting of April 21, 2021 regarding the updated Section 401 Certification Rule, including at least the following:

- Proof of compliance with Post Construction Requirements (PCR) or provide an explanation if the project is not subject to PCRs.
- Incorporation of a bioswale along the driveway to prevent point-discharge pollutants into the wetland areas.
- Alternative's analysis for the driveway crossing location that includes an assessment of an alternate access to the property or installation of an environmentally superior alternative crossing such as a soft bottom culvert, an arch culvert, and/or a free span bridge.
- Preparation of an addendum to the FWRMP that separates the riparian and wetland impacts as well as increases the performance criteria for enhancement areas to 50 percent cover of native species and at least three native species present at the end of the monitoring period.

BIO-4 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Protection of State Waters and Wetlands. Prior to the issuance of construction permits or subdivision improvement work, a buffer of no less than 50 feet shall be mapped by a qualified biologist and drawn by a licensed surveyor or registered civil engineer. The buffer

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shall be shown on all applicable subdivision improvement plans. Project activity occurring within and/or within 50 feet of aquatic habitat (e.g., the riparian and wetland habitats identified in the BRA) shall occur only if appropriate authorizations have been issued and during the dry season (between June 1 and September 31). For short-term, temporary stabilization, an erosion and sedimentation plan control plan shall be developed outlining Best Management Practices (BMPs), which shall be implemented to prevent erosion and sedimentation into drainages and wetlands. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) fiber rolls, jute or coir netting, and/or other industry standards. BMPs shall be installed and maintained for the duration of the project.

- BIO-5** The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Special-status Botanical Species. The following specific measures are required to reduce the anticipated impacts to special status plant populations:

Prior to the start of construction, updated botanical surveys will be completed during the appropriate seasons (i.e., approximately April through July) unless construction activities will occur within 24 months of a previous appropriately timed botanical survey for all proposed disturbance areas. Surveys will include identification and mapping of the current extent of all special-status plant populations. To the extent feasible, ground disturbance shall avoid areas where special-status plant populations were mapped during 2020 surveys as shown in Figure A-1 and all subsequent surveys. In no case shall more than 10% of an on-site population be impacted based on the most recent appropriately timed survey.

- BIO-6 Open Space Easement.** Prior to subdivision improvements, the applicant shall enter into an agreement with the County, in a form acceptable to County Counsel, to establish an Open Space Easement to protect existing populations of San Luis Obispo Owl's Clover (*Castilleja densiflora* ssp. *obispoensis*) as well as the wetland and riparian resources (identified in the July 7, 2020, Spring Botanical Survey- Updated Map- Biological Resources and Impacts Figure 3) associated with each parcel.

The San Luis Obispo owl's-clover plants which were detected by the Biologist (Althouse and Meade, Inc.) within the grassland habitat, as located along the northeasterly portion of Parcel 1 and southeasterly portion of Parcel 2, and as identified on the Updated Map from July 7, 2020, Spring Botanical Survey- Biological Resources and Impacts Figure 3, are to be excluded from the Open Space Easement and are assumed to be impacted and mitigated pursuant to BIO-6.f. below. Collected seed and salvaged topsoil from these two areas shall be redistributed within the Open Space Easement Areas located along the southern boundary of Parcel 1, where the population of the San Luis Obispo owl's-clover is notably larger and can be protected with a buffer.

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The terms of the Open Space Easement shall include at least the following limitations:

- a. The area subject to the Open Space Easement shall be drawn by a licensed surveyor and shall be maintained in its current state subject to the limitations listed below.
 - i. The Updated Map from the July 7, 2020, Spring Botanical Survey- Biological Resources and Impacts Figure 3, shall be imbedded into the recorded Open Space Easement.
- b. Foot traffic, only, shall be allowed within the Open Space Easement throughout the calendar year;
- c. Fuel management is allowed and shall be the minimum required by Cal Fire /County Fire;
- d. Grazing may be allowed from September through February and shall be prohibited between March and August;
- e. Such other measures as deemed necessary by the Director to ensure the permanent preservation of areas currently occupied by San Luis Obispo Owl's Clover and wetland and riparian resources within the areas identified as such in the Open Space Easement.
- f. **Pre-construction survey for the San Luis Obispo owl's-clover plants & Restoration of Impacted Areas.**
 - If work is to occur between approximately June through August; a County-approved qualified biologist shall conduct a pre-construction survey for the San Luis Obispo owl's-clover plants at least one-week prior to the initiation of ground disturbing activities.
 - During the appropriate season (i.e., approximately June through August) prior to the start of construction, mature seed will be collected from individual plants that will be removed as a result of the proposed development. This seed will be temporarily stored in paper bags or envelopes in a cool, dry location. Collected seed will be spread in areas of suitable habitat on site that will not be disturbed as part of the proposed development. In particular, the seed should be used to enhance and expand upon existing population patches that were mapped throughout the site. The top four to six inches of topsoil will be salvaged during initial grading and stored separately. Stored topsoil will be spread in temporary disturbance areas (e.g., road edges, and utility trench lines) following the completion of construction.

BIO-7 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction survey for American badger. A qualified biologist shall complete a pre-construction survey for badger no less than 14 days and no more than 30 days prior to the start of initial project activities to ensure badger is not present within all proposed work areas and a 200-foot buffer. If dens are discovered, they shall be inspected to determine if they are currently occupied. If active badger dens are found, an exclusion zone shall be established around the den. A minimum of a 50-foot exclusion zone shall be established during the non-breeding season (July 1 to January 31) and a minimum 100-foot exclusion zone during the breeding season (February 1 to June 30). Each exclusion zone shall be roughly circular in configuration with a radius of 50 feet

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(non-breeding season) or 100 feet (breeding season) measured outward from the burrow entrances. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the appropriate resource agency shall be contacted for further guidance. The results of the survey shall be provided to the County prior to initial project activities.

If a significant amount of time lapses between different phases of project activities (e.g., vegetation trimming and the start of grading), where no or minimal work activity occurs, the badger survey shall be updated. The amount of time necessary to trigger an updated survey will depend on the work location, habitat of the area to be disturbed, and season during which work is planned.

BIO-8 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction Survey for Sensitive and Nesting Birds. If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to initial project activity, including ground disturbance and/or tree removal/trimming, beginning on site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A 50-foot exclusion zone shall be placed around non-listed, passerine species, and a 250-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall be roughly circular in configuration with a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species) measured outward from the nest. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young. If other special-status avian species (aside from the burrowing owl or tricolored blackbird [if identified in biological report]) are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the local CDFW biologist, and/or the USFWS. The results of the survey shall be provided to the County prior to initial project activities. The results shall detail appropriate fencing or flagging of any needed exclusion zones and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending upon site conditions and species (if non-listed).

If a significant amount of time lapses between different phases of project activities (e.g., vegetation trimming and the start of grading), where no or minimal work activity occurs, the nesting bird survey shall be updated. The amount of time necessary to trigger an updated survey will depend

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on the work location, habitat of the area to be disturbed, and season during which work is planned.

- BIO-9** The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction survey for Special-status Reptiles. A qualified biologist shall conduct a pre-construction survey for California legless lizard immediately prior to initial project activities (i.e., the morning of the commencement of project activities) within 50 feet of suitable habitat. Construction monitoring shall also be conducted by a qualified biologist during all initial ground disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, vegetation removal including tree removal, etc.) within suitable habitat. If any special-status reptile species is discovered during surveys or monitoring, they will be allowed to leave on their own or will be hand-captured by a qualified biologist and relocated to suitable habitat outside the area of impact. If any additional ground- or vegetation-disturbing activities occur on the project site, the above surveys and monitoring shall be repeated. A monitoring report summarizing results of the monitoring shall be submitted to the County Department of Planning and Building within one week of completing monitoring work for this species.

- BIO-10** The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Roosting Bats Avoidance Measures and Preconstruction Survey. Site preparation, ground disturbance, and construction activities including any tree trimming and/or vegetation removal shall be conducted outside of the typical bat maternity roosting and pupping season (from February 1st to August 31st), if feasible. If site disturbance activities are to occur within this season, the applicant shall retain a County-qualified biologist to conduct a preconstruction survey within 14 days prior to commencement of proposed site disturbance activities. If any roosting bats are found during preconstruction surveys, no work activities shall occur within 100 feet of active roosts until bats have left the roosts. The County-qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County within 14 days of completion of each survey. If no bat roosting activities are detected within the proposed work area, site disturbance and noise-producing construction activities may proceed, and no further mitigation is required.

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Geology and Soils

GEO-1 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

1. The applicant shall clearly delineate on the improvement plans that all cut and fill slopes are to be revegetated for erosion control and maintained in a viable condition thereafter. Grading plans are to be reviewed and approved by the Department of Planning and Building in consultation with the Environmental Coordinator.
2. At the time of application for building permits for each lot, the owner shall submit a soils report prepared by a California civil engineer. The soils report shall address the criteria required for all building foundations and the foundations shall be designed by a California registered architect or engineer. If a qualified soils professional determines that a soils report is not required for the building site, they shall state this in a letter and assume responsibility for any building foundation designs. The County Department of Planning and Building may require a soils report even if a soils engineering company determines the location of the proposed structure would not require the information such a report would provide.
3. At the time of application for building permits for each lot, a percolation test prepared by a California registered civil engineer shall be required to determine the appropriate design for the septic system. If percolation rates exceed 30 minutes per inch then the entire sewage disposal system shall be designed by a California licensed civil engineer per Title 19 of the County Code.
4. At the time of application for building permits for subdivision improvements, the applicant shall clearly delineate the vertical height of all cut and all slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:
 - a. Revegetation program must be designed and overseen by a landscape professional.
 - b. The goal of revegetation shall be to establish a permanent self-sustaining plant cover that will blend and be compatible with the surrounding environment.
 - c. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
 - d. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.

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July 7, 2020, Spring Botanical Survey- Updated Map- Biological Resources and Impacts Figure 3



Legend

- | | |
|--|--|
| Study Area (10.01 acres) | Riparian (0.2 acre) |
| Permanent Impacts (3.47 acres) | Wetland (0.9 acre) |
| Temporary Impacts (0.12 acre) | San Luis Obispo owl's-clover |
| California Annual Grassland (7.7 acres) | — Drainage |
| Blue Gum Eucalyptus (1.1 acres) | ● Willows |



0 100 200 Feet

Crisp - Old Oak Park
 Map Center: 120.59405°W 35.16254°N
 Arroyo Grande, San Luis Obispo County
 Imagery Source: USDA NAIP, 07/14/2018



Map Updated:
 July 07, 2020 11:14 AM by SAF