Project Title & No.

Sara Street LLC Tract 3138 Tract Map and Conditional Use Permit ED22-021 SUB2020-00027

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

DETERMINATION: (To be completed by the Lead Agency)

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

The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

The proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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| Cassidy Williams, SWCA Environmental Consultants |  | A picture containing outdoor object, dark, night, night sky  Description automatically generated |  |  |  | 6/17/2022 |
| Prepared by (Print) |  | Signature |  |  |  | Date |
|  |  |  |  | Steve McMasters, Principal Environmental Specialist |  |  |
| Reviewed by (Print) |  | Signature |  |  |  | Date |

|  |
| --- |
| **Project Environmental Analysis**  The County’s environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff’s on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.  Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600. |

## A. Project

[**DESCRIPTION**](file:///\\SVR2800a\Group\Current\GEO%20TEAMS\A_Desk%20Manual\Desk%20Manual%20-%20Project%20Description.doc)**:** The proposed project is a request by Sara Street Properties, LLC (applicant) for a Tract Map and Conditional Use Permit (CUP) to subdivide an existing undeveloped 10.88-acre parcel into 15 parcels ranging between 0.56 and 1.30 acres each for the purpose of sale and future development of each proposed parcel for residential uses (project). The project would include on-site improvements, including, but not limited to, construction of a 36‑foot-wide paved access road and cul-de-sac, a 25-foot-wide paved access road, and a stormwater detention basin and associated 12-foot-wide access road and installation of a new sewer lift station and water, wastewater, and stormwater pipelines. Off-site improvements would include installation of water and wastewater pipelines to existing utility pipelines within Bennett Way. The project would result in approximately 10 acres of site disturbance, including 30,000 cubic yards of cut and 30,000 cubic yards of fill, to be balanced on-site. The project is located within the Residential Suburban land use category on the west side of Bennett Way, at the northwest portion of the intersection with Casper Road, in the community of Templeton in the Salinas River Subarea of the North County Planning Area.

The Sara Street LLC Tract 3138 project site is located within the central area of the community of Templeton, approximately 650 feet west of U.S. Highway 101 (US 101) and west of Bennett Way (Figures 1 and 2). The project site is undeveloped and is generally surrounded by single-family residences and Toad Creek, an intermittent stream, to the north; single-family residences and two churches to the south; single-family residences and US 101 to the east; and a single-family residence, a drainage, and agricultural uses to the west. Surrounding residential parcels range in size from approximately 0.8 acre to 9.9 acres in size. The project site topography is defined by a small hill with topography sloping down to the north with a low-lying grassy swale running south to north. Existing vegetation on-site includes non-native annual grassland and non-native forbs, a cluster of seven large valley oak trees in the northeast corner of the property, and a coast live oak tree, valley oak tree, and patch of coyote brush near the southeast corner of the property.

The proposed project would subdivide the project site into 15 individual parcels with two access roads (Table 1, Figure 3). In accordance with California Senate Bill 9, each parcel would theoretically have the potential to be developed with up to two primary dwellings and/or be subdivided to allow development of up to four primary dwellings. Similarly, California Senate Bill 13 authorizes the ministerial approval of Accessory Dwelling Units (ADUs) on eligible residential lots. However, based on the design and limited capacity of the proposed lift station and wastewater conveyance infrastructure proposed to serve future development on the site, future development of residential uses on-site would be limited to a maximum of 19 dwelling units. Furthermore, if future property owners wished to construct additional ADUs on-site beyond the four ADUs that could be served with existing utilities, expansion of the on-site wastewater lift station would be significantly cost-prohibitive. Therefore, for the purposes of this analysis, future development of 15 primary residential dwellings and four ADUs is considered a reasonable maximum development scenario and this development scenario is evaluated under CEQA herein.

All future development on-site would be subject to the development standards described in Chapter 22.10 of the County Inland Land Use Ordinance (LUO) (Table 2).

| Table . Summary of Proposed Subdivision Lots | | |
| --- | --- | --- |
| Lot | Gross Area  (square feet1) | Notes |
| Lot 1 | 56,898 | Includes 24,672 square feet of drainage easement and sewer easement area. |
| Lot 2 | 33,006 |  |
| Lot 3 | 33,006 |  |
| Lot 4 | 33,006 |  |
| Lot 5 | 33,035 |  |
| Lot 6 | 24,357 |  |
| Lot 7 | 24,370 |  |
| Lot 8 | 24,455 |  |
| Lot 9 | 24,540 |  |
| Lot 10 | 37,372 | In total, lots 10 and 11 include 6,752 square feet of drainage easement and sewer easement area (Figure 4). |
| Lot 11 | 34,359 |
| Lot 12 | 24,964 |  |
| Lot 13 | 24,991 |  |
| Lot 14 | 25,018 | Includes access easement for fire and emergency purposes |
| Lot 15 | 25,055 | Includes access easement for fire and emergency purposes |
| 1Rounded to the nearest foot. | | |

|  |  |
| --- | --- |
| Table . Applicable Development Standards | |
| Development Characteristic | County Standard |
| Residential Density | One single-family dwelling and one ADU per legal parcel |
| Maximum Allowed Height | 35 feet1 |
| Front Setback | 25 feet2 |
| Side Setbacks | 10% of the lot width, to a maximum of 5 feet on sites less than 1 acre in net area, but not less than 3 feet, and a minimum of 30 feet on sites of 1 acre or larger in net area3 |
| Rear Setback | 10 feet on sites of less than 1 acre, 30 feet on sites of 1 acre or larger in next area4 |
| Off-Street Parking Spaces Required | 2 per single-family dwelling |
| 1 Height limitations for residential buildings may be adjusted to allow additional height to a maximum of 45 feet, provided that the required side, rear, and interior setbacks shall be increased 1 foot in width for each foot of height over 35 feet.  2 Exceptions such as shallow lots (lots with an average depth of less than 90 feet), sloping lot adjustment, planned development or cluster division, lots with parkways, etc. as detailed in LUO 22.10.140.  3 The side setback on the street side of a corner lot within urban and village areas and on sites of less than 1 acre shall be a minimum of 10 feet.  4 Exceptions include, but are not limited to, accessory buildings and structures, commercial and industrial land use categories, decks, porches, etc. as detailed in County LUO Section 22.10.140. | |

The project includes one very low Affordable Parcel, which will support the future construction of one affordable housing (AH) unit and may also support one ADU. In accordance with County LUO Section 22.12.030, a very low Affordable Parcel would be eligible to be bought by a household that makes no more than 50% of the county median income and the parcel would be subject to the affordable housing sales prices standards set forth in the County LUO.

The project includes various on-site improvements to support future residential uses, including construction of a centrally located 36-foot-wide paved access road that would include two 10-foot vehicle travel lanes and an 8-foot-wide street parking area, curb and gutter, and 6-foot-wide sidewalk on each side to provide access to proposed lots 1 through 10 (Figure 3). Proposed lots 11 through 15 would be accessed by a 29-foot-wide access road consisting of one 10-foot-wide vehicle travel lane, an 8-foot-wide street parking area, curb and gutter, and a 6-foot-wide sidewalk located along the southern border of the property.

Other on-site improvements would include clearing and grubbing, grading of the project site, and construction of a 3,230-square-foot detention basin with the capacity to hold 25,850 cubic feet of stormwater runoff. The size and capacity of the detention basin was designed based on the assumption that the project site would have approximately 64,000 square feet of impervious area upon buildout of residential uses. The proposed detention basin would be enclosed by a 6-foot-tall chain-link fence and accessed by a 12-foot-wide access road. Proposed on-site grading and development would result in the removal of two existing valley oak trees located near the southern boundary of the site. In addition, proposed project grading and development would occur adjacent to four existing oak trees located near the proposed detention basin. The project would include the planting of 14 native oak trees on-site.

The project would include installation of approximately 643 linear feet of 8-inch-diameter water main pipeline, which would be extended off-site to connect with an existing water main pipeline located in Bennett Way (Figure 5). Approximately 1,508 linear feet of 6-inch-diameter gravity sewer main pipeline would be installed on-site and extend off-site along Bennett Way to connect to an existing manhole located within Bennett Way. A new lift station would be constructed within the southeastern corner of Lot 1 to pump wastewater generated on-site to the connection to existing wastewater facilities off-site. Approximately 1,207 linear feet of storm drain would be installed on-site to collect on-site stormwater runoff and transport it to the proposed detention basin. The project would also include installation of four fire hydrants to support fire suppression efforts in the event of an emergency.

Site preparation and construction of the proposed project components are anticipated to take approximately 6 months to complete. The U.S. Census Bureau reports 2.51 residents per household in Templeton; therefore, development of the project site with 15 single-family residences and four ADUs (assumed to have approximately two-thirds the average household size) would result in an on-site population of approximately 45 people (project build-out). Based on current Templeton Community Services District (TCSD) Water Code and Sewer Code, water use for the project would be conservatively estimated to be approximately 575 gallons per day per water connection, and wastewater generation rates would be approximately 176 gallons per day per sewer connection (Templeton Community Services District 2018). Therefore, upon build-out of future residential uses, the project site would result in a water demand of approximately 10,925 gallons per day, including outdoor and indoor water use, and would result in a wastewater generation of approximately 3,344 gallons per day. The project owner has entered into an agreement with the TCSD to supply the project’s water and wastewater treatment needs.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **ASSESSOR PARCEL NUMBER(S):** 040-311-014 | | | | | |
| **Latitude:** | 35º 32’ 46” N | **Longitude:** | 120º 43’ 9” W | **SUPERVISORIAL DISTRICT #** |  |

Figure . Project Vicinity Map

Map

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Figure . Project Location Map

Map

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Figure . Proposed Subdivision Map

Diagram, schematic

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Figure . Proposed Utility Plan

Diagram

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Figure 5. Proposed Off-Site Utility Improvements

Diagram

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## B. Existing Setting

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Plan Area:** | |  | | **Sub:** |  | | | **Comm:** |  |
| **Land Use Category:** | | |  | | | | | | |
| **Combining Designation:** | | | Renewable Energy | | | | | | |
| **Parcel Size:** | | | 10.88 | | | | | | |
| **Topography:** | | |  | | | | | | |
| **Vegetation:** | | | and | | | | | | |
| **Existing Uses:** | | |  | | | | | | |
| **Surrounding Land Use Categories and Uses:** | | | | | | | | | |
| ***North:*** | ; | | | | | ***East:*** | ; , agricultural uses, unnamed creek | | |
| ***South:*** | , Office and Professional; , religious facilities | | | | | ***West:*** | ; | | |

## 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.

1. Aesthetics

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Except as provided in Public Resources Code Section 21099, would the project: | | | | |
| 1. Have a substantial adverse effect on a scenic vista? |  |  |  |  |
| 1. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? |  |  |  |  |

#### Setting

##### Scenic Vistas

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. Based on a site visit and a review of applicable County documents, the project site is not located within an identified scenic vista.

##### California Scenic Highway Program

The California Scenic Highway Program was created by the state legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. A highway may be designated scenic depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes on the traveler’s enjoyment of the view. The project site is located approximately 1.3 miles west of US 101. The segment of US 101 that is in proximity to the project site is listed as eligible for listing as a State Scenic Highway (California Department of Transportation [Caltrans] 2021).

##### County of San Luis Obispo General Plan Conservation and Open Space Element

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

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

Some of the strategies identified to accomplish the goals listed above include encouraging project designs that emphasize native vegetation and conforming grading to existing natural forms, as well as ensuring that new development follows the *San Luis Obispo County Design Guidelines* to protect rural visual and historical character (County of San Luis Obispo 1998).

##### Project Visual Setting and Baseline Conditions

The project site is located within the central area of the community of Templeton, approximately 1.3 miles west of US 101. The project site is generally surrounded by single-family residences and Toad Creek, an intermittent stream, to the north; single-family residences and two churches to the south; single-family residences and US 101 to the east; and a single-family residence, a drainage, and agricultural uses to the west. Surrounding residential parcels generally range from 0.8 acre to 9.9 acres in size.

The project site topography is defined by a small hill with topography sloping down to the north with a low-lying grassy swale running south to north. Existing vegetation on-site includes non-native annual grassland and non-native forbs, a cluster of seven large valley oak trees in the northeast corner of the property, and a coast live oak tree, valley oak tree, and patch of coyote brush near the southeast corner of the property (Figure 6).

Figure 6. Photograph of the eastern portion of the project site adjacent to Bennett Way, facing north (October 28, 2021).

A picture containing outdoor, grass, sky, field

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#### Discussion

1. Have a substantial adverse effect on a scenic vista?

The project site is not located within a mapped sensitive resource area for visual resources by the County COSE and is not located in proximity to views of a unique scenic landscape. The project site is not located within an identified scenic vista, a visually sensitive area, a scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. Therefore, the project would not have a substantial adverse effect on a scenic vista and *no impacts would occur.*

1. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The project site is located approximately 1.3 miles west of US 101, which is designated as eligible for listing as a state scenic highway. Due to existing intervening topography and development and distance, no aspect of the project or future residential development would be visible to viewers traveling along US 101. Therefore, the project is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway and *no impacts would occur.*

1. 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 rural community of Templeton. The project would allow for the future development of up to 15 single-family primary residences and four ADUs in an area that has single-family residential development as its predominant land use. Future residential development would be subject to the height and setback standards set forth in the County LUO and would therefore be visually consistent with the type and extent of development in the surrounding area.

Surrounding residential parcels generally range from 0.8 acre to 9.9 acres in size. With the proposed project parcels ranging between 0.56 acre and 1.30 acres, the project would allow for the future development of residential uses at a greater density than some of the surrounding residential areas, especially on parcels where an ADU is constructed in addition to the primary residence. However, each residence would be a single-family detached residence and both primary residences and ADUs would be subject to the applicable height and setback standards set forth in the County LUO, which would ensure that the density of development on the project site does not significantly contrast with surrounding residential areas. Based on the type of development that would result from the project and applicable development standards, the project would by visually compatible with the surrounding area and potential impacts would be *less than significant*.

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

The project would generally be consistent with the level of existing development in the project vicinity and does not propose the installation or use of outdoor lighting that would differ substantially from other proximate development. In addition, all future proposed exterior lighting would be subject to the Exterior Lighting standards set forth in the County LUO, which include, but are not limited to, minimization of light intensity, direction of light away from adjacent land uses, shielding of light to avoid light pollution, and limitations on height of exterior lighting. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would be *less than significant.*

#### Conclusion

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

#### Mitigation

No mitigation is necessary.

1. Agriculture and Forestry Resources

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| 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: | | | | |
| 1. 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? |  |  |  |  |
| 1. Conflict with existing zoning for agricultural use, or a Williamson Act contract? |  |  |  |  |
| 1. 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))? |  |  |  |  |
| 1. Result in the loss of forest land or conversion of forest land to non-forest use? |  |  |  |  |
| 1. 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

##### Agricultural Resources

The California Department of Conservation (CDOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California’s agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered “agricultural land.” Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water. Based on the FMMP, soils at the project site are designated as Farmland of Local Potential and Grazing Land (CDOC 2016).

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, Important Agricultural Soils of San Luis Obispo County, of the COSE.

Based on the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) web soil survey (NRCS 2021) and the Soil Survey of San Luis Obispo County, California - Paso Robles Area (USDA Soil Conservation Service [SCS] 1983), soil type(s) and characteristics on the subject property include:

**102. Arbuckle-Positas complex, 9 to 15 percent slopes.** This soil unit is located along the northern portion of the project site. This complex is very deep, is well drained, and has medium surface runoff, moderate erodibility, and high shrink–swell potential. The major uses include cultivated crops, rangeland, and urban land. Management considerations include paying attention to the low strength and shrink–swell factor. The very slow absorption of effluent in septic tank absorption fields severely limits these soils for use as septic tank absorption fields. This soil is classified as Not Prime Farmland by the NRCS and is designated as prime farmland in Table SL-2 of the County COSE.

**106. Arbuckle-San Ysidro complex, 2 to 9 percent slopes**. This soil unit is located on the majority of the project site. This complex is very deep, is well drained, and has very slow to moderately slow permeability, medium surface runoff potential, moderate erodibility, and high shrink–swell potential. The major uses include cultivated crops, rangeland, and urban land. Management considerations include paying special attention to sheet and rill erosion when cultivated and shrink–swell and low strength when building. The slow absorption of effluent in septic tank absorption fields can be overcome by increasing the size of the absorption area. This soil is classified as Farmland of Statewide Importance by the NRCS and is designated as prime farmland and farmland of statewide importance in Table SL-2 of the County COSE.

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming and open space uses as opposed to full market value. The project parcel is not currently under a Williamson Act contract, nor is it located adjacent to a property under an active Williamson Act contract.

##### Forestry Resources

According to PRC Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, that is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support enough native tree cover to meet the criteria to be defined as forest land per PRC Section 12220(g).

#### Discussion

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

Based on the FMMP, the project site is located within Grazing Land and Farmland of Local Potential. The project would not result in the conversion of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland as mapped by the FMMP; therefore, *no impacts would occur*.

1. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site does not include land within the Agriculture land use designation or land 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.*

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

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

1. Result in the loss of forest land or conversion of forest land to non-forest use?

The project site is approximately 10.88 acres in area and currently supports a cluster of mature valley oak trees in the northeast corner of the property, and a coast live oak tree and a valley oak tree near the southeast corner of the property. The project would result in the removal of two valley oak trees and impacts within the critical root zone of three valley oak trees. However, the project site does not meet the definition for forest land per PRC Section 12220(g) and would not result in the removal of a significant area of contiguous native tree canopy; therefore, potential impacts would be *less than significant*.

1. 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 underlain by soils designated as prime farmland and farmland of statewide importance in Table SL-2 of the County COSE. While the soils on-site have some favorable attributes to support agricultural land uses, the site generally consists of an infill site surrounded by residential development and is located within the Residential Suburban land use designation. In addition, no current or known historical agricultural uses have occurred on-site. Therefore, based on the project site’s location and historical uses, impacts associated with conversion of farmland to non-agricultural uses would be less than significant.

The project site currently supports less than 10% native tree cover. As stated in threshold II.(d), above, the project site does not currently support forest land and would not result in the conversion of forest land to non-forest use. Therefore, impacts would be *less than significant.*

#### Conclusion

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

#### Mitigation

No mitigation is necessary.

1. Air Quality

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| 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: | | | | |
| 1. Conflict with or obstruct implementation of the applicable air quality plan? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. Expose sensitive receptors to substantial pollutant concentrations? |  |  |  |  |
| 1. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? |  |  |  |  |

#### Setting

##### San Luis Obispo County Clean Air Plan

The San Luis Obispo County Air Pollution Control District (SLOAPCD) *San Luis Obispo County 2001 Clean Air Plan* (2001 CAP) is a comprehensive planning document intended to evaluate long-term air pollutant 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 particulate matter 10 micrometers or less in diameter (PM10) (SLOAPCD 2001). The 2001 CAP presents a detailed description of the sources and pollutants that 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. In order to be considered consistent with the 2001 CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the 2001 CAP.

##### Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residences. The nearest sensitive receptors to the project site include off-site single-family residences located approximately 25 to 50 feet north of the project site and single-family residences located approximately 50 feet east of the project site and proposed off-site utility improvements.

##### Emissions Sources and Local Air District Emissions 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 (SLOAPCD 2012, 2017). This handbook includes established thresholds for both short-term construction emissions and long-term operational emissions.

Use of heavy equipment and earth-moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NOx), reactive organic gases (ROG), greenhouse gases (GHGs), 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 associated with residential development consist primarily of indirect emissions (i.e., motor vehicles). Certain other 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). The SLOACPD has established several different methods for determining the significance of project operational impacts:

1. Demonstrate consistency with the most recent CAP for San Luis Obispo County;
2. Demonstrate consistency with a plan for the reduction of GHG emissions that has been adopted by the jurisdiction in which the project is located that complies with State CEQA Guidelines Section 15183.5;
3. Compare predicted ambient criteria pollutant concentrations resulting from the project to federal and state health standards, when applicable;
4. Compare calculated project emissions to SLOAPCD emission thresholds; and
5. Evaluate special conditions that apply to certain projects.

In addition, many architectural coatings consist of oil-based paints. Solvents contained in these paints evaporate into the atmosphere as the paint dries, contributing to local ozone formation.

##### 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 San Luis Obispo County and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. The project site is not located in an area identified as containing NOA by the SLOAPCD.

#### Discussion

1. Conflict with or obstruct implementation of the applicable air quality plan?

In order to be considered consistent with the 2001 CAP, a project must be consistent with the population growth assumptions identified in the 2050 Regional Growth Forecast population data, and the project is consistent with the land use planning and transportation control measures and strategies that are outlined in the 2001 CAP (SLOAPCD 2012).

Population Growth Assumptions

According to the 2050 Regional Growth Forecast for San Luis Obispo County, the forecasted population in Templeton in 2020 was 7,892 residents and in 2050 is anticipated to be 9,017 residents. Therefore, the forecasted population for Templeton is expected to grow by approximately 1,125 residents between 2020 and 2050. The U.S. Census Bureau reports 2.51 residents per household in Templeton; therefore, development of the project site with 15 single-family residences and four ADUs would provide residence for approximately 45 people. Thus, the residents of the proposed project would account for approximately 4 percent of the planned population growth forecasted in Templeton between 2020 and 2050. Therefore, the population projections for the project are less than those identified in the 2050 Regional Growth Forecast, and the project’s contribution to local population growth would be less than cumulatively considerable (LSA Associates 2022).

Transportation and Land Use Control Measures

The 2001 CAP includes multiple transportation and land use control measures intended to reduce emissions through reductions in VMT and the promotion of alternative forms of transportation. The control measures applicable to the proposed project are summarized in Table 3.

| Table . Project Consistency with SLOAPCD’s CAP Transportation and Land Use Control Measures | |
| --- | --- |
| Control Measures | Project Consistency |
| Land Use Planning Strategies | |
| **L-1 Planning Compact Communities.**   * Cities and unincorporated communities should be developed at densities that reduce trips and travel distances and encourage the use of alternative forms of transportation. * Urban growth should occur within the urban reserve lines of cities and unincorporated communities. * Local planning agencies should encourage walking and transit use by planning neighborhoods and commercial centers at densities to allow for convenient access to and use of local and regional transit systems. | **Consistent.** The proposed project is located within the Templeton Urban Reserve Line (URL) and would facilitate the development of up to 15 primary residential dwellings and four ADUs. The project would result in an overall increase in residential density within an established community and would therefore help to reduce vehicle trip distances. The proposed project would be consistent with this measure. |
| **L-3 Balancing Jobs and Housing.**   * Within cities and unincorporated communities, the gap between the availability of jobs and housing should be narrowed and should not be allowed to expand. | **Consistent.** While the project would allow for the future development of up to 15 primary residences and four ADUs within a housing-rich unincorporated community, the addition of 30 housing units would not have to potential to cause a notable effect on the local area’s jobs/housing balance. |
| **L-4 Circulation Management**   * Local planning agencies should encourage walking by planning for existing and new residential and commercial areas to include a safe and interconnected street system with adequate sidewalks and/or pedestrian trails. | **Consistent.** The project includes construction of sidewalks along the primary access road for pedestrian use. |
| Transportation Control Measures | |
| **T-3 Bicycling and Bikeway Enhancements.**   * The goal of this measure is to encourage a modal shift to bicycles through implementation of infrastructure improvements and administrative actions that provide inexpensive commute options and increased safety and convenience for commuters. | **Consistent.** The proposed project would locate residents near existing residential, commercial, and school uses, reducing the demand for travel by single-occupancy vehicles. The proposed project would also provide pedestrian and bicyclist amenities which would also help to reduce the demand for travel by single-occupancy vehicles. |
| Source: LSA Associates 2022 | |

Based on the analysis provided above, the project would not conflict with the 2001 CAP and potential impacts would be *less than significant*.

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

The county is currently designated as non-attainment for ozone and PM10 under state ambient air quality standards (CARB 2021). Proposed grading, installation of utility infrastructure, and construction of roadways on-site would result in emissions of air pollutants, as well as future construction and operation of residential uses on-site.

Construction Emissions

The project would result in the initial site disturbance of approximately 10 acres, including approximately 30,000 cubic yards of cut material and 30,000 cubic yards of fill material, to be balanced on-site. The California Emission Estimator Model (CalEEMod), version 2020.4.0, was used to calculate emissions from on-site construction equipment and emissions from worker and vehicle trips to the site (Table 4).

As shown in Table 2, construction emissions associated with the project would be below the significance thresholds set by the SLOAPCD. Therefore, construction of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment (LSA Associates 2022).

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Table . Estimated Project Construction-Related Emissions | | | | | |
|  | ROG + NOx (combined) | | Diesel Particulate Matter (DPM) | | Fugitive Dust2 (PM10) |
| Pounds/day | Tons/quarter | Pounds/day | Tons/quarter | Tons/quarter |
| Project Construction Emissions | 85.6 | 1.2 | 1.5 | <0.01 | 0.1 |
| SLOAPCD Significance Threshold1 | 137 | 2.5 | 7 | 0.133 | 2.53 |
| Exceeds Threshold? | **No** | **No** | **No** | **No** | **No** |
| Source: LSA Associates 2022  1 Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.  2 Per the SLOAPCD, any project with a grading area greater than 4 acres of worked area can exceed the 2.5-ton PM10 quarterly threshold.  3 Quarterly Tier 1 thresholds | | | | | |

Operational Emissions

Long-term air pollutant emission impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity, natural gas), and area sources (e.g., architectural coatings, the use of landscape maintenance equipment), related to the proposed project. Consistent with SLOAPCD guidance for estimating emissions associated with land use development projects, CalEEMod was used to calculate the long-term operational emissions associated with the project. Table 5 provides the project’s estimated operational emissions and compares them to the applicable SLOAPCD significance thresholds.

| Table . Estimated Project Operational Emissions | | | | | |
| --- | --- | --- | --- | --- | --- |
|  | ROG + NOx (combined) | | Diesel Particulate Matter (DPM) | Fugitive Dust2 (PM10) | |
| Pounds/day | Tons/quarter | Pounds/day | Pounds/day | Tons/quarter |
| Project Operational Emissions | 2.3 | 0.4 | <0.1 | 0.9 | 0.2 |
| SLOAPCD Significance Threshold1 | 252 | 25 | 1.252 | 25 | 25 |
| Exceeds Threshold? | **No** | **No** | **No** | **No** | **No** |
| Source: LSA Associates 2022  1 Daily and annual emission thresholds are based on California Health and Safety Code Division 26, Part 3, Chapter 10, Section 40918.  2 CalEEMod winter report should be used to compare with these thresholds. | | | | | |

As shown in Table 5, the emissions associated with the operations of the project would be well below the significance thresholds set by the SLOAPCD (LSA Associates 2022). Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment.

Based on the analysis provided above, potential impacts would be *less than significant*.

1. Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units. The project site is surrounded primarily by residential land uses, with commercial land uses located to the south. The closest sensitive receptors to the project site include the single-family residences adjacent to the north, east, and southern borders of the project site.

Construction of the proposed project may expose these surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). While the project would not exceed SLOAPCD’s thresholds for construction emissions, localized concentrations of air pollutant emissions may adversely affect the occupants of proximate residences. Based on the scale of activities proposed and proximity to sensitive receptor locations, the project would have the potential to expose nearby sensitive receptors to substantial pollutant concentrations. Mitigation Measures AQ-1 through AQ-3 have been identified to reduce construction-generated emissions in accordance with the SLOAPCD’s requirements for construction projects located within 1,000 feet of sensitive receptor locations. Upon implementation of these measures, the project would not result in the exposure of sensitive receptors to substantial pollutant concentrations.

Upon completion of proposed grading and site improvements, future excavation and construction activities associated with residential construction would not be expected to be substantial enough to result in significant construction emissions and residential uses would be anticipated to be constructed sequentially over time and not all in one construction season. Operational emissions from residential uses, once built, would not be significant based on the absence of stationary air pollutant sources and less-than-significant VMT, as discussed in Section XVII. Transportation, below.

Based on the analysis provided above, potential impacts would be *less than significant with mitigation.*

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

Based on the SLOAPCD NOA screening, map, the project is not located in an area with potential for soils containing NOA. The project does not propose work within old, highly traveled roadways that could release aerially deposited lead (ADL). Therefore, the project would not result in air pollutant emissions associated with NOA or ADL.

During project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The proposed project would not include any activities or operations that would generate objectionable odors and once operational, the project would not be a source of odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people and impacts would be *less than significant*.

#### Conclusion

The project would not conflict with the applicable regional clean air plan, result in criteria air pollutant emissions in excess of local significance thresholds during construction or operation, or result in other emissions that would adversely affect a substantial number of people. Based on the scale of proposed activities and close proximity to sensitive receptor locations, mitigation measures have been identified below to reduce potential impacts to sensitive receptors. Therefore, overall project impacts associated with air quality would be less than significant with mitigation.

#### Mitigation

**AQ-1 Prior to approval of tract map improvements,** the following San Luis Obispo County Air Pollution Control District-recommended *Standard Mitigation Measures* shall be detailed on project building and grading plans and implemented to reduce construction-generated nitrogen oxides, reactive organic gases, and diesel particulate matter:

1. Maintain all construction equipment in proper tune according to manufacturer’s specifications;
2. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
3. Diesel-fueled construction equipment shall meet, at a minimum, California Air Resources Board’s Tier 2-certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
4. Use on-road heavy-duty trucks that meet the California Air Resources Board’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
5. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or nitrogen oxide-exempt area fleets) may be eligible by proving alternative compliance;
6. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
7. Diesel idling while equipment is not in use is not permitted. Signs shall be posted in the designated queuing areas to remind drivers and operators of the idling restrictions;
8. Staging and queuing areas shall not be located at the maximum distance feasible from sensitive receptor locations. Signs shall be posted identifying these areas;;
9. Electrify equipment, when feasible;
10. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
11. Use alternative-fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

**AQ-2 Prior to approval of tract map improvements,** the following San Luis Obispo County Air Pollution Control District-recommendedmitigation measures shall be shown on grading and building plans and be implemented throughout site disturbance activities to reduce construction-generated fugitive dust:

1. Reduce the amount of disturbed area, where possible.
2. Use water trucks, San Luis Obispo County Air Pollution Control District-approved dust suppressants (see Section 4.3 in the *CEQA Air Quality Handbook*), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a San Luis Obispo County Air Pollution Control District-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the *CEQA Air Quality Handbook*.
3. All dirt stockpile areas should be sprayed and covered daily, as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil-disturbing activities;
5. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast-germinating, non-invasive grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District.
7. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between the top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114.
10. Install wheel washers at the construction site entrance/exit, wash off the tires or tracks of all trucks and equipment leaving the site, or implement other San Luis Obispo County Air Pollution Control District-approved track-out prevention devices sufficient to minimize the track-out of soil onto paved roadways.
11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
12. The burning of vegetative material shall be prohibited. Effective February 25, 2000, the San Luis Obispo County Air Pollution Control District prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the San Luis Obispo County Air Pollution Control District Engineering and Compliance Division at (805) 781-5912.
13. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent the transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork, or demolition.
14. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or be permitted by the San Luis Obispo County Air Pollution Control District. Such equipment may include power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, concrete plant). For more information, contact the San Luis Obispo County Air Pollution Control District Engineering and Compliance Division at (805) 781‑5912.
15. Construction of the proposed project shall use low volatile organic compound-content paints not exceeding 50 grams per liter.
16. To the extent locally available, use prefinished building materials or materials that do not require the application of architectural coatings.

**AQ-3** **Prior to approval of tract map improvements**, the following measures shall be shown on grading and building plans and implemented throughout project site preparation and construction activities to reduce construction emissions from on- and off-road construction equipment (nitrogen oxides, reactive organic gases, and diesel particulate matter):

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
2. Staging and queuing areas shall be located at the greatest distance feasible from sensitive receptor locations;
3. Diesel idling while equipment is not in use is not permitted;
4. Use of alternative-fueled equipment is recommended whenever possible; and
5. Signs that specify the no-idling requirements must be posted and enforced at the construction site.
6. Idling Restrictions for On-Road Vehicles. California Code of Regulations (CCR) Title 13, Section 2485 limits diesel-fueled commercial motor vehicles that operate in the state of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:
7. Shall not idle the vehicle’s primary diesel engine when the vehicle is not in use, except as noted in Subsection (d) of the regulation; and
8. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, an air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the idling restrictions. The specific requirements and exceptions in the regulation can be reviewed at the following website: [www.arb.ca.gov/msprog/truck-idling/2485.pdf](http://www.arb.ca.gov/msprog/truck-idling/2485.pdf).

1. Idling Restrictions for Off-Road Equipment. Off-road diesel equipment shall comply with the idling restrictions identified in Section 2449(d)(3) of the California Air Resources Board’s In-Use Off-Road Diesel regulation: [www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf](http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf).

Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the idling restrictions.

1. Biological Resources

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. 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? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? |  |  |  |  |
| 1. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? |  |  |  |  |

#### Setting

##### Federal and State Endangered Species Acts

The Federal Endangered Species Act (FESA) of 1973 provides legislation to protect plant and animal species listed as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS). The California Endangered Species Act (CESA) of 1984 ensures legal protection for plants listed as threatened or endangered by the California Department of Fish and Wildlife (CDFW) and wildlife species formally listed as endangered or threatened. In addition, CDFW maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats. CDFW also maintains a Watch List (WL) for species that were previously SSC but no longer merit SSC status, or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

Lastly, California Fish and Game Code Sections 3511, 4700, 5050 and 5515 identify a Fully Protected classification to identify and provide additional protection to those animals that were rare or faced possible extinction. Fully Protected Species (FPS) may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for scientific research, for relocation of the bird species for the protection of livestock, or if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (NCCP). The California Native Plant Society (CNPS) maintains a list of plant species ranging from presumed extinct to limited distribution, based on the following:

* California Rare Plant Ranks (CRPR)
  + 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
* California Rare Plant Threat Ranks
  + 0.1: Seriously threatened in California
  + 0.2: Moderately threatened in California
  + 0.3: Not very threatened in California

##### Migratory Bird Treaty Act

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

##### Oak Woodland Ordinance

The County of San Luis Obispo Oak Woodland Ordinance was adopted in April 2017 to regulate the clear-cutting of oak woodlands. This ordinance applies to sites located outside of Urban or Village areas within the inland portions of the county (not within the Coastal Zone). “Clear-cutting” is defined as the removal of 1 acre or more of contiguous trees within an oak woodland from a site or portion of a site for any reason, including harvesting of wood, or to enable the conversion of land to other land uses. “Oak woodland” refers to a grouping of trees over one acre in area growing in a contiguous pattern and on a site of sufficiently uniform quality that is distinguishable as a unit, including any Stand within 500 feet; where the dominant trees are one or more of the following species: blue oak (*Quercus douglasii*), coast live oak (*Q. agrifolia*), interior live oak (*Q. wislizeni*), valley oak (*Q. labata*), and California black oak (*Q. kelloggii*). The ordinance applies to clear-cutting of oak woodland only and does not apply to the removal of other species of trees, individual oak trees (except for Heritage Oaks), or the thinning, tree trimming, or removal of oak woodland trees that are diseased, dead, or creating a hazardous condition. Heritage Oaks are any individual oak species, as defined in the Oak Woodland Ordinance, of 48 inches diameter at breast height (dbh) or greater, separated from all Stands and Oak Woodlands by at least 500 feet. The project site does not currently support oak woodland or Heritage Oak trees.

##### County of San Luis Obispo General Plan Conservation and Open Space Element

The County COSE identifies several key goals pertaining to biological resources within the county:

* **Goal BR 1.** Native habitat and biodiversity will be protected, restored, and enhanced.
* **Goal BR 2.** Threatened, rare, endangered, and sensitive species will be protected.
* **Goal BR 3.** Maintain the acreage of native woodlands, forests, and trees at 2008 levels.
* **Goal BR 4.** The natural structure and function of streams and riparian habitat will be protected and restored.
* **Goal BR 5.** Wetlands will be preserved, enhanced, and restored.
* **Goal BR 6.** The County’s fisheries and aquatic habitats will be preserved and improved.
* **Goal BR 7.** Significant marine resources will be protected.

##### Project Site Characteristics

The following discussion is based on the information provided in *Sara Street Properties, LLC Vesting Tentative Tract Map – Tract 3138 (APN: 040-311-014) Biological Resources Assessment* (BRA) (Sage Institute, Inc. 2020).

The project site topography is defined by a small hill with topography sloping down to the north with a low-lying grassy swale running south to north. Existing vegetation on-site includes disturbed non-native annual grassland and non-native forbs, a cluster of seven large valley oak trees in the northeast corner of the property, and a coast live oak tree, valley oak tree, and patch of coyote brush (*Baccharis pilularis*) near the southeast corner of the property (see Figure 5). No riparian habitat occurs on the project site (Sage Institute, Inc. 2020).

###### Plants and Natural Communities

Annual grassland habitat occurs as the only habitat type over the 10.88-acre project site. The non-native annual grassland within the project was observed during the floristic inventory and rare plant survey to be relatively low in native species diversity and dominated by mixed stands of slender wild oats *(Avena barbata*), soft chess (*Bromus hordeaceus*), ripgut brome (*B. diandrus*), vetch (*Vicia sativa*), and rattail fescue (*Festuca myuros*). Other common non-native forbs observed include mustards (*Hirschfeldia; Brassica*), fillarees (*Erodium cicutarium, E. botrys*), prickly lettuce (*Lactuca serriola*), yellow-star thistle (*Centaurea solstitialis*), and morning glory (*Convolvulus arvensis*). The few native herbaceous species observed in low abundance include sky lupine (*Lupinus nanus*), California poppy (*Eschscholzia californica*), narrow leaf milkweed (*Asclepias fascicularis*), and clustered tarweed (*Deinandra fasciculata*) (Sage Institute, Inc. 2020).

A cluster of seven large valley oaks with grassland understory occurs on the northeast corner of the parcel. A small patch of coyote brush shrubs, small coast live oak, and valley oak are in the southeast corner of the site. These oak occurrences do not constitute an oak woodland habitat type, but the northeastern cluster of oak trees are continuous with the riparian habitat located just north of the project site. The site slopes to the north and northeast with a low-lying swale with head cut erosion running through the cluster of valley oaks in an unconsolidated drainage pattern towards Toad Creek. The swale contained perennial ryegrass (*Lolium perenne*) and Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*) (Sage institute, Inc. 2020).

A 10-mile radius query of the California Natural Diversity Database (CNDDB) was conducted to identify special-status plant and wildlife species and natural communities of special concern recorded within the region of the project site. The search identified 30 special-status plant species and one natural community of concern having been recorded within the project vicinity, listed below:

* Bristlecone fir (*Abies bracteata*)
* Hoover’s bent grass (*Agrostis hooveri*)
* Santa Margarita manzanita (*Arctostaphylos pilosula*)
* Miles’ milk vetch (*Astragalus didymocarpus* var. *milesianus*)
* San Luis mariposa-lily (*Calochortus obispoensis*)
* La Panza mariposa-lily *(Calochortus simulans*)
* Dwarf calycadenia (*Calycadenia villosa*)
* San Luis Obispo sedge (*Carex obispoensis*)
* San Luis Obispo owl’s-clover (*Castilleja densiflora* var. *obispoensis*)
* Lemmon’s jewelflower (*Caulanthus lemmonii*)
* Brewer’s spineflower (*Chorizanthe breweri*)
* Straight-awned spineflower (*Chorizanthe rectispina*)
* Chorro Creek bog thistle (*Cirsium fontinale* var. *obispoense*)
* Cuesta Ridge thistle (*Cirsium occidentale* var. *lucianum*)
* Eastwood’s larkspur (*Delphinium parryi* ssp. *eastwoodiae*)
* Umbrella larkspur (*Delphinium umbraculorum*)
* Mouse-gray dudleya (*Dudleya abramsii* ssp. *murina*)
* Blockman’s dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*)
* Yellow-flowered eriastrum (*Eriastrum luteum*)
* Ojai fritillary (*Fritillaria ojaiensis*)
* San Benito fritillary (*Fritillaria viridea*)
* Mesa horkelia (*Horkelia cuneata* var. *puberula*)
* Santa Lucia dwarf rush (*Juncus luciensis*)
* Jones’ layia (*Layia jonesii*)
* Santa Lucia bush-mallow (*Malacothamnus palmeri* var. *palmeri*)
* Oregon meconella (*Meconella oregana*)
* Palmer’s mondarella (*Monardella palmeri*)
* Woodland woollythreads (*Monolopia gracilens*)
* Shining navarretia (*Navarretia nigelliformis* ssp. *radians*)
* Most beautiful jewelflower (*Streptanthus albidus* ssp. *peramoenus*)
* Valley oak woodland

No special-status plant species were observed during the on-site floristic and rare plant survey of the project site on May 5, 2020.

###### Wildlife Habitat

The annual grassland habitat within the surrounding mosaic of urbanized residential blocks around the project site provides minimal quality habitat for wildlife species that have become adapted to the urban environment. Reconnaissance surveys of the project site were conducted in November 2019 and January 2020, in addition to a floristic survey conducted in May 2020. Evidence of California ground squirrel (*Otospermophilus beecheyi*), meadow mouse (*Microtus pennsylvanicus*), gopher, brush rabbit (*Sylvilagus bachmani*), and deer were observed on the project site. Acorn woodpecker (*Melanerpes formicivorus*), Pacific slope flycatcher (*Empidonax difficilis*), house finch (*Haemorhous mexicanus*), and northern flicker (*Colaptes auratus*) were also observed. Given that the site is surrounded by urban development, other wildlife use is likely limited, with generally low wildlife values attributed to this site. The habitat on the project area does not support a significant amount of grassland habitat in the context of the great expanse of the interconnected and diverse habitat mosaic available to wildlife in the undeveloped areas in this region of northern San Luis Obispo County (Sage Institute, Inc. 2020).

The 10-mile CNDDB search conducted identified 20 special-status wildlife species having been recorded within the project vicinity (Sage Institute, Inc. 2020):

* Western pond turtle (*Emys marmorata*)
* Western spadefoot toad (*Spea hammondii*)
* California red-legged frog (CRLF; *Rana draytonii*)
* Vernal pool fairy shrimp *(Branchinecta lynchi)*
* Coast range newt (*Taricha torosa)*
* Steelhead (*Oncorhynchus mykiss irideus*)
* San Luis Obispo pyrg (*Pyrgulopsis taylori*)
* Tricolored blackbird (*Agelaius tricolor*)
* Golden eagle (*Aquila chrysaetos*)
* Purple martin (*Progne subis*)
* Least Bell’s vireo (LBV; *Vireo bellii pusillus*)
* Lompoc grasshopper (*Trimerotropis occulens)*
* Atascadero June beetle (*Polyphylla nubila*)
* Crotch bumble bee (*Bombus crotchii*)
* Obscure bumble bee (*Bombus caliginosus*)
* Northern California legless lizard (*Anniella pulchra*)
* Lesser slender salamander (*Batrachoseps minor*)
* Townsend’s big-eared bat (*Corynorhinus townsendii*)
* American badger (*Taxidea taxus)*
* San Joaquin kit fox (*Vulpes macrotis mutica*)

#### Discussion

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

The proposed project would convert the approximately 10.88-acre project site of non-native grassland habitat with scattered valley oak trees to residential development. The following discussion is based on the information provided in the BRA prepared for the project (Sage Institute, Inc. 2020).

Special-Status Plants

The 10-mile CNDDB search conducted identified 30 special-status plant species having been recorded within the project vicinity. Only one of these species—Chorro Creek bog thistle—is a FESA/CESA listed endangered species, with the remainder being CNPS CRPR 1.B species, suggesting rarity.

The perennial species bristlecone fir, mouse-gray dudleya, Blochman’s dudleya, mesa horkelia, Santa Margarita manzanita, Santa Lucia bush-mallow, and San Luis Obispo sedge would have been noticeable and identifiable throughout the year and were not observed during any on-site field surveys.

Special-status plants recorded in the CNDDB associated with serpentine soils or clay soils that do not occur on the project site include Mile’s milk-vetch, San Luis lily, La Panza mariposa lily, Lemmon’s jewelflower, Brewer’s spineflower, Cuesta Ridge thistle, Eastwood’s larkspur, Ojai fritillary, San Benito fritillary, Jones’ layia, Palmer’s monardella, woodland woollythreads, and most beautiful jewelflower. No serpentine or clay soils are mapped or observed within the project area;therefore, the site does not represent suitable habitat for these plant species and were not observedduring the rare plant survey.

The special-status plant species recorded in the CNDDB known from mesic/moist/wetland-type habitats occurring in the region are the Chorro Creek bog thistle, San Luis Obispo sedge, shining navarretia, and Santa Lucia dwarf rush. There is only the mesic swale on-site with rye grass and Mediterranean barley with no true wetland habitats on the project site; therefore, these species are not expected to occur and were not observed during the rare plant survey.

The remaining special-status plant species associated simply with grassland habitats occurring in the region are the Hoover’s bent grass, dwarf calycadenia, San Luis Obispo owl’s-clover, straight-awned spineflower, yellow-flowered eriastrum, and Oregon meconella. These species were not observed during the rare plant survey.

No rare, threatened, or endangered plant species or remnants thereof were observed within the project area during the floristic inventory and rare plant field surveys conducted at the peak expression of the on-site flora during the springtime blooming season. Therefore, no special-status plant species occur on-site and impacts to these species would be *less than significant*.

Special-Status Wildlife

Aquatic Species

Aquatic species, including the western pond turtle, western spadefoot toad, CRLF, vernal pool fairy shrimp, coast range newt, steelhead, and San Luis Obispo pyrg were identified as being recorded within 10 miles of the project site. The CRLF and western pond turtle are highly aquatic species found in lowlands and foothills in or near permanent sources of deep water with dense, shrubby, emergent, or riparian vegetation, none of which occur on the upland grassland project site. The nearest recorded CRLF occurrence was recorded in 2000 approximately 1.24 miles to the south of the project site near the confluence of Paso Robles Creek and the Salinas River. No CRLF were observed at that location during a follow-up survey in 2003, where only bullfrogs and bullfrog tadpoles were observed at that time. A CRLF Assessment was prepared for the project and concluded that the on-site non-wetland swale does not support any suitable aquatic habitat for CRLF, and the distance from known CRLF occurrences and intervening development and other barriers, the site does not support suitable dispersal or foraging habitat for CRLF. As such, the project site does not support suitable aquatic habitat for the western pond turtle or CRLF (Sage Institute, Inc. 2020).

The vernal pool fairy shrimp and western spadefoot are closely associated with vernal pool or temporary pond/puddle habitats that are not subject to flowing water. Seasonal/vernal pools can be clearly distinguished in a grassland setting at any time of year. The field surveys of the site conducted in January and May 2020 were conducted at a time when seasonal rainfall would be sufficient to observe any seasonal ponding on-site. No evidence of vernal pool or seasonal pond/puddle habitats were observed during any of the wet season field surveys. As such, the project site does not support suitable seasonal aquatic habitat for these two species (Sage Institute, Inc. 2020).

The coast range newt breeds in streams and uses woodland upland habitats with abundant moist refuge (logs and debris) during non-breeding season. Steelhead and San Luis Obispo pyrg (an aquatic snail) are perennial stream species. No streams or aquatic habitats of any kind were observed during the field surveys of the project site. Therefore, coast range newt, steelhead, and San Luis Obispo pyrg do not have potential to occur on-site (Sage Institute, Inc. 2020).

*Birds*

The 10-mile radius CNDDB search results identified occurrences of wide-ranging resident and migratory bird species known to occur within the region of the project site. The tricolored blackbird is locally nomadic but requires bulrush and cattail marsh or ponds for breeding that are not present on the project site. The golden eagle is a wide-ranging species with nests in the region that could, on rare occasions, forage over the site. The purple martin is a colonial nesting species that occurs in trees or human-made structures not likely to occur on the project site. The Least Bells vireo is a breeding-season migrant known from the Salinas River that requires dense riparian habitat that does not occur on the project site. As such, the project site does not support suitable habitat for these species (Sage Institute, Inc. 2020).

Vegetation and tree removal, clearing, and grubbing activities during the nesting bird season could result in direct impacts to birds protected under the MBTA. Destruction of active nests is prohibited by California Fish and Game Code Sections 3503 and 3503.1 (raptors specifically). As such, this could be considered a potentially significant impact. Mitigation Measures BIO-1 and BIO-2 have been identified to require retention of a qualified biologist, environmental awareness training, and pre-activity surveys for nesting birds to be conducted if vegetation and/or tree removal is proposed during the nesting bird season (February 1–September 15). With implementation of these measures, potential impacts to nesting birds would be *less than significant with mitigation*.

*Invertebrates*

The Lompoc grasshopper is mostly associated with sandy soils in grassland, coastal scrub, or chaparral habitats. No such habitat occurs on-site and the study area is well outside the known range of this species. The Atascadero June beetle is known only from inland sand dunes that are not present on the project site (only gravelly loam soils); therefore, this species would not occur on-site. The Crotch and obscure bumblebees range throughout California to Baja California, Mexico, and are typically found in wildflower rich grasslands and shrublands foraging on many families and genera of flowering plants. Nesting sites for the crotch bumble bee would typically be found in small mammal burrows, thatched/bunch grasses, upland scrubs, brush piles, unmowed/overgrown areas, dead trees, or hollow logs. The local CNDDB records identify unspecified locations around Atascadero from 1968 and 1959 collection records with no current observations or information. While no bumblebees were observed during the field surveys conducted on-site (Sage Institute, Inc. 2020), Crotch and obscure bumblebee have a low potential to occur on-site based on marginally suitable on-site habitat conditions. Mitigation Measure BIO-4 has been identified to require surveys of suitable habitat areas and preparation of a Biological Resources Management Plan with avoidance measures if individuals are located on-site. With implementation of this measure, potential impacts to Crotch and obscure bumblebees would be *less than significant with mitigation*.

*Reptiles and Amphibians*

The northern California legless lizard is associated with sandy soils in grassland, coastal scrub, or chaparral habitats. The project site does not support suitable sandy soils or shrub cover for the northern California legless lizard. Sandy loam and loam soils mapped on-site would be impenetrable to the legless lizard and would preclude its occurrence. The lesser slender salamander is known from wooded, shaded slopes with an abundance of leaf litter. No such habitat occurs on the project site. As such, the project site does not support suitable moist woodland or downed debris refuge habitat for these two species.

*Mammals*

The Townsend’s big-eared bat requires caves or structures for roost sites that do not occur on the project site. The American badger is typically found in grasslands and requires friable soils for digging burrows. While there is suitable grassland habitat for this species within the project area, the American badger can be easily detected by their distinctive burrows and digging activities. No badger dens or potential badger dens were observed within the project site during the field surveys. The project site is outside of the range of the San Joaquin kit fox.

Based on the analysis provided above, project impacts associated with adverse effects on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the USFWS or CDFW, would be *less than significant with mitigation*.

1. 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?

No observations of wetlands or riparian habitat were observed on-site during any of the three field surveys conducted on the project property in November 2019, January 2020, and May 2020. No seasonal ponded areas, such as vernal pools, were observed during any of the wet or dry season field surveys. While Valley Oak Woodland is identified as a natural community of special concern by the CDFW and occurs within the project region, the small cluster of valley oak trees located on the northeast portion of the project site does not constitute the Valley Oak Woodland sensitive natural community based on the limited number and scattered distribution of valley oak trees present on site. Therefore, potential impacts to riparian habitat or other sensitive natural communities would be *less than significant*.

1. 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?

No observations of wetlands or riparian habitat were observed on-site during any of the three field surveys conducted on the project property in November 2019, January 2020, and May 2020. No seasonal ponded areas, such as vernal pools, were observed during any of the wet or dry season field surveys. The unconsolidated swale located near the northeastern corner of the property has no evidence of a bed, bank, or channel on-site or defined connection to Toad Creek (only head cut erosion scours). The swale was also determined to fail to meet the three parameter jurisdictional wetland criteria due to its lack of evidence of surface flow and lack of hydric soils; therefore, the drainage feature does not represent jurisdictional waters of the U.S. or State or a wetland by federal and state agency definitions (Sage Institute, Inc. 2020). Therefore, *no impacts would occur*.

1. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project site supports exclusively non-native annual grassland habitat with low native plant species diversity that provides minimal habitat value for wildlife. The 10.88-acre project site is generally surrounded by existing residential development; however, the northern portion of the project site is located within close proximity to the existing Toad Creek riparian corridor, which does not represent a substantial movement corridor for local wildlife. The project site does not support any aquatic habitat or bodies of water that could support aquatic wildlife species. Therefore, based on the project size, lack of quality natural habitats, and surrounding development, potential impacts associated with interfering with the movement of wildlife species would be *less than significant.*

1. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project would result in the removal of two valley oak trees located near the southeastern corner of the property and weight reduction pruning within the critical root zone of three valley oak trees located near the northeast corner of the property (A&T Arborists 2020). Valley oak trees are considered a locally important native tree species by the County. Therefore, to compensate for impacts to valley oak trees, Mitigation Measure BIO-5 has been identified to require planting and maintaining replacement oak trees per the County’s standard oak tree mitigation measures. These measures would require planting four replacement trees for each oak tree removed, and two replacement plantings for each impacted oak tree. Upon implementation of Mitigation Measure BIO‑5, potential impacts associated with removal of native oak trees would be less than significant with mitigation.

As described in threshold IV.a, above, the project has the potential to result in direct and indirect impacts to special-status wildlife species designated by the USFWS and CDFW. COSE Goal BR‑2 states that “Threatened, rare, endangered, and sensitive species will be protected.” With implementation of Mitigation Measures BIO-1 through BIO-4 detailed below, the project would demonstrate consistency with this goal. Therefore, potential impacts associated with conflicting with local policies or ordinances protecting biological resources would be *less than significant with mitigation*.

1. 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 (HCP), NCCP, or other approved local, regional, or state HCP. 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-5 identified to reduce potential impacts to special-status wildlife and wildlife habitat and implement compensatory mitigation for impacts to native oak trees, potential impacts to biological resources would be less than significant.

#### Mitigation

**BIO-1** **Prior to approval of tract map improvements,** the applicant shall provide evidence to the County of San Luis Obispo that they have retained a County of San Luis Obispo-approved qualified biologist. The scope of work shall include preconstruction surveys, training, monitoring, and reporting, as detailed in the mitigation measures listed below.

**BIO-2** **Prior to initiation of site preparation activities,** an environmental awareness training shall be presented to all project personnel by a qualified biologist prior to the start of any project activities. 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, as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by the project’s discretionary permits, an overview of the Federal Endangered Species Act and California Endangered Species Act, and implications of noncompliance with these regulations, as well as an overview of the required avoidance and minimization measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training and the names and signatures of the trainees will be kept and provided to the County of San Luis Obispo Planning and Building Department. If new project personnel join the project after the initial training period, they will receive the environmental awareness training from a designated crew member on-site before beginning work. A qualified biologist will provide refresher trainings during site visits or other monitoring events as deemed necessary by the biologist.

**BIO-3 Prior to initiation of any site preparation/construction activities,** if work is planned to occur between February 1 and September 15, a County of San Luis Obispo-qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. 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, as detailed below:

1. 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 encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside 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.
2. If special-status avian species are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the County of San Luis Obispo and any relevant resource agencies.
3. The results of the survey shall be provided to the County of San Luis Obispo prior to initial project activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for 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 on site conditions and species (if non-listed).

If 2 weeks lapse between different phases of project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated.

**BIO-4 Prior to and during any site preparation activities associated with the proposed project,** the applicant shall retain a County of San Luis Obispo-approved qualified biologist to conduct preconstruction survey(s) for Crotch and obscure bumblebee within suitable habitat areas (e.g., small mammal burrows, thatched/bunch grasses, upland scrubs, brush piles, unmowed/overgrown areas, dead trees, hollow logs, etc.) within the proposed disturbance areas and areas within 50 feet of the proposed disturbance area. At a minimum, the survey effort shall include visual search methods targeting colonies or individuals. Surveys shall be conducted over an extended period of time to document and establish the presence of bees within the areas of disturbance. Upon completion of the surveys, the biologist shall prepare a survey report summarizing the findings and submit it to the County of San Luis Obispo Planning and Building Department.

1. If the survey(s) establishes presence of Crotch or obscure bumblebee within the areas of disturbance, the applicant shall retain a County of San Luis Obispo-qualified biologist to prepare a Biological Resources Management Plan (Management Plan) subject to review and approval of the County of San Luis Obispo Planning and Building Department in consultation with the California Department of Fish and Wildlife. The Management Plan shall include the following, at a minimum:
2. Avoidance measures to conduct project activities in such a manner that avoids physical disturbances to the colony/nest site, including a minimum 50-foot no-disturbance buffer from the documented location(s) of Crotch or obscure bumblebee to avoid take and potentially significant impacts;
3. If ground-disturbing activities would occur during the overwintering period (October–February), the applicant, in coordination with the County of San Luis Obispo Planning and Building Department, shall consult with the California Department of Fish and Wildlife to identify specific measures to be undertaken to avoid take as defined by the California Endangered Species Act.
4. If, prior to site disturbances, the California Fish and Game Commission determines that the conservation status of Crotch and/or obscure bumblebee does not warrant California Endangered Species Act protections or litigation changes the conservation status and the species are removed from the list of candidate species, the applicant will not need to obtain a Section 2081 Incidental Take Permit to disturb the colony(s).

**BIO-5** **Prior to approval of tract map improvements,** a County of San Luis Obispo-approved qualified biologist shall prepare an Oak Tree Replacement Plan that provides for the installation and maintenance of replacement oak trees on the project parcel and surrounding parcels owned by the applicant and shall be reviewed and approved by the County of San Luis Obispo Planning and Building Department. Mitigation replacement plantings for each oak tree removed shall be at a 4:1 ratio (e.g., if four mature oak trees are removed, the applicant must plant 16 replacement juveniles), and at a 2:1 ratio for each oak tree impacted. The Oak Tree Replacement Plan shall include the following components:

1. A brief narrative of the project location, description, and purpose;
2. Clearly identified parties responsible for the mitigation program and their contact information;
3. A landscape map showing and quantifying all oak tree planting areas;
4. A detailed discussion of the methods for implementing the Oak Tree Replacement Plan, including invasive species removal, sources of plant materials, and supplemental watering regimes;
5. Provisions for the collection of oak propagules from the disturbance area, replacement planting propagation, and reintroduction into the parcel;
6. Identification of locations, amounts, species, and sizes of the oak trees to be planted. For each individual of a species removed, the same species shall be planted;
7. Identification of necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful plant re-establishment;
8. A program schedule and established success criteria for a 5-year maintenance, monitoring, and reporting program that is structured to ensure the success of the mitigation plantings; and
9. Methods for removing nonnative species from the replanting areas.
10. Cultural Resources

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? |  |  |  |  |
| 1. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? |  |  |  |  |
| 1. Disturb any human remains, including those interred outside of dedicated cemeteries? |  |  |  |  |

#### Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and has an abundance of historic and prehistoric cultural resources dating as far back as 9,000 B.C. The County protects and manages cultural resources in accordance with the provisions detailed by CEQA and local ordinances.

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 that 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 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, and/or cultural significance.

#### Discussion

1. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Archival research focused on primary and secondary sources was conducted to develop a general historic context and lot-specific information for the project. On November 13, 2019, a records search was conducted that included information on all studies and prehistoric, historic, and built environment resources within a 0.25-mile radius of the project site on file at the Central Coast Information Center (CCIC), located at the Santa Barbara Museum of Natural History. In addition, the National Register of Historic Places (NRHP) was consulted through the National Register Information Service (NRIS), as well as the official online database of the NRHP, *California Points of Historical Interest*, *California Inventory of Historic Resources*, and *California Historical Landmarks*. The results of this comprehensive records search revealed that no previously identified historical or cultural resources are located within or in the immediate vicinity of the project site (Central Coast Archaeological Consultants 2019).

No historic cultural material or indications of historic activity on the parcel were observed during the field surveys conducted for the project (Central Coast Archaeological Research Consultants 2019). The project site does not contain a site under the Historic Site (H) combining designation and would not result in any physical impacts or removal of the existing residence or other structural components located on-site. Therefore, the project would not result in an adverse change in the significance of a historical resource and *no impacts would occur.*

1. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

As described under threshold V.a, above, a records search was completed and identified no known cultural resources within the project site or immediately adjacent to the project site. On November 15, 2019, a pedestrian survey of the 10.88-acre project site was conducted and identified no prehistoric or historic cultural materials. Based on the results of the records search and surface survey, the project site has low potential for containing archaeological or cultural resources (Central Coast Archaeological Research Consultants 2019).

In the event that archaeological resources are uncovered during grading activities, implementation of County Inland LUO Section 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 federal and state law. This protocol would ensure full compliance with California Health and Safety Code Section 7050.5 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.*

1. Disturb any human remains, including those interred outside of dedicated cemeteries?

Based on existing conditions and results of the archaeological surface survey conducted on-site, buried human remains are not expected to be present in the site area. In the event of an accidental discovery or recognition of any human remains, California Health and Safety Code Section 7050.5 and Inland LUO Section 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 PRC Section 5097.98. With adherence to California Health and Safety Code Section 7050.5 and the Inland LUO, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant.*

#### Conclusion

No archaeological or historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated archaeological resources or human remains are discovered during project construction activities, adherence with County Inland LUO standards and California 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

No mitigation is necessary.

1. Energy

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? |  |  |  |  |
| 1. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? |  |  |  |  |

#### Setting

##### Local Energy Service Providers

The Pacific Gas and Electric Company (PG&E) is the primary electricity provider for urban and rural communities within San Luis Obispo County. In 2019 approximately 29% of electricity provided by PG&E was sourced from renewable resources, 44% was sourced from nuclear energy, and 27% was sourced from large hydrological energy (PG&E 2020). According to the California Energy Commission (CEC), total electricity consumption in San Luis Obispo County in 2019 was 1,707 gigawatt hours (GWh) (1,707,385,625 kilowatt hours [kWh]; LSA Associates 2022).

PG&E is the natural gas service provider for San Luis Obispo County. According to the CEC, total natural gas consumption in San Luis Obispo County in 2019 was 89,725,514 therms (LSA Associates 2022).

##### State Building Code Requirements

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 recent version of which are referred to as the *2019 Building Energy Efficiency Standards*, or the CALGreen Code. The CALGreen Code established mandatory measures for residential and non-residential building construction and encouraged sustainable construction practices in the following five categories: (1) planning and design, (2) energy efficiency, (3) water efficiency and conservation, (4) material conservation and resource efficiency, and (5) indoor environmental quality. Although the CALGreen Code was adopted as part of the state’s efforts to reduce GHG emissions, the CALGreen Code standards have co-benefits of reducing energy consumption from residential and non-residential buildings subject to the standard (LSA Associates 2022).

#### Discussion

1. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Electricity and natural gas use was estimated for the project using default energy intensities in CalEEMod. In addition, the future construction of residential buildings would be constructed to current CALGreen standards, which was included in CalEEMod inputs.

Construction Energy Demand

Construction of the proposed project would require energy for the manufacture and transportation of construction materials, preparation of the site for grading activities, and construction of residential structures. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities. However, construction activities are not anticipated to result in an inefficient use of energy as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the state’s available energy sources. Federal and state regulations in place require fuel-efficient equipment and vehicles and prohibit wasteful activities, such as diesel idling. Construction contractors, in an effort to ensure cost efficiency, would not be expected to engage in wasteful or unnecessary energy and fuel practices. Therefore, energy consumption during construction would not be wasteful, unnecessary, or inefficient, and impacts would be less than significant (LSA Associates 2022).

Operational Energy Demand

Energy use consumed by the proposed project would be associated with natural gas use, electricity consumption, and fuel used for vehicle trips associated with the buildout of residential uses on the project site. Energy and natural gas consumption were estimated for the project using default energy intensities by building type in CalEEMod. In addition, the proposed buildings would be constructed to CALGreen standards, which was included in CalEEMod inputs. Electricity and natural gas usage estimates associated with the proposed project are shown in Table 6. In addition, the proposed project would result in energy usage associated with gasoline to fuel project-related trips. Based on the CalEEMod analysis, the proposed project would result in approximately 424,313 VMT per year. Therefore, using the U.S. Environmental Protection Agency (USEPA) fuel economy estimates for 2019, the proposed project would result in the consumption of approximately 19,113 gallons of gasoline per year.

|  |  |  |
| --- | --- | --- |
| Table . Project Estimated Annual Energy Use1 | | |
| Electricity Use  (kWh per year) | Natural Gas Use  (therms per year) | Gasoline  (gallons per year) |
| 117,498 | 3,995 | 19,113 |
| Source: LSA Associates 2022  1 Energy use estimates provided above are based on buildout of 15 primary residences and four ADUs on-site. | | |

As shown in Table 6, the estimated potential increased electricity demand associated with the proposed project is 117,498 kWh per year, and, in 2019 San Luis Obispo County consumed 1,707 GWh or 1,707,385,625 kWh. Therefore, electricity demand associated with the proposed project would only be approximately 0.01% of San Luis Obispo County’s total electricity demand. The proposed project would be constructed to CALGreen standards, which would help reduce energy and natural gas consumption. Therefore, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design (LSA Associates 2022).

The project site is located within the URL of the established community of Templeton. Based on the *County of San Luis Obispo Transportation Impact Assessment Guidelines*, the project is located in an area that is pre-screened for VMT impacts, meaning that future construction of residential uses at this location would have a less than significant impact on regional VMT (Central Coast Transportation Consulting 2021), and may possibly have a beneficial impact by providing residential uses closer to established community employment centers, reducing overall regional VMT. Therefore, gasoline use associated with the project would be less than significant based on the project’s less-than-significant VMT impacts.

Based on the analysis provided above, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation; therefore, potential impacts would be *less than significant.*

1. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

As indicated above, energy usage on the project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed project would be subject to building energy efficiency requirements set forth by the CBC and overall fuel consumption would be minimized by current vehicle fuel efficiency standards and the project’s less-than-significant VMT. Because California’s energy conservation planning actions are conducted at a regional level, and because the project’s total impact to regional energy supplies would be minor, the proposed project would not conflict with California’s energy conservation plans as described in the CEC’s 2020 Integrated Energy Policy Report. Thus, the project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy (LSA Associates 2022). Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and impacts would *be less than significant*.

#### Conclusion

The project would result in operational energy consumption typical of residential development and would adhere to federal and state regulations in place to reduce operational and construction-related energy consumption. Therefore, impacts associated with energy use would be less than significant, and no mitigation is necessary.

#### Mitigation

No mitigation is necessary.

1. Geology and Soils

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: |  |  |  |  |
| 1. 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. |  |  |  |  |
| 1. Strong seismic ground shaking? |  |  |  |  |
| 1. Seismic-related ground failure, including liquefaction? |  |  |  |  |
| 1. Landslides? |  |  |  |  |
| 1. Result in substantial soil erosion or the loss of topsoil? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? |  |  |  |  |

#### Setting

##### Geologic Setting

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California state law that was established 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 in a geologically complex and seismically active region. The *County of San Luis Obispo General Plan Safety Element* identifies three active faults that traverse through the county and are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos.

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

##### Soil Conditions

The County Inland 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. The project site is not located within the County Inland LUO GSA combining designation. 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. Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from ground shaking during an earthquake. Based on the County Safety Element, the project site is located in an area with low landslide risk potential and low liquefaction potential.

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. Based on the Soil Survey of San Luis Obispo County, California, the project is in an area with soils with a high potential for shrink–swell (SCS 1983).

##### Paleontological Setting

A Paleontological Analysis Memorandum was prepared for the project to evaluate the potential for impacts to paleontological resources and minimize associated impacts in compliance with all applicable state regulations and requirements regarding paleontological resources, as well as the standards of the Society of Vertebrate Paleontology. Geologic mapping by Dibblee (2004) indicates the project site contains late to middle Pleistocene Older Surficial Sediments. The general area is known to produce vertebrate (marine) fossils. Artificial Fill was also noted at the surface in some areas during the field survey. Artificial Fill consists of sediments that have been removed from one location and transported to another by human activity rather than by natural means (LSA Associates 2019).

#### Discussion

1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
2. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

The project site is not located within an Alquist-Priolo Fault Hazard Zone, and there are no mapped active faults crossing or adjacent to the site (CDOC 2015). The closest potentially active faults include an unnamed quaternary-aged fault located approximately 2.2 miles to the northeast of the project site (CDOC 2015). Therefore, *no impacts would occur* related to rupture of known fault zones*.*

1. Strong seismic ground shaking?

The project site is located in the central coast of California, which is a seismically active region, and there is always potential for seismic ground shaking to occur. As described under threshold VII.a-I, above, the nearest mapped fault zone to the project site is an unnamed fault located approximately 2.2 miles northeast. The project would allow for the future development of residential uses on the project site. All future residential development would be subject to CBC seismic design criteria. According to Section 1613 of the 2019 CBC, all structures and portions of structures are required to be designed to resist the effects of seismic loadings caused by earthquake ground motions. Compliance with existing standards would ensure the project would not result in the risk of loss, injury, or death in the event of seismic ground shaking; therefore, impacts related to seismic ground shaking would be *less than significant*.

1. Seismic-related ground failure, including liquefaction?

According to the County Safety Element maps, the project site is located in an area with low potential for liquefaction to occur (County of San Luis Obispo 2021). In addition, future residential development on-site would be designed and constructed in compliance with applicable CBC regulations to ensure the project does not result in the risk of loss, injury, or death due to seismic-related ground failure, including liquefaction. Compliance with existing regulations would reduce risk associated with liquefaction; therefore, impacts related to ground failure caused by seismic events would be *less than significant*.

1. Landslides?

Based on the County Safety Element maps, the project site is located in an area with low landslide potential (County of San Luis Obispo 2021). While the project site topography varies from nearly level to moderately sloping, the project site is not located near steep slopes or other extreme topographic expressions that would result in a high potential for landslide risk. The project would include grading of the site to form nearly level building sites for future residential development, installation of utilities and roads, and creation of a drainage basin to capture on-site stormwater flows. Grading and drainage improvements would be designed in accordance with applicable state and local regulations and would be reviewed and approved by the County Public Works Department to ensure appropriate measures are taken to address any potential for on-site landsliding. Therefore, landslide impacts would be *less than significant.*

1. Result in substantial soil erosion or the loss of topsoil?

The project would result in approximately 10 acres of ground disturbance, including 30,000 cubic yards of earthwork. There is potential for project grading activities to temporarily increase erosion and sedimentation on-site. The project would disturb more than 1 acre of soil and would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with State Water Resources Control Board (SWRCB) Construction General Permit Order 2009-0009-DWQ. In addition, an Erosion and Sedimentation Control Plan is required for all construction and grading permit projects per County LUO 22.52.120. The Erosion and Sediment Control Plan would be prepared by a qualified engineer to ensure effective erosion and sedimentation control measures prior to, during, and following project construction. In addition, standard Best Management Practices (BMPs) would be implemented during project construction to reduce erosion and pollution from discharging into the on-site drainage. Compliance with existing regulations and implementation of standard BMPs would reduce erosion and sedimentation from discharging into the on-site drainage and violating water quality; therefore, soil erosion impacts would be *less than significant*.

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

According to the U.S. Geological Survey (USGS) Areas of Land Subsidence in California Map, the project site is not located in an area of recorded land subsidence (USGS 2019). Based on the County Safety Element maps, the project site is also located in an area with low potential for liquefaction and landslides. The project does not propose changes to the site topography that have the potential to result in unstable soil conditions; therefore, impacts related to unstable soil conditions would be *less than significant*.

1. 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, California, the project is in an area with soils with a high potential for shrink–swell (SCS 1983). The project does not propose construction of any habitable structures that could create substantial risks to life or property if not constructed to accommodate for expansive soils. New development would be subject to applicable CBC and other engineering standards for development on expansive soils. Compliance with existing standards and regulations would ensure the project would not result in substantial risk to life or property due to its location on expansive soils; therefore, impacts would be *less than significant*.

1. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The project does not propose any on-site septic tanks or other on-site wastewater treatment system. The project would be serviced by the TCSD for its wastewater collection and treatment needs. Therefore, *no impacts would occur related to septic tank use*.

1. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project would result in approximately 10 acres of site disturbance, including 30,000 cubic yards of cut and 30,000 cubic yards of fill, to be balanced on-site. This earthwork would result in a maximum excavation depth of 13 feet. Based on field survey and literature review of geologic maps of the project site, the project site is underlain by middle Pleistocene Older Surficial Sediments and Artificial Fill (LSA Associates 2019).

The Older Surficial Sediments span the latest two North American Land Mammal Ages (NALMAs): the Rancholabrean (11,700–240,000 years ago) and the Irvingtonian (240,000–1.8 million years ago). Fossils are known in similar Rancholabrean and Irvingtonian deposits from excavations for roads, housing developments, and quarries, as well as scientific investigations in the Central California area. These fossils include mammoths, mastodons, horses, bison, camels, saber-toothed cats, coyotes, deer, and sloths, as well as smaller animals like rodents, rabbits, birds, reptiles, and fish. As such, these deposits are considered to have high paleontological sensitivity (LSA Associates 2019).

While Artificial Fill may contain fossils, these fossils have been removed from their original location and are thus out of stratigraphic context. Therefore, they are not considered important for scientific study, and Artificial Fill has no paleontological sensitivity.

A fossil locality is a location or datum that contains a fossil or a collection of fossils, whether they be an in-situ or ex-situ isolated occurrence (e.g., a single fossil tooth) or a layer of fossils in a discrete area (e.g., a bone bed, shell layer). A search for known fossil localities was conducted through the University of California Museum of Paleontology (UCMP) in order to determine the status and extent of previously recorded paleontological resources within and surrounding the project site. The UCMP has no records of fossil localities from within the project boundaries. However, the UCMP records search identified one vertebrate locality from unnamed Pleistocene deposits within San Luis Obispo County near the community of San Miguel, which produced a fossil specimen of Camelidae (a member of the camel family) from Rancholabrean deposits of sand and gravel.

Based on the paleontological sensitivities of the geologic units within the project site and the excavation parameters for the project, there is a potential for the project to impact scientifically significant paleontological resources. Mitigation Measures GEO-1 through GEO-3 have been identified to require preparation and implementation of paleontological monitoring and appropriate treatment of any discovered paleontological resources that may exist within the project site. Upon implementation of Mitigation Measures GEO-1 through GEO-3, potential impacts to unique or scientifically significant paleontological resources would be *less than significant with mitigation*.

#### Conclusion

Upon implementation of mitigation measures identified below to avoid and minimize potential impacts to paleontological resources, impacts associated with geology and soils would be less than significant.

#### Mitigation

**GEO-1 Prior to approval of tract map improvements,** a County of San Luis Obispo-approved paleontologist shall be retained to prepare a Paleontological Monitoring and Treatment Plan for the project and submit the Paleontological Monitoring and Treatment Plan to the County of San Luis Obispo Planning and Building Department for review and approval. The Paleontological Monitoring and Treatment Plan shall be consistent with the standards of the Society of Vertebrate Paleontology (SVP) and meet all regulatory requirements. The County of San Luis Obispo-approved paleontologist shall have a master’s degree or Ph.D. in paleontology, shall have knowledge of the local paleontology, and shall be familiar with paleontological procedures and techniques. The Paleontological Monitoring and Treatment Plan shall identify construction impact areas of moderate to high sensitivity for encountering potential paleontological resources and the shallowest depths at which those resources may be encountered. The Paleontological Monitoring and Treatment Plan shall detail the criteria to be used to determine whether an encountered resource is significant, and if it should be avoided or recovered for its data potential. The Paleontological Monitoring and Treatment Plan shall also detail methods of recovery, preparation, and analysis of specimens, final curation of specimens at a federally accredited repository, data analysis, and reporting.

The Paleontological Monitoring and Treatment Plan shall outline a coordination strategy to ensure that a County of San Luis Obispo-approved paleontological monitor will conduct full-time monitoring of earthwork activities that have the potential to impact previously undisturbed old surficial sediments, which have a high paleontological sensitivity, mapped at the surface or present at depth at shallow or unknown depths below unmapped Artificial Fill, which has no paleontological sensitivity. The Paleontological Monitoring and Treatment Plan shall incorporate the results of geotechnical or subsurface data to determine the depth threshold for full-time monitoring. If the depth threshold cannot be established, then initial full-time monitoring regardless of depth shall be conducted to determine the depth to the previously undisturbed old surficial sediments, and monitoring efforts shall be adjusted accordingly.

The Paleontological Monitoring and Treatment Plan shall define specific conditions in which monitoring of earthwork activities could be reduced and/or depth criteria established to trigger monitoring. These factors shall be defined by the project paleontological resource specialist, following examination of sufficient, representative excavations. As specified in the Paleontological Monitoring and Treatment Plan, approved measures shall be implemented **during ground-disturbing activities**.

**GEO-2 During project earthwork activities,** based on Mitigation Measure GEO-1 above, the applicant shall conduct full-time monitoring by a County of San Luis Obispo-approved paleontological monitor as specified in the Paleontological Monitoring and Treatment Plan. This shall include monitoring during rough grading and trenching in areas determined to have moderate to high paleontological sensitivity and that have the potential to be deep enough to be adversely affected by such earthwork. Sediments of low, marginal, undetermined sensitivity shall be monitored by a County of San Luis Obispo-approved paleontological monitor on a part-time basis (as determined by the County of San Luis Obispo-approved Paleontologist).

The paleontological monitor shall have a bachelor’s degree in Geology, Paleontology, or Biology with relevant coursework in paleontology and a minimum of 1 year of paleontological monitoring experience in local or similar sediments. Construction activities shall be diverted when data recovery of significant fossils is warranted, as determined by the County of San Luis Obispo-approved Paleontologist.

**GEO-3 During paleontological field evaluations,** if avoidance of significant paleontological resources is not feasible during grading, treatment (including recovery, specimen preparation, data analysis, curation, and reporting) shall be carried out by the applicant, in accordance with the approved Paleontological Monitoring and Treatment Plan, per Mitigation Measure GEO-1.

**GEO-4 Prior to the Initiation of project ground-disturbing activities,** all construction personnel conducting earthwork activities shall be trained regarding the recognition of possible subsurface paleontological resources and protection of all paleontological resources during improvement grading and earthwork activities. The applicant shall complete training for all applicable personnel. Training shall inform all applicable personnel of the procedures to be followed upon the discovery of paleontological materials.

All personnel shall be instructed that unauthorized collection or disturbance of protected fossils on‑ or off-site by the applicant, its representatives, or employees will not be allowed. Violators shall be subject to prosecution under the appropriate federal and state laws. Unauthorized resource collection or disturbance may constitute grounds for the issuance of a stop work order. The following issues shall be addressed in training or in preparation for construction:

1. All construction contracts shall include clauses that require grading personnel to attend training so that they are aware of the potential for inadvertently exposing subsurface paleontological resources, their responsibility to avoid and protect all such resources, and the penalties for collection, vandalism, or inadvertent destruction of paleontological resources.
2. A County of San Luis Obispo-approved paleontologist shall provide a background briefing for supervisory personnel describing the potential for exposing paleontological resources, the location of any potential paleontological resources, and procedures and notifications required in the event of discoveries by project personnel or paleontological monitors. Supervisory personnel shall enforce restrictions on collection or disturbance of fossils.
3. Upon discovery of paleontological resources by paleontologists or construction personnel, work in the immediate area of the find shall be diverted until cleared by the project paleontologist. Once the find has been inspected and a preliminary assessment made by the paleontologist, the County of San Luis Obispo will be notified. The applicant shall then proceed with data recovery in accordance with the approved Paleontological Monitoring and Treatment Plan.
4. Prior to finalization of map recordation, the paleontologist shall prepare a final report to be submitted to the County of San Luis Obispo that summarizes impacts to paleontological resources, describes impact minimization efforts, and provides the results of all data recovery efforts.
5. Greenhouse Gas Emissions

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? |  |  |  |  |
| 1. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? |  |  |  |  |

#### Setting

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). 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 CARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHG emissions in the state.

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

California’s major initiative for reducing GHG emissions is Assembly Bill (AB) 32, passed by the state legislature on August 31, 2006. This effort set a GHG emission reduction target to reduce GHG emissions to 1990 levels by 2020. In October 2008, the CARB published the *Climate Change Proposed Scoping Plan* (2008 Scoping Plan), which is the state’s plan to achieve GHG reductions in California required by 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 (LCFS) program, implementing 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 the CARB to regulate sources of GHGs to meet the following goals:

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

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

As a Commenting Agency under CEQA, the SLOAPCD developed the *CEQA Air Quality Handbook* to assist lead agencies, planning consultants, and project proponents in assessing the potential air quality and GHG impacts from residential, commercial, and industrial development. In January 2021, SLOAPCD released its 2021 Interim CEQA GHG Guidance document to provide administrative clarification on the SLOAPCD *CEQA Air Quality Handbook* thresholds of significance for GHG emissions and to provide information on current trends, best practices, and legislation. Because the SLOAPCD bright-line and service population GHG thresholds in the SLOAPCD *CEQA Air Quality Handbook* were based on AB 32 and project horizons are now beyond 2020, SLOAPCD recommends lead agencies use one of the following thresholds when evaluating project GHG impacts (SLOAPCD 2021):

1. Consistency with a Qualified Climate Action Plan: Climate Action Plans conforming to State CEQA Guidelines Sections 15183 and 15183.5 would be qualified and eligible for project streamlining under CEQA. 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. 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.
2. No-net Increase: The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions “is an appropriate overall objective for new development” consistent with the Court’s direction provided by the Newhall Ranch case. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., *di minimus*: too trivial or minor to merit consideration).
3. Lead Agency Adopted Defensible GHG CEQA Thresholds: Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030. According to the *California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators* published by the CARB, emissions of GHG statewide in 2017 were 424 million metric tons of carbon dioxide equivalent emissions (MTCO2e) which was 7 million MTCO2e *below* the 2020 GHG target of 431 million MTCO2e established by AB 32. At the local level, an update of the EWP prepared in 2016 revealed that overall GHG emissions in San Luis Obispo County decreased by approximately 7% between 2006 and 2013, or about one-half of the year 2020 target of reducing GHG emissions by 15% relative to the 2006 baseline.[[1]](#footnote-1) Therefore, application of the 1,150 MTCO2e Bright Line Threshold in San Luis Obispo County, together with other statewide and local efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB 32 for the year 2020. It should be noted that the 1,150 MTCO2e per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 MTCO2e per year would result in impacts that are less than significant and a less-than-cumulatively considerable impact and would be consistent with state and local GHG reduction goals.

The SLOAPCD’s bright-line threshold of 1,150 MTCO2e per year was applicable to residential and commercial projects. These thresholds were based on a gap analysis and were used in CEQA evaluations for projects to demonstrate their consistency with the State’s 2020 GHG emission reduction goal from AB 32 and CARB’s 2008 Climate Change Scoping Plan. In 2015, the California Supreme Court issued an opinion in the Center for Biological Diversity vs California Department of Fish and Wildlife (Newhall Ranch) which determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Therefore, because the project would begin operations in the post-2020 timeframe, the 2020 numerical screening threshold of 1,150 metric tons of CO2e per year and the efficiency target of 4.9 metric tons of CO2e per year per service population would not apply. In addition, SLOAPCD does not recommend the use of these thresholds in CEQA Evaluations (SLOAPCD 2021).

Although the SLOAPCD has not published a quantified GHG threshold for projects with a horizon beyond 2020, because 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” SB 32-based working threshold that is 40 percent below the 1,150 MTCO2e Bright Line threshold (1,150 × 0.6 = 690 MTCO2e) would be expected to produce comparable GHG reductions “in the spirit of” the targets established by SB 32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project with a horizon after 2020, emissions estimated to be less than 690 MTCO2e per year GHG are considered *de minimus* (too trivial or minor to merit consideration) and would have a less-than-significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

#### Discussion

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

GHG emissions associated with the project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term GHG emissions associated with project-related vehicular trips. The CalEEMod computer program was used to calculate the estimated short-term construction and long-term GHG emissions that would result from the project.

Construction Emissions

Construction activities associated with the proposed project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO2, CH4, and N2O. Furthermore, CH4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

The SLOAPCD has not adopted a threshold of significance for construction-related GHG emissions. However, lead agencies are encouraged to quantify and disclose GHG emissions that would occur during construction. Using CalEEMod, it is estimated that construction of 15 primary residential dwellings on-site would generate a total of approximately 309.6 MTCO2e during construction of the proposed project. When amortized over the 25-year life of the project, annual emissions would be 12.4 MTCO2e (LSA Associates 2022).

Operational Emissions

Long-term operation of the project would generate GHG emissions from mobile sources, area, waste, and water sources and indirect emissions from sources associated with energy consumption. Mobile-source GHG emissions would include project-generated vehicle trips to and from the project. Area-source emissions would be associated with activities, such as landscaping and maintenance on the project site. Energy source emissions would be generated at off-site utility providers as a result of increased electricity demand generated by the project. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project-generated waste. In addition, water source emissions associated with the proposed project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

Estimated GHG emissions resulting from buildout of 15 primary residential dwellings on the project site were calculated using CalEEMod and are provided in Table 7 below.

| Table . Estimated Operational Greenhouse Gas Emissions | | | | | |
| --- | --- | --- | --- | --- | --- |
| Emission Type | Operational Emissions | | | | |
| Carbon Dioxide (CO2) | Methane (CH4) | Nitrous Oxide (N2O) | Total Carbon Dioxide Equivalent (Metric Tons) | Percentage of Total |
| Mobile Source Emissions | 148.8 | <0.1 | <0.1 | 151.5 | 78 |
| Area Source Emissions | 0.3 | <0.1 | 0.0 | 0.3 | <1 |
| Energy Source Emissions | 32.2 | <0.1 | <0.1 | 32.4 | 17 |
| Waste Source Emissions | 3.6 | 0.2 | 0.0 | 8.9 | 4 |
| Water Source Emissions | 1.0 | <0.1 | <0.1 | 2.0 | 1 |
| **Total Operational Emissions** | | | | 195.2 | 100 |
| Amortized Construction Emissions | | | | 12.4 |  |
| **Total Annual GHG Emissions** | | | | **207.6** |  |
| **County of San Luis Obispo Interim Threshold** | | | | **690** |  |
| **Exceeds Threshold?** | | | | **No** |  |
| Source: LSA Associates 2022 | | | | | |

As shown in Table 7 above, operational GHG emissions produced by the project would primarily come from mobile source emissions (i.e., vehicle trips and associated emissions), which represent approximately 78 percent of total CO2e emissions, followed by energy source emissions at approximately 17 percent of total emissions. Waste source emissions would account for approximately 4 percent and water source emissions would account for approximately 1 percent of total emissions. Area source emissions would account for less than 1 percent of total emissions.

As discussed under Setting, above, GHG emissions generated by the proposed project would be less than significant if the proposed project would result in operational-related GHG emissions of less than 690 MTCO2e per year. Total annual project operational GHG emissions, with the addition of amortized construction emissions, would be approximately 207.6 MTCO2e per year. Therefore, the project would not generate GHG emissions that would have a significant effect on the environment and potential impacts would be *less than significant*.

1. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The project has been evaluated for consistency with applicable statewide and regional GHG reduction plans and policies, as described below.

County of San Luis Obispo EnergyWise Plan

The County adopted the EWP in November 2011 to demonstrate the County’s continued commitment to addressing the challenges of climate change by reducing local GHG emissions and preparing the County to adapt to a changing climate. The County EWP outlines the County’s approach to reducing GHG emissions through a number of goals, measures, and actions that provide a road map to achieving the County’s GHG reduction target of 15% below baseline levels by 2020. Because the County EWP’s goals had a horizon year of 2020, consistency with this plan’s policies is not applicable to the project which would be built and operational after 2020. Nevertheless, the proposed project would comply with the 2019 CALGreen standards, which includes requirements related to energy, wastewater, and water, consistent with the intent of the County EWP’s energy conservation, renewable energy, and water conservation measures. Furthermore, the proposed project would comply with the California Department of Resources Recycling and Recovery (CalRecycle) initiative of reducing landfill waste by 75%, consistent with the intent of the solid waste measures. Because the proposed project does not include any agricultural activities, the agriculture measures of the County EWP are not applicable to the project. As a result, the project would not conflict with the County EWP (LSA Associates 2022).

California Air Resources Board 2017 Climate Change Scoping Plan, SB 32, and EO S-3-05

The 2017 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 SB 350:** Reduce GHG emissions in the electricity sector.
* **2030 Low Carbon Fuel Standard:** 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 VMT.
* **Implement SB 1383:** Reduce short-lived climate pollutants to reduce highly potent GHGs.
* **Implement the 2030 California Sustainable Freight Action Plan:** Improve freight efficiency, transition to zero-emission technologies, and increase competitiveness of California’s freight system.
* **Implement the 2030 Post-2020 Cap-and-Trade Program:** Reduce GHGs across the largest GHG emissions sources.

The strategies described in the 2017 Scoping Plan are programmatic and intended to be implemented state- and industry-wide. They are therefore not applicable at the level of an individual project. However, as discussed in Section XVII, Transportation, the project is not expected to generate a significant increase in construction-related or operational traffic trips or VMT, which is consistent with Scoping Plan strategies for reducing VMT.

Energy-efficient measures identified in the2017 Scoping Plan are intended to maximize energy-efficiency building and appliance standards, pursue additional efficiency efforts including new technologies and new policy and implementation mechanisms, and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California’s new and existing inventory of buildings. As identified above, the proposed project would comply with the 2019 CALGreen standards, regarding energy conservation and green building standards. Therefore, the proposed project would comply with applicable energy efficiency measures of the 2017 Scoping Plan (LSA Associates 2022).

The goal of transportation and motor vehicle measures is to develop regional GHG emission reduction targets for passenger vehicles. Vehicles traveling to the project site would comply with the Pavley II (LEV III) Advanced Clean Cars Program. Therefore, the proposed project would not conflict with the identified transportation and motor vehicle measures (LSA Associates 2022).

In summary, the project is consistent with adopted plans and policies aimed at reducing GHG emissions; therefore, potential impacts would be *less than significant*.

#### Conclusion

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

#### Mitigation

No mitigation is necessary.

1. Hazards and Hazardous Materials

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? |  |  |  |  |
| 1. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? |  |  |  |  |

#### Setting

The Hazardous Waste and Substances Site List (Cortese List), which is a list of hazardous materials sites compiled pursuant to California Government Code (CGC) Section 65962.5, is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. The project would not be in an area of known hazardous material contamination and is not on a site listed on the Cortese List (SWRCB 2021; California Department of Toxic Substance Control [DTSC] 2021).

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

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire-resistive building and roofing materials and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the county within moderate, high, and very high Fire Hazard Severity Zones (FHSZs). The project would be located within a Local Responsibility Area (LRA) which does not have FHSZs associated with it and the site is not located within a mapped CAL FIRE FHSZ. Based on the County Land Use View web tool, it would take approximately 15 to 20 minutes for local authorities to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XX, Wildfire.

#### Discussion

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

After completion of proposed site preparation and utility installation activities, the project would allow for the future construction of residential land uses on-site. Construction of residential uses on-site would require the use of limited quantities of hazardous substances (e.g., 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. Therefore, proposed construction activity is not anticipated to result in hazards to the public due to routine transport, use, or disposal of hazardous materials.

Once residential uses are established and occupied, the project would result in generation of limited amounts of common household waste. Household waste would be stored and hauled in accordance with County regulations; therefore, impacts would be *less than significant*.

1. 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?

Site preparation, vegetation removal, and construction and installation of roadways and utility infrastructure associated with the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. The project does not require demolition of existing structures that could release asbestos-containing material (ACM) or other potential hazards. Therefore, potential impacts would be *less than significant.*

1. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The nearest school facility to the project site is Laugh and Learn Preschool, located approximately 0.35 mile southwest of the project site. The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school; therefore, *no impacts would occur.*

1. 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 DTSC EnviroStor database, the SWRCB Geotracker database, and the California Environmental Protection Agency (CalEPA) Cortese List website, there are no hazardous waste cleanup sites within the project site or within 0.5 mile of the project site (SWRCB 2021; DTSC 2021) and there are no mapped oil or gas wells in the area (CDOC Geologic Energy Management Division [CalGEM] 2019). The proposed project site is not listed on or located near a site listed on the Cortese List; therefore, *no impacts would occur.*

1. 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 located approximately 4.4 miles southeast of the Oak County Ranch Airport, a private airstrip, and over 9 miles from the Paso Robles Municipal Airport. The project site is located well outside of the 65-decibel (dB) community noise equivalent level (CNEL) noise contours for either airport (LSA Associates 2021). 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*.

1. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project would include installation of new wastewater pipeline infrastructure within Bennett Way. It is anticipated that these activities would require temporary lane closures along Bennett Way, which may affect local emergency vehicle access routes and/or emergency evacuation routes in the event of an emergency. Appropriate lane closure traffic management controls would be identified and required to be implemented per an encroachment permit issued by the County Public Works Department. Mitigation Measure HAZ-1 has been identified to require advance notice be given to surrounding land use occupants and local emergency providers with information on the associated lane closures and available detour routes. With implementation of Mitigation Measure HAZ-1, the project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, impactswould be *less than significant with mitigation.*

1. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The project would be located within an LRA which does not have FHSZs associated with it and the site is not located within a mapped CAL FIRE FHSZ (California Department of Forestry and Fire Protection [CAL FIRE] 2021). Implementation and future buildout of the proposed project would result in the development of 15 primary residential units and four ADUs, and associated parcel improvements. The project has been designed to comply with applicable CAL FIRE access standards. Future development would be required to comply with CAL FIRE recommendations for roads, access roads, driveways, gates, addressing, landscaping, and adherence to the California Fire Code through the building permitting process. Additionally, future development would be required to comply with the CBC to protect new development from wildfires to the extent feasible; therefore, impacts would be *less than significant*.

#### Conclusion

The project would not result in potentially significant impacts associated with regular use of hazardous materials, reasonably foreseeable accident conditions, location on a contaminated site, emissions of hazardous materials near schools or airport facilities, or exposure to hazards involving wildland fires. Potential impacts associated with interference with emergency response and/or emergency evacuation plans would be reduced with implementation of mitigation identified below. Therefore, impacts associated with hazards and hazardous materials would be less than significant with mitigation.

#### Mitigation

**HAZ-1 Prior to any lane/road closures,** the project applicant shall provide notice to all residents, business owners, public facilities, and emergency response providers likely to be affected by the closure and detours, including, but not limited to, the California Department of Forestry and Fire Protection, County of San Luis Obispo Public Works Department, and San Luis Obispo County Sheriff’s Office. The notice shall include the following information: dates of construction, dates and times of proposed temporary lane/road closures and detours, and contact information, including the phone number and email address of the County of San Luis Obispo staff person responsible for responding to and addressing public complaints regarding access. The notice shall be provided at least 2 weeks prior to any planned road closure.

1. Hydrology and Water Quality

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? |  |  |  |  |
| 1. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? |  |  |  |  |
| 1. 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: |  |  |  |  |
| 1. Result in substantial erosion or siltation on- or off-site; |  |  |  |  |
| 1. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; |  |  |  |  |
| 1. 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 |  |  |  |  |
| 1. Impede or redirect flood flows? |  |  |  |  |
| 1. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? |  |  |  |  |
| 1. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? |  |  |  |  |

#### Setting

The Regional Water Quality Control Board (RWQCB) *Water Quality Control Plan for the Central Coast Basin* (Basin Plan; RWQCB 2019) 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 waterbodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The County Inland 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 Inland 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 0.5 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 County Public Works Department is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB Construction General Permit. The Construction General Permit requires the preparation of a 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 acre must implement all required elements within the site’s erosion and sediment control plan as required by the Inland 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 or adjacent to a 100-year flood zone.

#### Discussion

1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The project site consists of relatively flat to steeply sloping topography on a 10.88-acre parcel. As discussed in Section IV, Biological Resources, the project site supports an unconsolidated swale located near the northeastern corner of the property; however, this feature has no evidence of a bed, bank, or channel on-site or defined connection to Toad Creek (Sage Institute, Inc. 2020)**.** No observations of wetlands or riparian habitat were observed on-site during any of the three field surveys conducted on the project property in November 2019, January 2020, and May 2020. No seasonal ponded areas, such as vernal pools, were observed during any of the wet or dry season field surveys (Sage Institute, Inc. 2020).

The project would result in the initial site disturbance of approximately 10 acres, including approximately 30,000 cubic yards of cut material and 30,000 cubic yards of fill material, to be balanced on-site. According to County Inland LUO Section 22.52.130, projects that disturb more than 1 acre of ground or would result in substantial degradation to water quality require the preparation and implementation of a SWPPP under the National Pollutant Discharge Elimination System (NPDES). Therefore, preparation of a SWPPP is required prior to issuance of grading permits and the SWPPP will be implemented during project construction activities. The SWPPP would include BMPs, identification of possible pollutants, and an Erosion and Sedimentation Control Plan. County Inland LUO Section 22.52.120 requires the preparation and approval of an Erosion and Sedimentation Control Plan 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. Compliance with existing regulatory requirements would reduce erosion and sedimentation from project activities.

All potentially hazardous materials used during project construction and earthwork activities would be stored, refilled, and dispensed on-site in full compliance with applicable County Environmental Health Department standards.

Based on the distance from the nearest creek or surface water feature, and compliance with existing state and County water quality, sedimentation, and erosion control standards, the project would not result in a violation of any water quality standards, discharge into surface waters, or otherwise alter surface water quality or groundwater quality during project construction or operation. Therefore, impacts would be *less than significant with mitigation*.

1. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The future development of residential uses on-site enabled by the project would rely on the TCSD for its potable water supply. The TCSD has secured its water supply from a diverse group of sources, including water from the Nacimiento Water Project, the Atascadero Subbasin of the Paso Robles Groundwater Basin, the Salinas River, and groundwater recharge from the Meadowbrook Wastewater Treatment Plant (WWTP). Based on correspondence with TCSD staff, the TCSD maintains 20% additional water supply capacity in addition to its required storage supply. Therefore, based on the TCSD’s available water supply and diversity in water supply sources, future buildout of the project site would not substantially deplete on-site groundwater resources or result in the overdraw of groundwater resources elsewhere.

While the project would result in an increase in impervious surfaces on-site, project site stormwater runoff would be captured and directed to the proposed on-site drainage basin. This drainage basin would be designed in compliance with applicable RWQCB design and engineering standards. Therefore, potential impacts would be *less than significant.*

1. 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:
2. Result in substantial erosion or siltation on- or off-site?
3. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
4. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The project would disturb more than 1 acre of soil and would be required to prepare a SWPPP in accordance with SWRCB Construction General Permit Order 2009-0009-DWQ. The SWPPP would be prepared by a qualified engineer to ensure effective erosion and sedimentation control measures are implemented prior to, during, and following project construction. In addition, the SWPPP would identify appropriate BMPs to be implemented during project construction to reduce erosion and runoff.

While the project would result in an increase in impervious surfaces on-site, project site stormwater runoff would be captured and directed to the proposed on-site drainage basin. This drainage basin would be designed in compliance with applicable RWQCB design and engineering standards. Therefore, the project would not substantially increase the rate or amount of surface runoff or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts would be *less than significant*.

1. Impede or redirect flood flows?

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) indicate that there are no floodplains present within any of the proposed locations for the three facilities and each are mapped entirely within an area of minimal flood hazard (Flood Zone X; FEMA 2012). Therefore, the project would not result in the impediment or redirection of flood flows and *no impacts would occur.*

1. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The FEMA FIRM indicate that there are no floodplains present within any of the proposed location for the three facilities and each are mapped entirely within an area of minimal flood hazard (Flood Zone X; FEMA 2012). The project site is not located within a tsunami hazard area (CDOC 2021). The project is not located within an area that could become inundated due to a dam or levee failure (County of San Luis Obispo 2021). The project site is not located near or adjacent to a body of standing water that could result in a seiche if the appropriate weather conditions were met. Therefore, *no impacts would occur*.

1. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As discussed under the thresholds above, the project would be required to prepare a SWPPP and implement stormwater BMPs in accordance with SWRCB Construction General Permit Order 2009‑0009-DWQ. The SWPPP would be prepared by a qualified engineer to ensure effective erosion and sedimentation control measures are implemented prior to, during, and following project construction. Project site stormwater runoff would be captured and directed to the proposed on-site drainage basin designed to capture and retain stormwater flows on-site in accordance with RWQCB and County Public Works Department standards. The project would not result in water supply depletion of a groundwater basin designated as Level of Severity III per the County’s Resource Management System or designated as being in severe decline by the Sustainable Groundwater Management Act (SGMA) of 2014. The project would not result in a significant new source of polluted runoff, substantially deplete groundwater resources, or otherwise conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan; therefore, potential impacts would *be less than significant*.

#### Conclusion

The project site is not within the 100-year flood zone and does not include existing drainages or other surface waters. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. Therefore, potential impacts related to hydrology and water quality would be less than significant, and no mitigation measures are necessary.

#### Mitigation

No mitigation is necessary.

1. Land Use and Planning

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. Physically divide an established community? |  |  |  |  |
| 1. 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 County Inland LUO was established to guide and manage the future growth in the county in accordance with the *County of San Luis Obispo General Plan*; regulate land use in a manner that will encourage and support orderly development and beneficial use of lands; minimize adverse effects on the public resulting from inappropriate creation, location, use, or design of buildings or land uses; and protect and enhance significant natural, historic, archeological, and scenic resources within the county. The County Inland LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the General Plan.

The *County of San Luis Obispo General Plan 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 County LUE identifies strategic growth principles to define and focus the County’s proactive 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 and resources will be used and protected. The County LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation within which they are located.

The County 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 located within the Salinas River Subarea of the North County planning area.

#### Discussion

1. 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.*

1. 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?

County Framework for Planning Principle 2 states, “strengthen and direct development toward existing and strategically planned communities,” and Policy 2 under that principle states “avoid establishing or expanding residential rural or residential suburban areas outside urban or village reserve areas.” The project would subdivide a 10.88-acre parcel located within the Residential Suburban land use designation within the Templeton URL. Therefore, the project would be consistent with the applicable land use goals and policies set forth in the County Framework for Planning.

The project would establish residential land uses within a residential land use designation. As described in the resources sections above, the project would be consistent with the type and density of surrounding residential uses and would not result in a conflict with policies regarding visual resources. The project is not located within a GSA, Sensitive Resource Area, or other combining designation with specific development standards detailed in the County LUO. Therefore, the project would not result in a conflict with the goals or policies set forth in the County LUO.

The County of San Luis Obispo COSE identifies several goals and policies regarding protection visual resources in rural parts of the county. As described in Section I. Aesthetics above, the project site is not located within the viewshed of an identified visual resource and would be consistent with the policies of the COSE pertaining to preservation of rural separation between established communities and maintenance of a cohesive visual character within urban areas. The County COSE also identifies goals and policies regarding the protection of biological resources. Potential impacts to threatened, rare, endangered, and sensitive species and native trees are identified in Section IV, Biological Resources above. The project site does not support wetlands, aquatic habitats, or marine resources. Therefore, with implementation of mitigation measures identified in Section IV, Biological Resources, the project would be consistent with goals and policies in the COSE related to biological resources. As described in Section IV, Biological Resources, the project would not result in a conflict with the adopted County Oak Woodland Ordinance. Potential impacts would be *less than significant with mitigation.*

The County COSE also identifies several goals and policies regarding improvement of local and regional air quality and strategies to combat global climate change, including, but not limited to, reduction of per capita VMT countywide, attaining and maintaining state and federal ambient air quality standards, and reduction of greenhouse gas emissions from County operations and communitywide sources. As described in Section III, Air Quality, above, and Section XVII, Transportation, below, the project site is located in a pre-screened area in which residential development projects are presumed to have a less than significant VMT impact. As discussed under threshold *b* of Section III, Air Quality, the project would not result in an exceedance of local air pollutant emission thresholds and therefore would not result in a cumulatively considerable contribution to regional attainment levels for state and local ambient air quality standards. Lastly, analysis provided in Section VIII, Greenhouse Gas Emissions demonstrates that the project would not result in cumulatively considerable GHG emissions that would have an adverse effect on the environment or conflict with local, regional, or statewide policies. Therefore, the project would be consistent with the air quality resources and GHG emissions goals and policies identified within the County COSE.

In summary, potential impacts would be *less than significant with mitigation.*

#### Conclusion

Upon implementation of mitigation measures identified below, 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 with mitigation.

#### Mitigation

Implement Mitigation Measures BIO-1 through BIO-5.

1. Mineral Resources

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. 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? |  |  |  |  |
| 1. 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 (SMARA) of 1975 requires that the State Geologist classify land into mineral resource zones (MRZs) according to the known or inferred mineral potential of the land (PRC Sections 2710–2796).

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

1. **MRZ-1:** Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
2. **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.
3. **MRZ-3:** Areas containing known or inferred aggregate resources of undetermined significance.

The County Inland 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 LUE from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

#### Discussion

1. 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 MRZ or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, *no impacts would occur.*

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

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

#### Conclusion

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

#### Mitigation

No mitigation is necessary.

1. Noise

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project result in: | | | | |
| 1. 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? |  |  |  |  |
| 1. Generation of excessive groundborne vibration or groundborne noise levels? |  |  |  |  |
| 1. 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

##### Noise Units and Terminology

Table 8 below provides a list of acoustical terms and their definitions, and Figure 7 shows common noise levels and their sources.

| Table . Common Noise Units and Terms | |
| --- | --- |
| Term | Definition |
| Decibel, dB | A unit of sound level that denotes the ratio between two quantities that are proportional to power; the number of decibels is 10 times the logarithm (to the base 10) of this ratio. |
| A-Weighted Sound Level, dBA | The sound level obtained by use of A-weighting. The A-weighting filter de-emphasizes the very low and very high-frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise. |
| Equivalent Continuous Noise Level, Leq | The level of a steady sound that, in a stated time period and at a stated location, has the same A-weighted sound energy as the time varying sound. |
| Community Noise Equivalent Level, CNEL | The 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 5 dBA to sound levels occurring in the evening from 7:00 p.m. to 10:00 p.m. and after the addition of 10 dBA to sound levels occurring in the night between 10:00 p.m. and 7:00 a.m. |
| Lmax, Lmin | The maximum and minimum A-weighted sound levels measured on a sound level meter, during a designated time interval, using fast time averaging. |
| Ambient Noise Level | The all-encompassing noise associated with a given environment at a specified time. It is usually a composite of sound from many sources from many directions, near and far; no particular sound is dominant. |
| Source: LSA Associates 2021 | |

Figure 7. Common Sound Levels and their Noise Sources (LSA Associates 2021)1.

Graphical user interface, text

Description automatically generated

1 Information derived from California Department of Transportation Technical Noise Supplement, 2013.

##### Existing Noise Environment

To assess the existing noise conditions in the project vicinity, long-term noise measurements were conducted at the project site. Two long-term, 24-hour measurements were taken from August 5 to August 6, 2021, near the northeast portion of the project site, approximately 85 feet from the intersection of Bennett Way and Turkey Ranch Road, and near the southeast portion of the project site, approximately 10 feet from the southern property line. Average daily noise levels ranged between 51 and 57 A-weighted decibels (dBA) CNEL. In general, primary noise sources in the area include traffic on US 101 and local roadways, farm animals, and wildlife (LSA Associates 2021).

##### County of San Luis Obispo Noise Element

The *County of San Luis Obispo General Plan Noise Element* provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the County Noise Element is to minimize future noise conflicts. The County Noise Element identifies the major noise sources in the county (e.g., highways and freeways, primary arterial roadways and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant polices of the County 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:

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

All sound levels referred to in the County Noise Element are expressed in dBA. A-weighting deemphasizes the very low and very high frequencies of sound in a manner similar to the human ear.

##### County Land Use Ordinance and Municipal Code Standards

The County Inland LUO establishes acceptable standards for exterior and interior noise levels and describes how noise shall be measured (Table 9). Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the County Noise Element. Exterior noise levels are measured from the property line of the affected noise-sensitive land use.

|  |  |  |
| --- | --- | --- |
| Table . Maximum Allowable Exterior Noise Level Standards1 | | |
| Sound Levels | Daytime  7 a.m. to 10 p.m. | Nighttime2 |
| Hourly Equivalent Sound Level (Leq, dB) | 50 | 45 |
| Maximum level (dB) | 70 | 65 |
| Note: Leq = equivalent continuous noise level  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.  Source: County of San Luis Obispo Inland Land Use Ordinance. | | |

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

In addition, the County Municipal Code prohibits all grading work that requires a grading permit between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 5:00 p.m. and 8:00 a.m. on weekends, unless the Building Official or approved conditions of a land use permit find that such an operation is not likely to cause significant public nuisance and authorizes expanded or night operations in writing (LSA Associates 2021).

##### Federal Vibration Guidelines

The criteria for environmental impacts resulting from groundborne vibration and noise are based on the maximum levels for a single event. The County Municipal Code does not include specific criteria for assessing vibration impacts associated with structural damage. Therefore, for the purpose of determining the significance of vibration impacts experienced at structures surrounding the project site, the guidelines within the Federal Transit Administration (FTA) Manual have been used to determine vibration impacts associated with potential damage and are presented in Table 10.

|  |  |
| --- | --- |
| Table . Construction Vibration Damage Criteria | |
| Building Materials | Vibration Level Significance Threshold  (in/sec ppv)1 |
| Reinforced concrete, steel, or timber (no plaster) | 0.50 |
| Engineered concrete and masonry (no plaster) | 0.30 |
| Non-engineered timber and masonry buildings | 0.20 |
| Buildings extremely susceptible to vibration damage | 0.12 |
| Source: LSA Associates 2021, information derived from the Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual, 2018  1 Inches per second peak particle velocity | |

#### Discussion

1. 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?

Construction Noise

Project construction would result in short-term noise impacts on adjacent land uses. Maximum construction impacts would be short term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of impacts generally would be from 1 day to several weeks, depending on the phase of construction.

Two types of short-term noise impacts would occur during project construction: (1) equipment delivery and construction worker commutes and (2) project construction operations.

Noise generated by transportation of construction equipment and construction worker commute activities would incrementally raise noise levels on access roads leading to the site. It is expected that larger trucks used in equipment delivery would generate higher noise impacts than trucks associated with worker commutes. The single-event noise from equipment trucks passing at a distance of 50 feet from a sensitive noise receptor would reach a maximum level of 84 dBA maximum sound level (Lmax). However, the pieces of heavy equipment for grading and construction activities would be moved on site just one time and would remain on-site for the duration of each construction phase. The onetime trip of moving heavy construction equipment on- and off-site, would not add to the daily traffic noise in the project vicinity. The total number of daily vehicle trips would be minimal when compared to existing traffic volumes on the affected streets, and the long-term noise level changes associated with these trips would not be perceptible. Therefore, equipment transport noise and construction-related worker commute impacts would be short term and would not result in a significant off-site noise impact (LSA Associates 2021).

Noise generated during site preparation, grading, building construction, architectural coating, and paving on the project site would be conducted in sequential steps, each with its own set of equipment and, consequently, its own noise characteristics. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 11 lists the maximum noise levels recommended for noise impact assessments for typical construction equipment based on a distance of 50 feet between the construction equipment and a noise receptor. Typical operating cycles for these types of construction equipment may involve 1 to 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings (LSA Associates 2021).

|  |  |  |
| --- | --- | --- |
| Table . Typical Construction Equipment Noise Levels | | |
| Equipment | Acoustical Usage Factor  (%) | Maximum Noise Level (Lmax)  at 50 feet |
| Compressor | 100 | 81 |
| Concrete mixer | 40 | 85 |
| Concrete pump | 40 | 85 |
| Crane | 16 | 83 |
| Dozer | 40 | 80 |
| Forklift | 20 | 75 |
| Front end loader | 40 | 79 |
| Generator | 100 | 78 |
| Grader | 8 | 85 |
| Scraper | 40 | 88 |
| Welder | 40 | 74 |
| Source: LSA Associates 2021, derived from the Federal Highway Administration Roadway Construction Noise Model, 2006 and the U.S. EPA Noise from Construction Equipment Operations, Building Equipment, and Home Appliances, 1971 | | |

In general, doubling the distance between a noise source and the receptor would decrease noise levels by 6 dBA. During the grading phase, which would take place for approximately 6 weeks, it is expected that average construction noise levels would approach 73 dBA equivalent continuous noise level (Leq)at the nearest residences, the single-family home to the south. Average noise levels during other construction phases would range from 64 to 68 dBA Leq. At the single-family residences to the east and north, average noise levels would range from 63 to 72 dBA Leq during all phases of construction.

While construction noise levels generated during the permitted hours are exempt from compliance with County noise standards, there is potential for average construction equipment noise levels to exceed 96 dBA Leq at the nearest residential land uses, 25 feet away, when louder equipment is used near the project site boundaries. Mitigation Measure N-1 has been identified to require implementation of noise reduction measures to limit construction activities to the less noise-sensitive periods of the day and reduce potential construction-period noise impacts to nearby sensitive receptors to the extent feasible. With implementation of Mitigation Measure N-1, potential impacts associated with construction noise would be less than significant with mitigation.

Operational Noise

The proposed project is estimated to generate an average of 167 vehicles per day based on the project trip generation and distributions in the *Bennett Way APN 040-311-014 Traffic Impact* *Analysis* (Central Coast Transportation Consulting 2019). The Templeton Circulation Study includes the connection of Bennett Way between Vineyard Drive and Las Tablas Road (to the north of the project site), with a cumulative volume of 1,400 vehicles per day. It takes a doubling of traffic to increase traffic noise levels by 3 dBA. Based on current traffic levels within the project vicinity and projected project traffic generation, the project-related traffic would increase traffic noise along Bennett Way by up to approximately 0.6 dBA. This noise level increase would not be perceptible to the human ear in an outdoor environment. The project would not result in the addition of any new stationary noise-generating sources beyond typical landscaping equipment use and other residential uses. Therefore, potential impacts associated with long-term noise generation would be less than significant.

In summary, potential impacts associated with generation of substantial temporary or permanent noise above existing ambient noise levels in exceedance of local regulatory standards would be *less than significant with mitigation.*

1. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Construction Vibration Generation

Construction of the proposed project could result in the generation of groundborne vibration. Regarding human perception, vibration levels would begin to be perceptible at levels of 0.04 inches per second peak particle velocity (in/sec ppv) for continuous events and 0.25 in/sec ppv for transient events. The Federal Transit Administration Manual guidelines show that a vibration level of up to 0.12 in/sec ppv is considered safe for buildings extremely susceptible to vibration damage and would not result in any construction vibration damage. Table 12 below shows the associated vibration levels from various construction vibration sources.

|  |  |
| --- | --- |
| Table . Vibration Source Amplitudes for Construction Equipment | |
| Equipment | Vibration Level at 25 feet  (in/sec ppv) |
| Hoe ram | 0.089 |
| Large bulldozer | 0.089 |
| Caisson drilling | 0.089 |
| Loaded trucks | 0.076 |
| Jackhammer | 0.035 |
| Small bulldozer | 0.003 |
| Source: LSA Associates 2021, derived from the Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual, 2018 | |

As shown in Table 12, construction equipment would not exceed the 0.12 in/sec ppv threshold considered safe for fragile buildings (LSA Associates 2021). While some construction activities may result in perceptible vibration, the project-generated vibration levels would be well below the thresholds identified as having the potential to adversely affect surrounding buildings, and most construction activities and resulting vibration would not be at levels perceptible to humans.

Operational Vibration Generation

Because the rubber tires and suspension systems of buses and other on-road vehicles provide vibration isolation and reduce noise, it is unusual for on-road vehicles to cause groundborne noise or vibration. The proposed project would have roads with smooth pavement and would not result in significant groundborne noise or vibration impacts from vehicular traffic.

Based on the analysis provided above, potential impacts associated with exposure to excessive groundborne noise or vibration would be *less than significant.*

1. 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 located approximately 4.4 miles southeast of the Oak County Ranch Airport, a private airstrip. As well, the project site is over 9 miles from the Paso Robles Municipal Airport. Thus, the project site is located well outside of the 65 dB CNEL noise contours for either airport (LSA Associates 2021).

#### Conclusion

The project would not result in a substantial increase in operational noise generation or groundborne noise or vibration. Potential impacts associated with construction noise generation would be reduced to less than significant upon implementation of mitigation identified below. Therefore, project impacts associated with noise would be less than significant with mitigation.

#### Mitigation

**N-1 Prior to issuance of grading permits and during project site preparation and construction activities,** the project contractor shall detail the following measures on project construction plans and implement the following measures during construction of the project to minimize noise impacts to nearby sensitive receptors:

1. Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with the manufacturer’s standards.
2. Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the active project site.
3. Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all project construction.
4. Prohibit extended idling time of internal combustion engines.
5. Where feasible, all noise-producing construction activities should be limited to between the hours of 8:00 a.m. and 5:30 p.m.
6. Coordinate with the County of San Luis Obispo Planning and Building Department to identify the contact at the County of San Luis Obispo who would be responsible for responding to any local complaints about construction noise. The contact would be responsible for determining the cause of the noise complaint(s) (e.g., starting too early, bad muffler, etc.) and would determine and implement reasonable measures warranted to correct the problem.
7. Population and Housing

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. 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)? |  |  |  |  |
| 1. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? |  |  |  |  |

#### Setting

The current *County of San Luis Obispo General Plan 2020-2028 Housing Element* is intended to facilitate the provision of needed housing in the context of the County LUE 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.

County Inland LUO Section 22.12.080 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- 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 County Inland LUO 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 on the base density of a project. Base density is the maximum number of residential units that may be allowed, not including any density bonuses. Commercial and industrial development of 5,000 square feet or more of floor area for commercial or industrial use also requires the payment of a housing impact fee or construction of inclusionary housing units.

#### Discussion

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

The project would allow for the future development of residential uses on a 10.88-acre parcel located within the Residential Suburban land use designation. According to the 2050 Regional Growth Forecast for San Luis Obispo County, the forecasted population in Templeton in 2020 was 7,892 residents and 9,017 residents in 2050. Therefore, the forecasted population for Templeton will grow by approximately 1,125 residents between 2020 and 2050. The U.S. Census Bureau reports 2.51 residents per household in Templeton; therefore, development of the project site with 15 single-family residences and four ADUs would provide residence for approximately 45 people. Therefore, the residents of the proposed project would account for approximately 4 percent of the planned population growth forecasted in Templeton between 2020 and 2050. The project growth caused by the project is within planned projections and would be less than cumulatively considerable and *less than significant.*

1. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project site does not currently support any existing residential uses or other habitable structures; therefore, *no impacts would occur.*

#### Conclusion

Implementation of the project would not displace substantial numbers of people or housing and future development of residential units would not result in unplanned population growth. Therefore, impacts related to population growth are less than significant, and no mitigation is necessary.

#### Mitigation

No mitigation is necessary.

1. Public Services

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| 1. 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*

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County to provide full-service fire protection since 1930. Approximately 180 full-time CAL FIRE 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 reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities.

The Templeton Fire and Emergency Services Department of the TCSD provides automatic aid and mutual aid with CAL FIRE and other surrounding fire agencies. The Templeton Fire and Emergency Services Department currently supports a full-time fire chief, three full-time fire captains, a full-time fire engineer, and 15 reserve firefighters. The Templeton Fire and Emergency Services Department station includes a Type I fire engine, a Type III fire engine, a Breathing Support vehicle, and a Rescue vehicle used as a reserve piece of equipment in case the primary fire engine is committed to an accident. The station is located approximately 1 mile northeast of the project site.

*Police Protection Services*

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: Coast Station in Los Osos, North Station in Templeton, and South Station in Oceano.

*Schools and Recreation Facilities*

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the Templeton Unified School 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*

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 (CGC Section 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development’s proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to serve new development, including fire protection, law enforcement, schools, parks, and roads.

#### Discussion

1. 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?

Implementation of the proposed project would result in a marginal increase in population and new residential units that would result in an increased demand on fire protection services. Based on a referral response received by the TCSD, the project site would be required to be annexed into the Templeton Fire and Emergency Services Department service area prior to issuance of building permits and would be subject to the associated service fees. The project would be served by existing fire protection services and would not require new or expanded facilities in order to serve the project. Payment of applicable fire department service fees would account for the marginal increased demand on existing fire protection services and facilities; therefore, impacts would be *less than significant*.

Police protection?

Implementation of the proposed project would result in a marginal increase in population and new residential units that would result in an increased demand on police protection services. The project would be served by existing police protection services and would not require new or expanded facilities in order to serve the project. The project would be required to pay public facility fees to account for the increased demand on existing police protection services and facilities; therefore, impacts would be *less than significant*.

Schools?

A project referral package was sent to the Templeton Unified School District and no response has been received to date (January 5, 2021). Implementation of the proposed project would result in new residential units that may marginally increase the number of school-aged children in the area that would result in an increased demand on the Templeton Unified School District. The project would be required to pay public facility fees to account for the potential increased demand on the Templeton Unified School District; therefore, impacts would be *less than significant*.

Parks?

Implementation of the proposed project would result in a marginal increase in population and new residential units that may increase demand on public recreation facilities. The project would be required to pay public facility fees to account for the potential increased demand on public recreation facilities; therefore, impacts would be *less than significant*.

Other public facilities?

Implementation of the proposed project would marginally induce population growth through the development of new residential units. The project would be required to pay public facility fees to account for an increased demand on public services. Therefore, potential impacts related to the increased demand of public facilities would be *less than significant*.

#### Conclusion

The project would be required to pay public facility fees to account for an increased demand on public services. Therefore, potential impacts associated with physical impacts associated with provision of public services would be less than significant, and no mitigation is necessary.

#### Mitigation

No mitigation is necessary.

1. Recreation

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| 1. 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? |  |  |  |  |
| 1. 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 General Plan Parks and Recreation Element* establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

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 Parks and Recreation Element.

The *2015/2016 County Bikeways Plan* identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding (County of San Luis Obispo 2016). The County Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

#### Discussion

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

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

1. 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 would include dedication of a 12-foot-wide trail easement along the northern property line to accommodate the future development of the Toad Creek Trail, in accordance with future County Parks and Recreation plans.. The project would also include development of bike lanes on the primary internal access road and would contribute traffic impact fees to fund future construction of bike infrastructure associated with the extension of Bennett Way north to Las Tablas Road. Based on the limited size and scope of these improvements, potential impacts to the environment associated with these improvements alone would be negligible. Therefore, potential impacts would *be 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

No mitigation is necessary.

1. Transportation

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? |  |  |  |  |
| 1. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? |  |  |  |  |
| 1. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? |  |  |  |  |
| 1. Result in inadequate emergency access? |  |  |  |  |

#### Setting

The San Luis Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program; preparing a Regional Transportation Plan (RTP); programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of San Luis Obispo County’s transportation system (SLOCOG 2019). The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County as well as the Cities within the county in facilitating the development of the RTP.

Level of Service (LOS) is a term used to describe the operating conditions of an intersection or roadway based on factors such as speed, travel time, queuing time, and safety. LOS designations range between A and F, with A representing the best operating conditions and F the worst. The County has adopted the following LOS standards for roadways and intersections:

* Rural areas (outside the URL): LOS C is acceptable; LOS D is not.
* Urban areas (within the URL): LOS D is acceptable; LOS E is not.

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 California 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]). The County has developed a VMT Program, as detailed in the County Transportation Impact Analysis Guidelines (March 2021). The program provides interim operating thresholds and includes a screening tool for evaluating VMT impacts.

The County’s Framework for Planning (Inland) includes the *County of San Luis Obispo General Plan Land Use and Circulation Elements*. The framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations.

The San Luis Obispo Regional Transit Authority (RTA) provides intercommunity public transportation within San Luis Obispo County and extends south into Santa Barbara County. RTA provides regional fixed route service and Americans with Disabilities Act (ADA) complementary paratransit service called Runabout. Based on the 2019 RTP, there are no public transit capital improvements planned within the community of Templeton (SLOCOG 2019).

In 2017 the County published the *Templeton Community 2017 Travel Demand Model and Circulation Study Update* (Templeton Circulation Study). The Templeton Circulation Study and Traffic Impact Fee are updated approximately every 5 years. This report presents updates made to the Templeton Travel Demand Model (TDM), the methodology behind the development of “2015 Existing Conditions” model scenario and the traffic projections of the “2035 Buildout Conditions” model scenario. The updated existing conditions model formed the basis for the 2035 Buildout Conditions traffic model, which has been developed in order to test alternative land use and/or circulation alternatives that will help assess the need, nature, and timing of future circulation improvements within the Templeton Planning Area. The Templeton Planning Area refers to the area established by the County Board of Supervisors with a distinct Fee area within the planning area that consists of land located within the Templeton URL (County of San Luis Obispo 2017).

The project site is located west of Bennett Way, a two-lane north–south-running paved roadway. Bennett Way terminates near the northeastern corner of the project property, which then turns right and becomes Turkey Ranch Road. There are currently no pedestrian or bicycle infrastructure located along the segment of Bennett Way adjacent to the project site. Bennett Way continues south and intersects with Vineyard Drive, a major east–west two-lane collector, which is designated as an arterial between Main Street and Bennett Way and provides a full access interchange with US 101. There is currently no traffic signal at the intersection of Bennett Way and Vineyard Drive. The Templeton Circulation Study includes the future connection of Bennett Way between Vineyard Drive and Las Tablas Road (to the north of the project site), with a projected cumulative volume of 1,400 vehicles per day (Central Coast Transportation Consulting 2019).

#### Discussion

1. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

A Traffic Impact Analysis Memorandum was prepared for the project to evaluate the project’s potential impacts on surrounding roadway operations and intersections. While LOS is no longer considered an environmental impact under CEQA, actions associated with addressing LOS may result in a physical effect on the environment that could result in potentially significant impacts under CEQA.

The Institute of Transportation Engineers (ITE) *Trip Generation Manual* 10th Edition was used to estimate project trip generation rates, and the project trip distribution was estimated using the turning movement counts and local knowledge. If 15 primary residences and four ADUs were constructed on-site, the proposed project would generate 167 new vehicle trips per weekday, including 13 AM peak hour trips and 18 PM peak hour trips (Central Coast Transportation Consulting 2019).

Table 13 summarizes the intersection operations at Vineyard Drive and Bennett Way under existing conditions and with the buildout of 15 primary residences and 4 ADUs on-site.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Table . Existing and Projected Intersection Levels of Service | | | | |
| Intersection | Control | Peak Hour | Existing LOS | Existing + Project LOS |
| Vineyard Drive/Bennett Way | Two-way stop controlled | AM | D | D |
| PM | C | C |
| Source: Central Coast Transportation Consulting 2019 | | | | |

The intersection of Vineyard Drive and Bennett Way would operate acceptably at LOS D in the AM peak hour and LOS C in the PM peak hour under existing conditions with and without the buildout of 15 primary residences and 4 ADUs onsite.

The Templeton Circulation Study includes a future traffic signal to be installed at the intersection of Bennett Way and Vineyard Drive; however, the traffic signal is not currently warranted with or without the project based on the *California Manual on Uniform Traffic Control Devices* (CAMUTCD), which provides guidance for the installation of multi-way stop control and traffic signal control.

Under the cumulative development scenario, the peak hour traffic signal warrant would be met for AM and PM peak hour conditions for the intersection of Bennett Way and Vineyard Drive. Therefore, installation of a traffic signal would not likely be warranted until the future connection of Rossi Road with Bennett Way south of Vineyard Drive or additional development on Bennett Way. Payment of the Templeton Area Road Improvement Fee, which is typically calculated for the weekday p.m. conditions, would constitute the project’s fair share contribution toward this signal and other area improvements. Therefore, vehicle traffic generated by the project would not trigger the need for circulation improvements that could have a significant effect on the environment and the project would not conflict with local and regional policies for circulation management.

Bennett Way does not currently support sidewalks or bicycle lanes/signage. The portion of Vineyard Drive that is located within proximity to the project site currently supports Class II bicycle lanes. According to the County Bikeways Plan the proposed Bennett Way extension from Vineyard Drive to Las Tablas Road includes a proposed Class II bicycle lane. Payment of the Templeton Area Road Improvement Fee would ensure the project applicant provides a fair-share contribution to the proposed bicycle infrastructure along Bennett Way. The project site is not within close proximity to any existing public transit stops or other public transit facilities. Based on the 2019 RTP, there are no public transit capital improvements planned within the community of Templeton (SLOCOG 2019). Therefore, the project would not conflict with local or regional plans addressing pedestrian, bicycle, or public transit infrastructure/circulation systems.

Based on the analysis provided above, the project would not conflict with a program, plan, or policy addressing the circulation system; therefore, potential impacts would be *less than significant*.

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

The County published Transportation Impact Analysis Guidelines in October 2020, which included screening criteria for projects consistent with the General Plan presumed to have a less-than-significant VMT impact based on project type, intensity, and/or location. Based on the County’s quick-response VMT screening tool, the project meets the screening criteria based on its location and project type (Central Coast Transportation Consulting 2021); therefore, project impacts would be *less than significant.*

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

The current site is vacant. The proposed project will reconstruct the western half of Bennett Way and construct a cul-de-sac providing access to 10 of the lots and an access road on the southern property line providing access to the remaining five lots. The Templeton Circulation Study includes the connection of Bennett Way between Vineyard Drive and Las Tablas Road with a cumulative volume of 1,400 vehicles per day. The County Bikeways Plan also includes Class II bike lanes on the future roadway extension. Improvements to Bennett Way will need to be consistent with County Standard A-2d, unless a curb, gutter, and sidewalk waiver is granted by the County.

The location of the proposed cul-de-sac and access road connections to Bennett Way were observed on site. The cul-de-sac will have a clear line of sight on Bennett Way from Turkey Ranch Road to approximately 800 feet south of the cul-de-sac, consistent with County Standard A-5a for greater than 55 miles per hour (mph). The access road will have a clear line of sight on Bennett Way from Turkey Ranch Road to over 400 feet south of the access road, meeting County Standard A-5a for greater than 35 mph. There is currently no posted speed limit on Bennett Way. The minimum design speed on County Standard A-2 is 35 mph. Sight distance is adequate at the proposed driveway (Central Coast Transportation Consulting 2019). Therefore, potential impacts would be *less than significant*.

1. Result in inadequate emergency access?

Future development would be required to comply with TCSD Fire Department recommendations for roads, access roads, driveways, gates, addressing, landscaping, and adherence to the California Fire Code through the building permit process. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area. Therefore, *no impacts would occur*.

#### Conclusion

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

#### Mitigation

No mitigation is necessary.

1. Tribal Cultural Resources

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| 1. 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: |  |  |  |  |
| 1. 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 |  |  |  |  |
| 1. 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:
   1. Included or determined to be eligible for inclusion in the CRHR; or
   2. Included in a local register of historical resources as defined in PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). 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 of 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.

In accordance with AB 52 Cultural Resources requirements, outreach has been conducted to four Native American tribes: Northern Salinan, Xolon Salinan, yak titʸu titʸu yak tiłhini Northern Chumash, and Northern Chumash Tribal Council. A summary of AB 52 correspondence is provided below.

#### Discussion

1. 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:
2. 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)?

As described under Section V, Cultural Resources, above, a records search was completed and identified no known cultural or historic resources within the project site or immediately adjacent to the project site. In accordance with AB 52 Cultural Resources requirements, outreach has been conducted to four Native American tribes: Northern Salinan, Xolon Salinan, yak titʸu titʸu yak tiłhini Northern Chumash, and Northern Chumash Tribal Council. A response from Karen R. White of the Xolon Salinas tribe was received and stated that while no known specific sensitive areas are known within the project site, the Xolon Salinan tribe requested that the developer use caution when grading the site and that the tribe be notified if any cultural resources are discovered during ground disturbance.

A response was received from Fred Collins, the Chairman of the Northern Chumash Tribal Council (NCTC) and stated that the NCTC had no further comment on the project.

A response was received from Patti Dunton, Tribal Administrator of the Salinan Tribe of Monterey and San Luis Obispo Counties, and requested that a Phase I archaeological survey be conducted. A Phase I archaeological survey and report were completed and provided to Ms. Dunton on January 12, 2022 . No further requests have been received from Ms. Dunton or another representative of the Salinan Tribe of Monterey and San Luis Obispo Counties to date [DATE]. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource with cultural value to a California Native Tribe that is listed in a state or local register of historical resources, and *no impacts would occur.*

1. 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.

As described in Section V, Cultural Resources, above, a records search was completed and identified no known cultural resources within the project site or immediately adjacent to the project site. The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (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 project activities, adherence with County LUO standards and California 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

No mitigation is necessary.

1. Utilities and Service Systems

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| Would the project: | | | | |
| 1. 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? |  |  |  |  |
| 1. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? |  |  |  |  |

#### Setting

Per the County’s Stormwater Program, the County Public Works Department is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB’s Construction General Permit.

PG&E is the primary electricity provider and both PG&E and the Southern California Gas Company (SoCalGas) provide natural gas services for urban and rural communities within San Luis Obispo County.

The TCSD provides the community of Templeton with water, sewer, fire protection, parks and recreation, refuse, lighting, and drainage services. To determine whether the TCSD’s water service infrastructure was capable of meeting any existing and future water demands, the Water System Master Plan Update was completed in November 2005. The TCSD depends on water from 11 wells that extract water from two groundwater sources: the Paso Robles Formation and the Salinas River Underflow. Nine of the 11 wells that extract water from the Paso Robles Formation are extracting from what is known as the Templeton Sub-Unit of the Atascadero Subbasin. A groundwater study of the Paso Robles Groundwater Basin showed that the safe yield of the Templeton sub-unit is 1,700 acre-feet per year (AFY). Production of water from the Templeton Sub-Unit from April 1, 2003, to March 31, 2004, was 984 acre-feet. The TCSD is currently permitted to extract 500 AFY from the Salinas River between October 1 and April 1 (TCSD 2005).

An additional source of water for the TCSD includes the re-use program with disposal of effluent from the Meadowbrook WWTP percolation ponds. This program allows the TCSD to percolate effluent water into the groundwater basin and subsequently extract the same amount of water 28 months later. The current wastewater flow to the Meadowbrook WWTP is 148,000 gallons per day (165 AFY). The TCSD has also contracted to obtain 250 AFY of water from the Nacimiento Water Supply Project (TCSD 2005).

The TCSD currently operates four water storage tanks. The total storage volume required for the TCSD includes the cumulative total of emergency, fire, and operational storage. Based on an evaluation of storage capacity, the TCSD has a small surplus of storage for their existing needs and the construction of additional storage tanks are planned to accommodate for future storage needs (TCSD 2005).

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.

#### Discussion

1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

The project would require construction of utility infrastructure on-site and expanded utility connections, including water, wastewater, electricity, stormwater, natural gas, and telephone connections. The project would include installation of approximately 643 linear feet of 8-inch-diameter water main pipeline, which would be extended off-site to connect with an existing water main pipeline located in Bennett Way (Figure 5). Approximately 1,508 linear feet of 6-inch-diameter gravity sewer main pipeline would be installed on-site and extend off-site along Bennett Way to connect to an existing manhole located within Bennett Way. A new lift station would be constructed within the southeastern corner of Lot 1 to pump wastewater generated on-site to the connection to existing wastewater facilities off-site. Approximately 1,207 linear feet of storm drain would be installed on-site to collect on-site stormwater runoff and transport it to the proposed detention basin. The project would also include installation of four fire hydrants to support fire suppression efforts in the event of an emergency.

As discussed in resource sections above, implementation of Mitigation Measures AQ‑1 through AQ-3, BIO-1 through BIO-5, GEO-1 through GEO-4, HAZ-1, and N-1 would reduce potential environmental impacts during utility infrastructure construction and installation. Upon implementation of the identified mitigation measures, impacts associated with construction of new and expanded utility infrastructure would *be less than significant with mitigation.*

1. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The future development of residential uses on-site enabled by the project would rely on the TCSD for its potable water supply. The TCSD maintains sufficient water supplies to serve existing customers within its service area as well as for future development of land uses. As described in Section X, Hydrology and Water Quality, above, the TCSD has secured its water supply from a diverse group of sources, including water from the Nacimiento Water Project, the Atascadero Subbasin of the Paso Robles Groundwater Basin, the Salinas River, and groundwater recharge from the Meadowbrook WWTP. Based on correspondence with TCSD staff, the TCSD maintains 20% additional water supply capacity in addition to its required storage supply. The TCSD has provided a conditional will-serve letter, which commits the TCSD to provide water service to 19 connections on-site (TCSD 2021). Based on the TCSD commitment to serve the project and its available water supplies, potential impacts would be *less than significant.*

1. 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?

No existing TCSD wastewater collection infrastructure is located within or adjacent to the project site. The project would include the construction of a private lift station and private force main pipeline to convey wastewater generated on-site from the project site south along Bennett Way to an existing TCSD wastewater connection point located within Bennett Way.

The future development of residential uses on-site enabled by the project would be collected on-site and pumped through a private lift station on-site to private sewer force main pipelines and to force main pipelines owned by the TCSD and would be treated at the Meadowbrook WWTP. The TCSD has provided a Conditional Will Serve commitment to provide wastewater collection and treatment services for 15 connections on-site, with the availability of four additional connections if needed. The private lift station and force main pipeline would be required to be designed and constructed in conformance with the TCSD public infrastructure standards and would be subject to TCSD review and approval. In addition, the project applicant would be required to enter into a Wastewater Service Agreement with the TCSD and the future Homeowners Association to operate and maintain the private lift station and force main in accordance with the agreement.

Based on the Conditional Will Serve commitment provided by TCSD, the project’s wastewater needs would be sufficiently addressed and serviced through the combination of private and public infrastructure as described above. If future ADU construction necessitates additional wastewater connections beyond what TCSD has currently committed to, the proposed developers would be required to enter into a new service agreement with TCSD. Based on the TCSD Conditional Will Serve letter and required compliance for all private infrastructure with applicable public infrastructure standards, potential impacts would be *less than significant.*

1. 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?

Solid waste, recycling, and green waste would be serviced by TCSD and would be disposed of at the Paso Robles Landfill. As of December 31, 2017, the landfill had a remaining capacity of 4,216,402 cubic yards or approximately 65% of the maximum permitted capacity and the estimated timeline of landfill closure is October 2051 (CalRecycle 2019). The project would be required to comply with mandatory waste reduction and diversion requirements of the California Integrated Waste Management Act (AB 939) and the California Solid Waste Reuse and Recycling Act of 1991. Based on the available capacity of the Paso Robles Landfill, the limited size and scope of the project, and required compliance with state waste reduction and diversion polities, the project would not generate waste in excess of state or local standards, or in excess of the capacity of local infrastructure, and potential impacts would be *less than significant.*

1. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The project would comply with all federal, state, and local regulations and diversion requirements pertaining to solid waste disposal, including those intended for reduction, reuse, and recycling of waste to the extent practicable. Non-recyclable demolition debris and construction waste generated by the project would be disposed of at the Paso Robles Landfill, which had a remaining capacity of 4,216,402 cubic yards, or 65% of the maximum permitted capacity as of 2019. Therefore, potential impacts would be *less than significant.*

#### Conclusion

The project would require the expansion and installation of utility infrastructure to support proposed development. The project would be required to implement Mitigation Measures AQ-1 through AQ-3, BIO-1 through BIO-5, GEO-1 through GEO-4, HAZ-1, and N-1 to reduce potential environmental impacts during utility infrastructure construction and installation. No substantial increase in solid waste generation would occur. Therefore, potential impacts to utilities and service systems would be less than significant with mitigation.

#### Mitigation

Implement Mitigation Measures AQ-1 through AQ-3, BIO-1 through BIO-5, GEO-1 through GEO-4, HAZ-1, and N-1.

1. Wildfire

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | |
| 1. Substantially impair an adopted emergency response plan or emergency evacuation plan? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. 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? |  |  |  |  |
| 1. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? |  |  |  |  |

#### Setting

In central California, the fire season usually extends from roughly May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. FHSZs are defined by CAL FIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high-population centers), and a fire protection agency’s ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as “Very High,” “High,” or “Moderate.” In San Luis Obispo County, most of the area that has been designated as a “Very High Fire Hazard Severity Zone” and is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The project would be located within an LRA and based on CAL FIRE FHSZ mapping, the County Safety Element, and the San Luis Obispo County Multi-Jurisdictional Hazard Mitigation Plan, the project site is not located within a mapped FHSZ.

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 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, developing and implementing mitigation efforts to reduce the threat of fire, requiring fire-resistant material be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

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

The *County of San Luis Obispo Emergency Operations Plan* (EOP) addresses several overall policy and coordination functions related to emergency management. The County EOP outlines the emergency measures that are essential for protecting public health and safety. These measures include, but are not limited to, public alert and notifications, emergency public information, and protective actions. The County EOP also addresses policy and coordination related to emergency management.

#### Discussion

1. Substantially impair an adopted emergency response plan or emergency evacuation plan?

The project would be located within an LRA which does not have FHSZs associated with it and the site is not located within a mapped CAL FIRE FHSZ. The project would result in the future development of up to 15 primary residences and four ADUs on a 10.88-acre parcel within the Residential Suburban land use designation. The project has been designed to comply with applicable TCSD Fire Department access standards. Future development would be required to comply with TCSD Fire Department standards for roads, access roads, driveways, gates, addressing, landscaping, and adherence to the California Fire Code. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and would not contribute substantial enough vehicle traffic to create a cumulatively considerable reduction in evacuation times. Therefore, impacts would be *less than significant.*

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

The project would be located within an LRA which does not have FHSZs associated with it and the site is not located within a mapped CAL FIRE FHSZ. The subject property is not located in a high or very high FHSZ and supports relatively flat to steeply sloping topography. Future construction of residential 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*.

1. 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 be located high or very high FHSZ. 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.*

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

The project would not be located within a high or very high FHSZ. The project would include grading of the site to form nearly level building sites for future residential development, installing utilities and roads, and creating a drainage basin to capture on-site stormwater flows. Grading and drainage improvements would be designed in accordance with applicable state and local regulations and would be reviewed and approved by the County Public Works Department to ensure appropriate measures are taken to address any potential for on-site landsliding or land instability. Therefore, potential impacts would be *less than significant.*

#### Conclusion

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

#### Mitigation

No mitigation is necessary.

1. Mandatory Findings of Significance

|  | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
| --- | --- | --- | --- | --- |
| 1. 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? |  |  |  |  |
| 1. 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)? |  |  |  |  |
| 1. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? |  |  |  |  |

#### Discussion

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

As discussed in each resource section above, upon implementation of identified mitigation measures, the proposed project would have the potential to result in significant impacts to biological resources during project construction activities. Mitigation measures have been identified to address these potential impacts and with implementation of these measures, impacts would be reduced to less than significant. Therefore, with compliance with existing state and local policies and implementation of identified mitigation measures, impacts associated with degradation of the quality of the environment, fish and wildlife species and populations, plant and animal communities, and examples of major periods of California history or prehistory would be *less than significant with mitigation*.

1. 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)?

Evaluation of cumulative impacts has been incorporated into each resource section above. Potentially significant impacts associated with air quality would be limited to the construction period and localized air pollutant concentrations. Potentially significant impacts identified associated with biological resources would address site-specific biological resources and no cumulatively considerable impacts associated with loss of habitat or habitat fragmentation were identified. Similarly, impacts identified associated with temporary lane closures, construction noise, and paleontological resources would all be associated with construction activities and no long-term impacts would occur. Cumulative impacts associated with energy, GHG emissions, water supply, traffic, and other issue areas were evaluated and found to be less than significant and less than cumulatively considerable. Therefore, potential impacts would be *less than cumulatively considerable.*

1. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The project has the potential to result in significant impacts associated with air quality, hazards, noise, and utilities/service systems that could result in substantial adverse effects on human beings. Mitigation measures have been identified to reduce these potential impacts to less than significant, including, but not limited to, standard idling restrictions, use of electric or alternative fuel equipment, notification of local emergency service providers of planned lane closures, limiting construction work to daytime hours, and installation of mufflers on construction equipment. Therefore, potential impacts would be *less than significant with mitigation incorporated*.

#### Mitigation

Implement Mitigation Measures AQ-1 through AQ-3, BIO-1 through BIO-5, GEO-1 through GEO-4, HAZ-1, and N-1.

Exhibit A - Initial Study References and Agency Contacts

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

|  |  |  |
| --- | --- | --- |
| Contacted | Agency | Response |
|  | County Public Works Department  County Environmental Health Services  County Agricultural Commissioner’s Office  County Airport Manager  Airport Land Use Commission  Air Pollution Control District  County Sheriff’s Department  Regional Water Quality Control Board  CA Coastal Commission  CA Department of Fish and Wildlife  CA Department of Forestry (Cal Fire)  CA Department of Transportation  Community Services District  Other AB 52 Consultation Correspondence  Other County of San Luis Obispo Parks and Recreation Department |  |

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

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

A&T Arborists. 2020. *Bennet Way Templeton Project*.

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):197–217.

California Air Resources Board (CARB). 2021. Maps of State and Federal Area Designations – State Area Designations. Available at: https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations.

California Department of Conservation (CDOC). 2015. Fault Activity Map of California. Available at: <https://maps.conservation.ca.gov/cgs/fam/>. Accessed December 2021.

———. 2016. California Important Farmland Finder. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed November 2021.

———. 2021. San Luis Obispo County Tsunami Inundation Maps. Available at: <https://www.conservation.ca.gov/cgs/tsunami/maps/San-Luis-Obispo>. Accessed December 2021.

California Department of Conservation (CDOC) Geologic Energy Management Division (CalGEM). 2021. DOC CalGEM WellFinder. Available at: <https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-120.71845/35.54588/17. Accessed December 2021>.

California Department of Forestry and Fire Protection (CAL FIRE). 2007. Draft Fire Hazard Severity Zones in Local Responsibility Areas. Available at: <http://frap.fire.ca.gov/webdata/maps/san_luis_obispo/fhszl06_1_map.40.pdf>. Accessed November 2021.

———. 2021. FHSZ Viewer. Available at: <https://egis.fire.ca.gov/FHSZ/>. Accessed December 2021.

California Department of Resources Recycling and Recovery (CalRecycle). 2019. SWIS Facility/Site Activity Details City Of Paso Robles Landfill (40-AA-0001). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1506?siteID=3168>. Accessed November 2021.

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

California Department of Transportation (Caltrans). 2021. California Scenic Highways Mapping Tool. Available at: <https://www.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=f0259b1ad0fe4093a5604c9b838a486a>. Accessed November 2021.

Central Coast Archaeological Research Consultants. 2019. *Cultural Resources Survey of the DRC2019-00077, CO18-0018, Tract 3138, Bennett Way, Templeton, San Luis Obispo County, California*. November.

Central Coast Transportation Consulting. 2019. *Bennet Way APN 040-311-014 (VTM 3138) – Traffic Impact Analysis*.

———. 2021. *Bennet Way APN 040-311-014 (VTM 3138) – VMT Evaluation*.

County of San Luis Obispo. 1998. *San Luis Obispo County Design Guidelines*. November. Available at: [https://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Plans-and-Elements/Design-Plans/Countywide-Design-Guidelines.pdf. Accessed November 2021](https://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Plans-and-Elements/Design-Plans/Countywide-Design-Guidelines.pdf.%20Accessed%20November%202021).

———. 2016. *2015/2016 County Bikeways Plan*. July. Available at: [https://www.slocounty.ca.gov/getattachment/93efa378-4000-40ea-ad52-ef0b9b2fed6b/2016-Bikeways-Plan.aspx. Accessed December 2021](https://www.slocounty.ca.gov/getattachment/93efa378-4000-40ea-ad52-ef0b9b2fed6b/2016-Bikeways-Plan.aspx.%20Accessed%20December%202021).

———. 2017. *Templeton Community 2017 Travel Demand Model and Circulation Study Update*. Available at: <https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Transportation/Circulation-Studies/2017-Templeton-Circulation-Study.pdf>. Accessed December 2021.

———. 2020. *County of San Luis Obispo VMT Thresholds Study*.

———. 2021. Land Use View. Available at: <http://gis.slocounty.ca.gov/Html5Viewer/Index.html?configBase=/Geocortex/Essentials/REST/sites/PL_LandUseView/viewers/PL_LandUseView/virtualdirectory/Resources/Config/Default>. Accessed 2021.

Federal Emergency Management Agency. 2012. FEMA Flood Map Service Center: Search By Address. Available at: <https://msc.fema.gov/portal/search?AddressQuery=bennett%20way%2C%20templeton#searchresultsanchor>. Accessed December 2021.

LSA Associates. 2019. *Paleontological Analysis of the Tract 3138 Project in the Community of Templeton, San Luis Obispo County, California*. December.

———. 2021. *Noise and Vibration Impact Analysis – Tract 3138 Project Templeton, San Luis Obispo, California*. September.

———. 2022. *Air Quality, Energy, and Greenhouse Gas Technical Memorandum for the Proposed Tract 3138 Project in Templeton, San Luis Obispo County*. June.

Pacific Gas and Electric Company (PG&E). 2020. Where your electricity comes from. Available at: <https://www.pge.com/pge_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2020/1220-PowerContent-ADA.pdf>. Accessed December 2021.

Sage Institute, Inc. 2020. *Sara Street Properties, LLC Vesting Tentative Tract Map – Tract 3138 (APN: 040-311-014) Biological Resources Assessment*. July.

San Luis Obispo Air Pollution Control District (SLOAPCD). 2001. *2001 Clean Air Plan*. December. Available at: <https://storage.googleapis.com/slocleanairorg/images/cms/upload/files/business/pdf/CAP.pdf>. Accessed November 2021.

———. 2012. *CEQA Air Quality Handbook*. April. Available at: <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA_Handbook_2012_v2%20%28Updated%20Map2019%29_LinkedwithMemo.pdf>. Accessed November 2021.

———. 2017. *Clarification Memorandum for the San Luis Obispo County Air Pollution Control District’s 2012 CEQA Air Quality Handbook*. November 14. Available at: <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/FINAL_Clarification%20Memorandum%2020172.pdf>. Accessed November 2021.

———. 2021. *Interim CEQA Greenhouse Gas Guidance for the San Luis Obispo County Air Pollution Control District’s 2012 CEQA Air Quality Handbook*. January 28. Available at: <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA-GHGInterimGuidance_Final2.pdf>. Accessed November 2021.

San Luis Obispo Council of Governments (SLOCOG). 2019. *2019 Regional Transportation Plan*. June 5. Available at: <https://www.dropbox.com/s/oc6i8wshikuirsh/__FINAL%202019%20RTP.pdf?dl=0>. Accessed November 2021.

State Water Resources Control Board (SWRCB). 2021. GeoTracker. Available at: <https://geotracker.waterboards.ca.gov/>. Accessed December 2021.

Templeton Community Services District (TCSD). 2005. Templeton Community Services District Water System Master Plan Update. Available at: <https://www.templetoncsd.org/DocumentCenter/View/11/Water-Master-Plan?bidId=>. Accessed December 2021.

\_\_\_\_\_. 2018. Proposition 218 Public Hearing and Consideration of Rate Increases to Water and Wastewater Rates. Available at: <http://www.templetoncsd.org/AgendaCenter/ViewFile/Item/2176?fileID=1106>. Accessed December 2021.

———. 2019a. *Virtual Water Meter Agreement*. March.

\_\_\_\_\_. 2019b. *Conditional Will Serve Letter for Water and Sewer Service to Tract 3138, a Proposed Residential Subdivision Creating 15 Lots with 1 Affordable Housing Unit Off Bennett Way*. October.

\_\_\_\_\_. 2019c. *Templeton Fire and Emergency Services Tract 3138 Project Comments*. November.

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

U.S. Department of Agriculture (USDA) Soil Conservation Service (SCS). 1983. Soil Survey of San Luis Obispo County, California Paso Robles Area. Available at: <https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/sanluisCA1983/sanluisCA1983.pdf>.

U.S. Geological Survey (USGS). 2019. Areas of Land Subsidence in California. Available at: <https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html>. Accessed November 2021.

Exhibit B - Mitigation Summary

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

## Air Quality

**AQ-1 Prior to approval of tract map improvements,** the following San Luis Obispo County Air Pollution Control District-recommended *Standard Mitigation Measures* shall be detailed on project building and grading plans and implemented to reduce construction-generated nitrogen oxides, reactive organic gases, and diesel particulate matter:

1. Maintain all construction equipment in proper tune according to manufacturer’s specifications;
2. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
3. Diesel-fueled construction equipment shall meet, at a minimum, California Air Resources Board’s Tier 2-certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
4. Use on-road heavy-duty trucks that meet the California Air Resources Board’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
5. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or nitrogen oxide-exempt area fleets) may be eligible by proving alternative compliance;
6. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
7. Diesel idling while equipment is not in use is not permitted. Signs shall be posted in the designated queuing areas to remind drivers and operators of the idling restrictions;
8. Staging and queuing areas shall not be located at the maximum distance feasible from sensitive receptor locations. Signs shall be posted identifying these areas;;
9. Electrify equipment, when feasible;
10. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
11. Use alternative-fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

**AQ-2 Prior to approval of tract map improvements,** the following San Luis Obispo County Air Pollution Control District-recommendedmitigation measures shall be shown on grading and building plans and be implemented throughout site disturbance activities to reduce construction-generated fugitive dust:

1. Reduce the amount of disturbed area, where possible.
2. Use water trucks, San Luis Obispo County Air Pollution Control District-approved dust suppressants (see Section 4.3 in the *CEQA Air Quality Handbook*), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a San Luis Obispo County Air Pollution Control District-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the *CEQA Air Quality Handbook*.
3. All dirt stockpile areas should be sprayed and covered daily, as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil-disturbing activities;
5. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast-germinating, non-invasive grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District.
7. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between the top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114.
10. Install wheel washers at the construction site entrance/exit, wash off the tires or tracks of all trucks and equipment leaving the site, or implement other San Luis Obispo County Air Pollution Control District-approved track-out prevention devices sufficient to minimize the track-out of soil onto paved roadways.
11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
12. The burning of vegetative material shall be prohibited. Effective February 25, 2000, the San Luis Obispo County Air Pollution Control District prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the San Luis Obispo County Air Pollution Control District Engineering and Compliance Division at (805) 781-5912.
13. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent the transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork, or demolition.
14. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or be permitted by the San Luis Obispo County Air Pollution Control District. Such equipment may include power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, concrete plant). For more information, contact the San Luis Obispo County Air Pollution Control District Engineering and Compliance Division at (805) 781‑5912.
15. Construction of the proposed project shall use low volatile organic compound-content paints not exceeding 50 grams per liter.
16. To the extent locally available, use prefinished building materials or materials that do not require the application of architectural coatings.

**AQ-3** **Prior to approval of tract map improvements**, the following measures shall be shown on grading and building plans and implemented throughout project site preparation and construction activities to reduce construction emissions from on- and off-road construction equipment (nitrogen oxides, reactive organic gases, and diesel particulate matter):

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
2. Staging and queuing areas shall be located at the greatest distance feasible from sensitive receptor locations;
3. Diesel idling while equipment is not in use is not permitted;
4. Use of alternative-fueled equipment is recommended whenever possible; and
5. Signs that specify the no-idling requirements must be posted and enforced at the construction site.
6. Idling Restrictions for On-Road Vehicles. California Code of Regulations (CCR) Title 13, Section 2485 limits diesel-fueled commercial motor vehicles that operate in the state of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:
7. Shall not idle the vehicle’s primary diesel engine when the vehicle is not in use, except as noted in Subsection (d) of the regulation; and
8. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, an air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the idling restrictions. The specific requirements and exceptions in the regulation can be reviewed at the following website: [www.arb.ca.gov/msprog/truck-idling/2485.pdf](http://www.arb.ca.gov/msprog/truck-idling/2485.pdf).

1. Idling Restrictions for Off-Road Equipment. Off-road diesel equipment shall comply with the idling restrictions identified in Section 2449(d)(3) of the California Air Resources Board’s In-Use Off-Road Diesel regulation: [www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf](http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf).

Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the idling restrictions.

## Biological Resources

**BIO-1 Prior to approval of tract map improvements,** the applicant shall provide evidence to the County of San Luis Obispo that they have retained a County of San Luis Obispo-approved qualified biologist. The scope of work shall include preconstruction surveys, training, monitoring, and reporting, as detailed in the mitigation measures listed below.

**BIO-2** **Prior to initiation of site preparation activities,** an environmental awareness training shall be presented to all project personnel by a qualified biologist prior to the start of any project activities. 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, as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by the project’s discretionary permits, an overview of the Federal Endangered Species Act and California Endangered Species Act, and implications of noncompliance with these regulations, as well as an overview of the required avoidance and minimization measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training and the names and signatures of the trainees will be kept and provided to the County of San Luis Obispo Planning and Building Department. If new project personnel join the project after the initial training period, they will receive the environmental awareness training from a designated crew member on-site before beginning work. A qualified biologist will provide refresher trainings during site visits or other monitoring events as deemed necessary by the biologist.

**BIO-3 Prior to initiation of any site preparation/construction activities,** if work is planned to occur between February 1 and September 15, a County of San Luis Obispo-qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. 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, as detailed below:

1. 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 encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside 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.
2. If special-status avian species are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the County of San Luis Obispo and any relevant resource agencies.
3. The results of the survey shall be provided to the County of San Luis Obispo prior to initial project activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for 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 on site conditions and species (if non-listed).

If 2 weeks lapse between different phases of project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated.

**BIO-4 Prior to and during any site preparation activities associated with the proposed project,** the applicant shall retain a County of San Luis Obispo-approved qualified biologist to conduct preconstruction survey(s) for Crotch and obscure bumblebee within suitable habitat areas (e.g., small mammal burrows, thatched/bunch grasses, upland scrubs, brush piles, unmowed/overgrown areas, dead trees, hollow logs, etc.) within the proposed disturbance areas and areas within 50 feet of the proposed disturbance area. At a minimum, the survey effort shall include visual search methods targeting colonies or individuals. Surveys shall be conducted over an extended period of time to document and establish the presence of bees within the areas of disturbance. Upon completion of the surveys, the biologist shall prepare a survey report summarizing the findings and submit it to the County of San Luis Obispo Planning and Building Department.

1. If the survey(s) establishes presence of Crotch or obscure bumblebee within the areas of disturbance, the applicant shall retain a County of San Luis Obispo-qualified biologist to prepare a Biological Resources Management Plan (Management Plan) subject to review and approval of the County of San Luis Obispo Planning and Building Department in consultation with the California Department of Fish and Wildlife. The Management Plan shall include the following, at a minimum:
2. Avoidance measures to conduct project activities in such a manner that avoids physical disturbances to the colony/nest site, including a minimum 50-foot no-disturbance buffer from the documented location(s) of Crotch or obscure bumblebee to avoid take and potentially significant impacts;
3. If ground-disturbing activities would occur during the overwintering period (October–February), the applicant, in coordination with the County of San Luis Obispo Planning and Building Department, shall consult with the California Department of Fish and Wildlife to identify specific measures to be undertaken to avoid take as defined by the California Endangered Species Act.
4. If, prior to site disturbances, the California Fish and Game Commission determines that the conservation status of Crotch and/or obscure bumblebee does not warrant California Endangered Species Act protections or litigation changes the conservation status and the species are removed from the list of candidate species, the applicant will not need to obtain a Section 2081 Incidental Take Permit to disturb the colony(s).

**BIO-5** **Prior to approval of tract map improvements,** a County of San Luis Obispo-approved qualified biologist shall prepare an Oak Tree Replacement Plan that provides for the installation and maintenance of replacement oak trees on the project parcel and surrounding parcels owned by the applicant and shall be reviewed and approved by the County of San Luis Obispo Planning and Building Department. Mitigation replacement plantings for each oak tree removed shall be at a 4:1 ratio (e.g., if four mature oak trees are removed, the applicant must plant 16 replacement juveniles), and at a 2:1 ratio for each oak tree impacted. The Oak Tree Replacement Plan shall include the following components:

1. A brief narrative of the project location, description, and purpose;
2. Clearly identified parties responsible for the mitigation program and their contact information;
3. A landscape map showing and quantifying all oak tree planting areas;
4. A detailed discussion of the methods for implementing the Oak Tree Replacement Plan, including invasive species removal, sources of plant materials, and supplemental watering regimes;
5. Provisions for the collection of oak propagules from the disturbance area, replacement planting propagation, and reintroduction into the parcel;
6. Identification of locations, amounts, species, and sizes of the oak trees to be planted. For each individual of a species removed, the same species shall be planted;
7. Identification of necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful plant re-establishment;
8. A program schedule and established success criteria for a 5-year maintenance, monitoring, and reporting program that is structured to ensure the success of the mitigation plantings; and
9. Methods for removing nonnative species from the replanting areas.

## Geology and Soils

**GEO-1 Prior to approval of tract map improvements,** a County of San Luis Obispo-approved paleontologist shall be retained to prepare a Paleontological Monitoring and Treatment Plan for the project and submit the Paleontological Monitoring and Treatment Plan to the County of San Luis Obispo Planning and Building Department for review and approval. The Paleontological Monitoring and Treatment Plan shall be consistent with the standards of the Society of Vertebrate Paleontology (SVP) and meet all regulatory requirements. The County of San Luis Obispo-approved paleontologist shall have a master’s degree or Ph.D. in paleontology, shall have knowledge of the local paleontology, and shall be familiar with paleontological procedures and techniques. The Paleontological Monitoring and Treatment Plan shall identify construction impact areas of moderate to high sensitivity for encountering potential paleontological resources and the shallowest depths at which those resources may be encountered. The Paleontological Monitoring and Treatment Plan shall detail the criteria to be used to determine whether an encountered resource is significant, and if it should be avoided or recovered for its data potential. The Paleontological Monitoring and Treatment Plan shall also detail methods of recovery, preparation, and analysis of specimens, final curation of specimens at a federally accredited repository, data analysis, and reporting.

The Paleontological Monitoring and Treatment Plan shall outline a coordination strategy to ensure that a County of San Luis Obispo-approved paleontological monitor will conduct full-time monitoring of earthwork activities that have the potential to impact previously undisturbed old surficial sediments, which have a high paleontological sensitivity, mapped at the surface or present at depth at shallow or unknown depths below unmapped Artificial Fill, which has no paleontological sensitivity. The Paleontological Monitoring and Treatment Plan shall incorporate the results of geotechnical or subsurface data to determine the depth threshold for full-time monitoring. If the depth threshold cannot be established, then initial full-time monitoring regardless of depth shall be conducted to determine the depth to the previously undisturbed old surficial sediments, and monitoring efforts shall be adjusted accordingly.

The Paleontological Monitoring and Treatment Plan shall define specific conditions in which monitoring of earthwork activities could be reduced and/or depth criteria established to trigger monitoring. These factors shall be defined by the project paleontological resource specialist, following examination of sufficient, representative excavations. As specified in the Paleontological Monitoring and Treatment Plan, approved measures shall be implemented **during ground-disturbing activities**.

**GEO-2 During project earthwork activities,** based on Mitigation Measure GEO-1 above, the applicant shall conduct full-time monitoring by a County of San Luis Obispo-approved paleontological monitor as specified in the Paleontological Monitoring and Treatment Plan. This shall include monitoring during rough grading and trenching in areas determined to have moderate to high paleontological sensitivity and that have the potential to be deep enough to be adversely affected by such earthwork. Sediments of low, marginal, undetermined sensitivity shall be monitored by a County of San Luis Obispo-approved paleontological monitor on a part-time basis (as determined by the County of San Luis Obispo-approved Paleontologist).

The paleontological monitor shall have a bachelor’s degree in Geology, Paleontology, or Biology with relevant coursework in paleontology and a minimum of 1 year of paleontological monitoring experience in local or similar sediments. Construction activities shall be diverted when data recovery of significant fossils is warranted, as determined by the County of San Luis Obispo-approved Paleontologist.

**GEO-3 During paleontological field evaluations,** if avoidance of significant paleontological resources is not feasible during grading, treatment (including recovery, specimen preparation, data analysis, curation, and reporting) shall be carried out by the applicant, in accordance with the approved Paleontological Monitoring and Treatment Plan, per Mitigation Measure GEO-1.

**GEO-4 Prior to the Initiation of project ground-disturbing activities,** all construction personnel conducting earthwork activities shall be trained regarding the recognition of possible subsurface paleontological resources and protection of all paleontological resources during improvement grading and earthwork activities. The applicant shall complete training for all applicable personnel. Training shall inform all applicable personnel of the procedures to be followed upon the discovery of paleontological materials.

All personnel shall be instructed that unauthorized collection or disturbance of protected fossils on‑ or off-site by the applicant, its representatives, or employees will not be allowed. Violators shall be subject to prosecution under the appropriate federal and state laws. Unauthorized resource collection or disturbance may constitute grounds for the issuance of a stop work order. The following issues shall be addressed in training or in preparation for construction:

1. All construction contracts shall include clauses that require grading personnel to attend training so that they are aware of the potential for inadvertently exposing subsurface paleontological resources, their responsibility to avoid and protect all such resources, and the penalties for collection, vandalism, or inadvertent destruction of paleontological resources.
2. A County of San Luis Obispo-approved paleontologist shall provide a background briefing for supervisory personnel describing the potential for exposing paleontological resources, the location of any potential paleontological resources, and procedures and notifications required in the event of discoveries by project personnel or paleontological monitors. Supervisory personnel shall enforce restrictions on collection or disturbance of fossils.
3. Upon discovery of paleontological resources by paleontologists or construction personnel, work in the immediate area of the find shall be diverted until cleared by the project paleontologist. Once the find has been inspected and a preliminary assessment made by the paleontologist, the County of San Luis Obispo will be notified. The applicant shall then proceed with data recovery in accordance with the approved Paleontological Monitoring and Treatment Plan.
4. Prior to finalization of map recordation, the paleontologist shall prepare a final report to be submitted to the County of San Luis Obispo that summarizes impacts to paleontological resources, describes impact minimization efforts, and provides the results of all data recovery efforts.

## Hazards and Hazardous Materials

**HAZ-1 Prior to any lane/road closures,** the project applicant shall provide notice to all residents, business owners, public facilities, and emergency response providers likely to be affected by the closure and detours, including, but not limited to, the California Department of Forestry and Fire Protection, County of San Luis Obispo Public Works Department, and San Luis Obispo County Sheriff’s Office. The notice shall include the following information: dates of construction, dates and times of proposed temporary lane/road closures and detours, and contact information, including the phone number and email address of the County of San Luis Obispo staff person responsible for responding to and addressing public complaints regarding access. The notice shall be provided at least 2 weeks prior to any planned road closure.

## Noise

**N-1 Prior to issuance of grading permits and during project site preparation and construction activities,** the project contractor shall detail the following measures on project construction plans and implement the following measures during construction of the project to minimize noise impacts to nearby sensitive receptors:

1. Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with the manufacturer’s standards.
2. Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the active project site.
3. Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all project construction.
4. Prohibit extended idling time of internal combustion engines.
5. Where feasible, all noise-producing construction activities should be limited to between the hours of 8:00 a.m. and 5:30 p.m.
6. Coordinate with the County of San Luis Obispo Planning and Building Department to identify the contact at the County of San Luis Obispo who would be responsible for responding to any local complaints about construction noise. The contact would be responsible for determining the cause of the noise complaint(s) (e.g., starting too early, bad muffler, etc.) and would determine and implement reasonable measures warranted to correct the problem.

1. AB 32 and SB 32 require GHG emissions to be reduced to 1990 levels by the year 2020. The EWP assumes that the County’s 1990 GHG emissions were about 15% below the levels identified in the 2006 baseline inventory. [↑](#footnote-ref-1)