



Initial Study - Environmental Checklist

East Bennet Village Minor Use Permit and Parcel Map DRC2021-00102/N-SUB2022-00042 (ED# 22-100)

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.

Table with 3 columns of environmental factors and checkboxes. Checked items include: Aesthetics, Air Quality, Biological Resources, Geology & Soils, Hydrology & Water Quality, Land Use & Planning, Noise, and Transportation.

DETERMINATION: (To be completed by the Lead Agency)

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

- Options for environmental determination: 1) COULD NOT have a significant effect... 2) Although the proposed project could have a significant effect... 3) MAY have a significant effect... 4) MAY have a "potentially significant impact"... 5) Although the proposed project could have a significant effect...

SWCA Environmental Consultants Prepared by (Print) Signature Date 2/24/2023

Eric Hughes Signature Principal Environmental Specialist Date 2/24/2023

Reviewed by (Print) Signature Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes 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: A request by Doug Filipponi (Applicant), for a Minor Use Permit (MUP) to allow for the construction of a 2,675-square-foot quick service restaurant with a drive-through, a 3,200-square-foot convenience store with a detached gas station with eight fuel dispensers, a 1,170-square-foot single car wash tunnel, and on- and off-site improvements on a single 2.47-acre parcel known as East Bennet Village Parcel 1 (Assessor's Parcel Number [APN] 040-372-017) (project). Also requested is a Vesting Tentative Parcel Map (CO22-0034) to subdivide the parcel into two individual parcels of 1.16 and 1.31 acres. The project includes three adjustments: (1) a 15% reduction in required parking spaces per the shared parking adjustment outlined in County Land Use Ordinance (LUO) Section 22.18.020.D; (2) an increase in the total signage area from 237 square feet to 1,229 square feet per LUO Section 22.20.040.A.2; and, (3) a request to allow drive-through facilities within 500 feet of a residential land use category as required by the Templeton Community Design Plan Standard V.F.4. The project would result in 26,128 cubic yards of earthwork (11,053 cubic yards of cut and 15,075 cubic yards of fill) and would result in 2.57 acres of on- and off-site disturbance. The project site is within the Commercial Retail land use category, located on the north side of Las Tablas Road, between Bennet Road, and Duncan Road in the community of Templeton (Figure 1 and Figure 2). The project is within the Salinas River Sub Area of the North County Planning Area.

Project Background

On May 7, 2019, the County approved a lot line adjustment (LLA; SUB2019-00015/COAL 18-0139) for four parcels on the 8.84-acre property which resulted in a legal configuration consisting of the subject parcel (APN 040-372-017) and adjacent northern parcel (APN 040-372-018) separated by a shared vertical lot line, with the subject parcel on the western portion and the adjacent northern parcel on the eastern portion of the property and both parcels abutting the Residential Single Family (RSF) land use category parcels to the north.

On April 23, 2020, a Minor LLA application (SUB2020-00016 COAL20-0003) was approved by the County's Director of Planning and Building, which allowed an adjustment of the vertical lot line to be oriented horizontally. The LLA resulted in a 2.96-acre parcel (APN 040-372-017; project parcel) and a 5.88-acre parcel (APN 040-372-018; northern parcel), with both parcels consisting of frontages along Duncan Road and Bennett Way, and only the northern parcel abutting the RSF land use category parcels to the north. As part of the approved LLA, a water and sewer allocation adjustment was approved by the Templeton Community Services

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District (TCSD) allowing the reallocation of water and sewer units between the two parcels; three water units with a pumping capacity of 575 GPD and six sewer units with a capacity of 300 gpd were assigned to the project parcel.

An amendment to the Minor LLA was approved on May 11, 2021, to realign a small portion of the common line, resulting in a 2.47-acre parcel (APN 040-372-017) and a 6.37-acre parcel (APN 040-372-018).

Proposed Project

The project includes the construction of a 2,675-square-foot quick service restaurant with a drive-through, a 3,200-square-foot convenience store with a detached gas station with eight fuel dispensers, a 1,170-square-foot single car wash tunnel (Figure 3). The project also includes on- and off-site improvements. Proposed on-site improvements include the construction of a portion of two new commercial driveways; internal circulation and parking; utility connections; trash enclosures; landscaping and lighting; signage; drainage improvements; and frontage improvements, including road widening and installation of curbs, gutters, and sidewalks along Las Tablas Road and Bennett Way. Proposed off-site improvements include limited off-site grading for grade continuity and transition between the subject parcel and the adjacent northern parcel; for road construction of the remaining portion of the two new commercial driveways; and installation of curb, gutters, and sidewalks along Duncan Road. Construction of the proposed project, including on- and off-site improvements, would result in approximately 2.57 acres (111,949 square feet) of ground disturbance, including 107,593 square feet of disturbance on-site and 4,356 square feet of disturbance off-site. The project would also require approximately 11,053 cubic yards of cut and 15,075 cubic yards of fill. Project construction would require the use of standard construction equipment and is anticipated to occur over a period of approximately 8 months, beginning in late 2023/early 2024.

Proposed building coverage would encompass approximately 11.5 percent of the project site and all development would meet the minimum setback standards for the Commercial Retail (CR) land use category. Proposed buildings and structures would be constructed in accordance with the building height requirements for the CR land use category, which allows buildings to be 25 feet in height with a 5-foot exception for architectural features. The convenience store would be 25-feet-tall and would include an architectural feature at the entrance, which would add an additional 2 feet to the overall building height for a total height of 27 feet. The quick-service restaurant would be 16-feet-tall and would include an architectural feature at the entrance, which would add an additional 7 feet to the overall building height for a total building height of 23 feet. The gas station would be 19-feet-tall. The architectural style of the three proposed buildings would be designed to be consistent with the design of the commercial center across Bennett Way. Proposed buildings would be painted with earth-tone colors with finish materials, including stone, wood, and stucco. The project includes the addition of landscaped areas throughout the site, including a total of 56 trees within the parking areas and provide visual relief throughout the site.

The project proposes 1,229 square feet of signage, including the following:

- Overall Project Site: two monument signs (up to 60 square feet), one free standing entry sign (up to 60 square feet), and two directional monument signs (up to 60 square feet).
- Quick Service Restaurant: two wall signs (up to 80 square feet) located on the southern and eastern sides of the building.
- Gas Station: four wall signs (up to 80 square feet) located on each side of the canopy structure and one monument sign (up to 60 square feet).
- Convenience Store: two wall signs (up to 80 square feet) located on the southern and eastern sides of

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the building, and one directional monument sign (up to 60 square feet).

- Car Wash: two wall signs (up to 80 square feet) on the southern and northern sides of the building, one monument sign (up to 60 square feet), and one directional monument sign (up to 60 square feet).

The proposed gas station convenience store would operate between the hours of 5:00 a.m. and 11:00 p.m. and the proposed car wash would operate between the hours of 7:00 a.m. and 10:00 p.m., seven days a week. The gas station pumps would be available for use 24/7 (self-service at the pump only). The timing of operation of the quick-service restaurant is not currently known and is not proposed to be restricted. The quick-service restaurant building would be located within 500 feet of the residential multi-family land use to the south (across Las Tablas Road) and therefore would be subject to the Lighting, Sign, Hours of Operation, and Drive-Through standards of the Templeton Community Design Plan (Standard V.F). In addition, the proposed convenience store would include alcohol sales (no onsite consumption).

Access, Circulation, and Parking

Access to the project site would be through a shared access road with the parcel directly north, with access to Las Tablas Road from Bennett Way and Duncan Road. The proposed circulation plan includes one-way circulation in a counterclockwise direction throughout the project site intended to manage the movement of vehicles with regard to vehicle queues associated with the drive-through, car wash, and fuel pump stations. The vehicle queue for the quick-service restaurant drive-through would be able to accommodate up to 15 vehicles and the car wash vehicle queue would be able to accommodate 6 vehicles. The queuing setback has been designed to occur more than 40 feet from the curb. Pedestrian movement through the site would be delineated through integrated pathways and landscaping and would occur parallel to moving cars. The Applicant is requesting a 15% reduction in required parking spaces (53) per the allowed shared parking adjustment outlined in County Land Use Ordinance (LUO) Section 22.18.020.D. Upon approval of the MUP and adjustment, the project would provide 45 parking spaces that would be separated into several different parking areas, each area with 10 cars or less.

Water, Sewer, and Drainage

The project would be provided potable water and sewer services from the TCSD. The project would have total potable water demand of 1,725 gallons per day (gpd), including an estimated demand of 1,150 gpd for the quick-service restaurant and an estimated demand of 575 gpd for the gas station and convenience store. The proposed car wash and on-site landscaping would utilize non-potable water provided by an existing private irrigation well. On November 30, 2020, TCSD approved the use of the existing private irrigation well, located on the adjacent northern parcel (under common ownership) for the project's non-potable water needs.

The project would result in approximately 74,223 square feet (1.7 acres) of new impervious surface areas to the project site and would retain approximately 37,850 (0.87 acre) of pervious surface areas. The project includes implementation of stormwater control measures, including low impact design (LID) measures, bioswales along the perimeter of the project site, pervious pavers, landscape areas, and on-site stormwater storage chambers. The project requires a portion of the onsite drainage to be channelized and placed in a culvert, which has been designed as a 36-inch-wide trench drain with an 18-inch perforated pipe (Terra Verde Environmental Consulting, LLC 2022).

Parcel Map

The project would also subdivide the existing parcel into two individual parcels of 1.31 and 1.16 acres (Figure 4).

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Figure 1. Project Location

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Figure 2. Project Site

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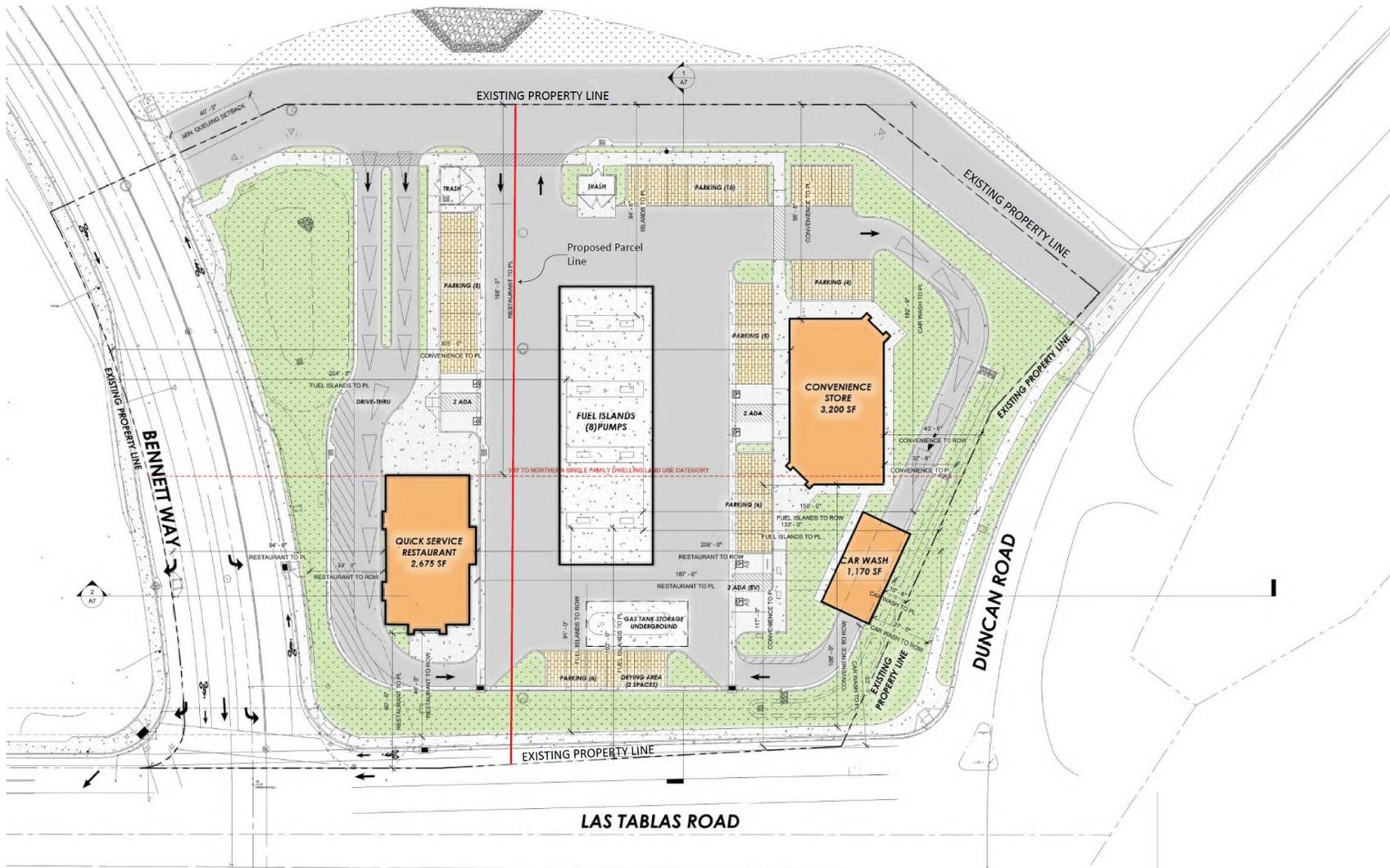


Figure 3. Site Plan

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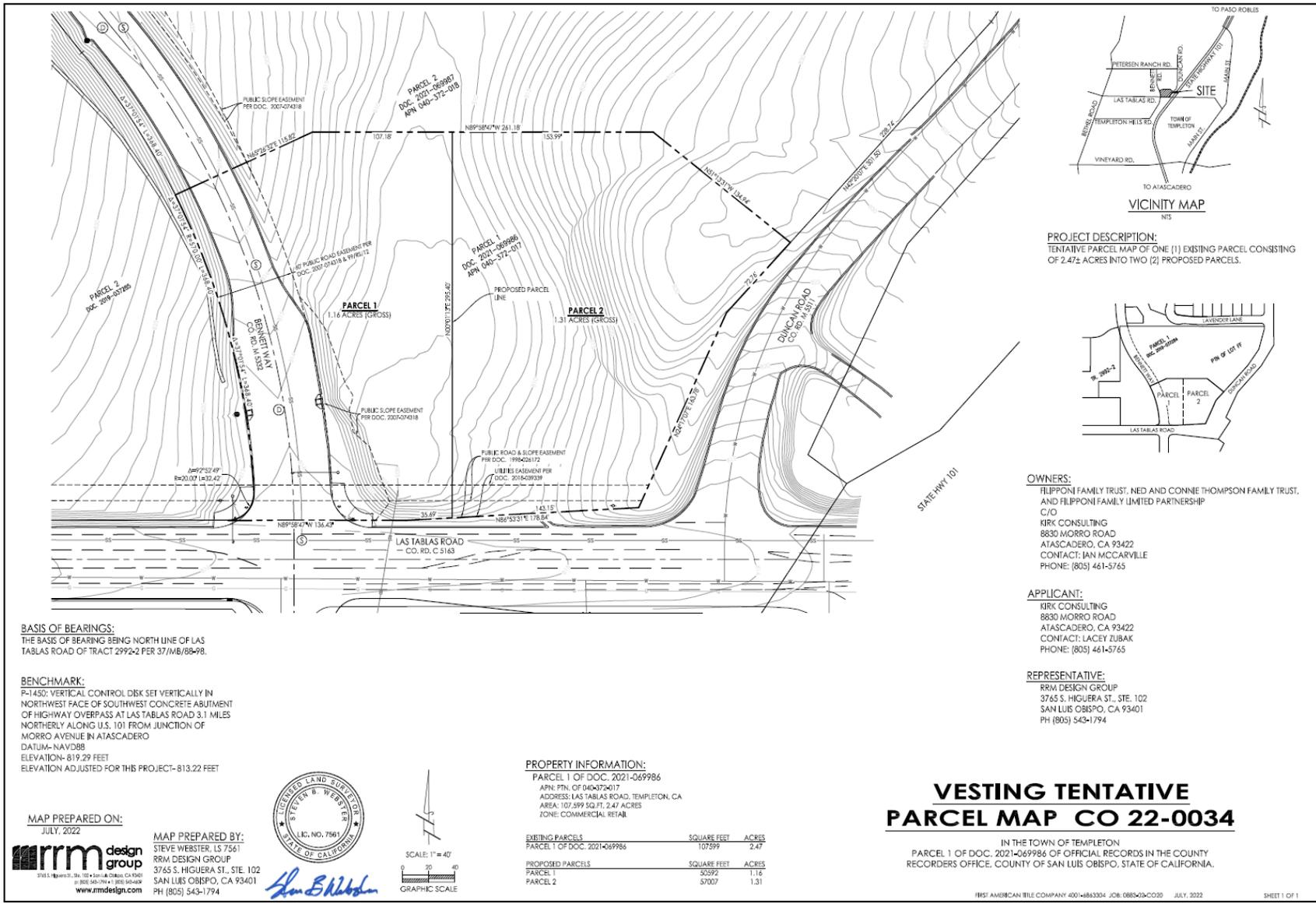


Figure 4. Proposed Parcel Map

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ASSESSOR PARCEL NUMBER(S): 040-372-017

Latitude: 35° 33' 17.66" N **Longitude:** 120° 42' 49.29" W **SUPERVISORIAL DISTRICT #** 1

B. Existing Setting

Plan Area: North County **Sub:** Salinas River **Comm:** Templeton

Land Use Category: Commercial Retail

Combining Designation: Renewable Energy Overlay

Parcel Size: 2.47 acres

Topography: Nearly level to gently sloping

Vegetation: Annual grassland, Ruderal

Existing Uses: vacant, undeveloped

Surrounding Land Use Categories and Uses:

North: Commercial Retail (CR); Residential Single Family (RSF); undeveloped; single-family residential dwellings	East: CR; Public Facilities (PF); Duncan Road; California Highway Patrol – Templeton Area Station; U.S. Highway 101
South: CR; Office Professional (OP); Las Tablas Road; Las Tablas Park and Ride Lot	West: CR; Bennett Way; undeveloped; Twin Cities Community Hospital

Baseline Conditions

The project site consists of a 2.47-acre parcel that is currently vacant and undeveloped within the CR land use category designation. Immediately surrounding land uses include undeveloped land to the north, Bennett Way and undeveloped land to the west, Duncan Road to the east, and Las Tablas Road and the Las Tablas Park and Ride Lot to the south. Additionally, single-family residential dwellings are located approximately 400 feet north, multi-family dwellings are located approximately 400 feet southwest, U.S. Highway 101 (US 101) is located approximately 260 feet east, office development is located approximately 870 feet southwest, and Twin Cities Community Hospital is located approximately 1,150 feet west.

The project site consists of nearly level to gently sloping topography. In addition, the site consists of annual grassland habitat surrounded by previously developed public roads to the east, west, and south. The project site is currently subject to frequent mowing and other disturbance. There is an unnamed drainage that flows through the western portion of the parcel and conveys seasonal flows during heavy-rainfall years. The drainage flows south toward an existing culvert under Las Tablas Road. The project is not located within a 100-year flood zone.

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.

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I. AESTHETICS

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

Setting

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 upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic Highways within San Luis Obispo County include US Highway 101 (US 101), State Route 46 (SR 46), portions of State Route 41 (SR 41), State Route 1 (SR 1), and Lake Nacimiento Drive. The project site is located along US 101, which is designated as an eligible scenic highway, and is located approximately 1.7 miles southeast of SR 46, which is also designated as an eligible scenic highway (Caltrans 2018).

County 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, listed below:

- **Goal VR 1:** The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.

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- **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 Countywide Design Guidelines to protect rural visual and historical character.

County of San Luis Obispo Land Use Ordinance

The County of San Luis Obispo Inland Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), setbacks (LUO 22.10.140), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

The County of San Luis Obispo LUO also defines a Sensitive Resource Area (SRA) combining designation that applies to areas having high environmental quality and special ecological or educational significance. Since these designated areas are considered visual resources by the County, the LUO establishes specific standards for projects located within these areas. The project is not in an SRA combining designation.

Existing Conditions

The project site includes a 2.47-acre parcel within the Commercial Retail (CR) land use designation. The project site is currently undeveloped and consists of nearly level to gently sloping topography. The site supports annual grassland and ruderal habitats and there is an unnamed drainage that flows through the western portion of the project site and conveys seasonal flows. Immediately surrounding land uses include undeveloped land to the north, Bennett Way and undeveloped land to the west, Duncan Road to the east, and Las Tablas Road and the Las Tablas Park and Ride Lot to the south. Additionally, single-family residential dwellings are located approximately 400 feet north, US 101 is located approximately 260 feet east, and office development is located approximately 870 feet southwest.

Discussion

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

A scenic vista is generally defined as a high-quality view displaying reasonably desirable natural aesthetic and compositional values that can be seen from public viewpoints and may be officially or informally designated by public agencies or other organizations. Vistas are inherently expansive views, usually from an open area or an elevated point. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. The project site is not designated as an SRA by the County's LUO and is not located in the view of a scenic vista; therefore, *no impact* would occur.

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

The project site is located directly east of US 101, which is designated as an eligible scenic highway. Additionally, the project site is located approximately 1.7 miles southeast of SR 46, which is also designated as an eligible scenic highway (Caltrans 2018). The project site is currently undeveloped

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and does not support any rock outcroppings, trees, historic buildings, or other scenic resources that could be removed or otherwise damaged. Therefore, the project would not result in removal or damage of any scenic resources within the viewshed of a state scenic highway, and *no impacts* would occur.

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

The project parcel is located in an urbanized area in the unincorporated community of Templeton within the Salinas River sub area of the North County Planning Area. The project site is not located within an SRA or scenic vista. The 2.47-acre project parcel is within the CR land use and zoning designation and is subject to design standards outlined in the Templeton Community Design Plan and the County's Inland LUO. Implementation of the project would result in a 2,675-square-foot quick service restaurant with a drive-through, a 3,200-square-foot gas station with eight fuel dispensers and an attached convenience store, a 1,170-square-foot single car wash tunnel, and on- and off-site improvements.

Proposed buildings would be constructed in accordance with the height limitations for the CR zoning category, which allows buildings to be 25 feet in height with a 5-foot exception for architectural features. The convenience store would be 25-feet-tall and would include a 2-foot-tall architectural feature at the entrance for a total height of 27 feet; the quick-service restaurant would be 16-feet-tall and would include a 7-foot-tall architectural feature for a total building height of 23 feet; and the gas station would be 19-feet-tall. The proposed buildings would encompass approximately 11.5 percent of the project site and all development would meet the minimum setback standards for the CR zoning category and proposed uses.

The project includes a request to increase the total signage area from 237 square feet to 1,229 square feet in accordance with LUO Section 22.20.040.A.2. Signage would include free standing monument signs, directional signage, and wall signs. Proposed signage would be designed in accordance with the regulations of LUO 22.20.060, with the exception of the total signage area modification request. Signs would be illuminated by continuous, shielded light sources directed at the sign to avoid light pollution to surrounding areas.

The Templeton Community Plan encourages retaining existing oak trees and utilizing architectural harmony, signing, and landscaping to create a desired community theme of historic design. The project would be developed in accordance with the Templeton Community Design Guidelines Section V.E for non-residential development located outside of the downtown area, including setbacks, building location, site coverage, building design, parking design, site access, and landscaping design. The architectural style of the three proposed buildings and associated signage would be designed to be consistent with the design of the Templeton Community Design Guidelines and surrounding development. In addition, buildings would be painted with earth-tone colors. The project includes the addition of landscaped areas throughout the site, including a total of 56 trees throughout the parking areas, conceal utilities and trash enclosures, and architectural features meant to provide visual relief throughout the site. There are no oak trees on the project site.

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As evaluated above, upon approval of the signage modification request, the project would be consistent with the design guidelines and zoning requirements included in the County's LUO and the Templeton Community Design Plan; therefore, potential impacts would be *less than significant*.

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

The project site is located in an urbanized area within close proximity to previously developed land uses. Implementation of the project would result in establishment of a gas station convenience store that would operate between the hours of 5:00 a.m. and 11:00 p.m. and a car wash that would operate between the hours of 7:00 a.m. and 10:00 p.m., seven days a week. The gas station fuel pumps would be available for use 24/7 (self-service at the pump only). The hours of operation for the quick-service restaurant is not currently known. The project does not include the use of reflective building materials or other design features that could create a new source of glare within the project area. The project includes installation of new sources of outdoor lighting for illumination of the site. All outdoor lighting used would be subject to LUO Section 22.10.060 (Exterior Lighting), which requires all exterior lighting be designed to minimize intensity and to be shielded to block the light source from the view of surrounding uses. Additionally, outdoor lighting, including illumination of signage, would be installed in accordance with Templeton Community Design Plan Section V.F.1 to minimize light spillover to the residential land use to the north and other surrounding areas. Signs would be illuminated by continuous, shielded light sources directed at the sign to avoid light pollution to surrounding areas. However, until intervening development is constructed, lighting, including illuminated signage, from the convenience store and gas station may illuminate the adjacent residential development to the north. Based on adherence with the County's LUO and the Templeton Community Design Plan, and with implementation of Mitigation Measures AES-1 through AES-3, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area and impacts would be *less than significant with mitigation*.

Conclusion

The project is not located within a scenic vista and would not result in a substantial change to scenic resources within the viewshed of a state scenic highway. Upon approval of the MUP, the project would be consistent with existing policies and standards in the County LUO and the Templeton Community Design Plan related to project design, lighting, and the protection of scenic resources. Therefore, potential impacts related to aesthetic resources would be less than significant, and no mitigation measures would be necessary.

Mitigation

AES-1

Prior to issuance of construction permits for the gas station and convenience store, any signage provided on the north side (facing the adjacent residential development) of the gas station canopy or convenience store shall be non-illuminated.

In the event future development occurs on the northern parcel between this project and the existing residential uses (APN 040-372-018), the applicant may elect to illuminate the signage provided on the north side of the gas station canopy and/or convenience store. A revised exterior lighting plan (per AES-2) shall be submitted for review by the County Department of Planning and Building. In addition to the requirements of AES-2, the lighting plan shall demonstrate that no direct illumination of the adjacent residential properties occurs. At the discretion of the Director, additional landscaping may be used to provide light screening

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between the north side of the project site and the adjacent residential area to help prevent light trespass.

AES-2

At time of application for construction permits, an exterior lighting plan shall be submitted for review by the County Department of Planning and Building. The lighting plan shall be prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA) using guidance and best practices endorsed by the International Dark Sky Association. The plan shall include, at a minimum, the following:

1. The plan shall comply with the standards of LUO Section 22.10.060 (Exterior Lighting) and be designed so that all exterior lighting is designed to minimize the intensity and be shielded downward to block the light source.
2. The plan shall include lighting controls and dimming capabilities for both building-related lighting and pedestrian/parking-related lighting, based on the Illuminating Engineering Society, California Green Building Code, and California Energy Code minimums.
3. Motion sensors shall be utilized so that lighting is dimmed when an area is unoccupied during non-operational hours.
4. Lighting at the fuel canopy, in the parking areas, and along drive aisles shall be the minimum level necessary to provide appropriate visibility of pedestrians and vehicles.
5. All fixtures shall meet or exceed the standards of the California Green Building Code Maximum Allowable BUG Rating (Table 5.106.8 in the 2019 version).
6. Per Templeton Design Guidelines Standard V.F.1, illumination from light fixtures on residential zoned property shall not exceed 0.1 foot candles, or on business and commercial property shall not exceed 0.5 foot candles.
7. Per Templeton Design Guidelines Standard V.F.1, signs shall only use shielded light fixtures mounted on top of the sign structure and will not exceed 1 footcandle reflected at 10 feet.

AES-3

Prior to final inspection, the qualified engineer that prepared the lighting plan per Mitigation Measure AES-2 shall provide a compliance report to the County Department of Planning and Building. The report shall demonstrate that the lighting was installed per the lighting plan required by Mitigation Measure AES-2.

Sources

See Exhibit A.

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II. AGRICULTURE AND FORESTRY RESOURCES

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

Setting

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. According to the California Department of

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Conservation (DOC) Farmland Mapping and Monitoring Program, the project site is located on land designated as Farmland of Local Potential and Grazing Land (DOC 2016).

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

According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) *Soil Survey of San Luis Obispo County, California, Paso Robles area* and the NRCS Web Soil Survey, the project site is underlain by the following soil types (NRCS 2022):

- **(106) Arbuckle-San Ysidro complex, 2 to 9 percent slopes.** This well drained soil has a low runoff class and a depth to restrictive feature of more than 80 inches. The typical soil profile includes fine sandy loam, sandy clay loam, and stratified sandy loam to very gravelly sandy clay loam. This soil is considered Farmland of Statewide Importance by the NRCS.
- **(159) Lockwood-Concepcion complex, 2 to 9 percent slopes.** This well drained soil has a medium runoff class and a depth to restrictive feature of more than 80 inches. The typical soil profile consists of channery loam and channery clay loam. This soil is considered Farmland of Statewide Importance by the FMMP and is not underlain by soils classified as Prime Farmland, Unique Farmland, or as Farmland of Statewide Importance (DOC 2016). Therefore, implementation of the project would not result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use and *no impacts* would occur.

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

The project site is located on land designated as Farmland of Local Potential and Grazing Land and therefore would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and there would be *no impact*.

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

The project site is not located within the Agriculture (AG) land use or zoning designation and is not subject to a Williamson Act contract. Further, the project site does not currently support livestock grazing or other agricultural activities. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts* would occur.

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

The project site is within the CR land use and zoning designation and does not include land use designations or zoning for forest land or timberland. Therefore, the project would not conflict with or cause rezoning of forestland or land for timber production and *no impacts* would occur.

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

The project site is not zoned for forestland and is not considered forestland as defined by Public Resources Code section 12220(g). Therefore, project would not result in the loss of forest land or convert forest land to non-forest use and *no impacts* would occur.

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

The nearest agricultural land is located approximately 0.65 miles northwest and southeast of the project site and there is no designated forestland within the vicinity of the project. As evaluated above, implementation of the proposed project would not directly interfere with any existing agricultural, forestland, or timber production activities. The project would result in a water demand of 1,725 gpd, which is within the allotted water use for the project parcel and would be served by the TCSD. In addition, the project would not result in long-term dust or other emissions that could inadvertently damage crops within the project region. The project would not introduce incompatible land uses or result in other changes to the environment that could indirectly result in the conversion of farmland to non-agricultural use or forestland 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 related to agricultural and forestry resources would be less than significant, and no mitigation measures are necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

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 (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).

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The 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 San Luis Obispo County CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the CAP.

SLOAPCD Criteria Pollutant Thresholds

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project-specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result. This handbook includes established thresholds for both short-term construction emissions and long-term operational emissions.

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

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (referred to as stationary source emissions). General screening criteria are used by the SLOAPCD to determine the type and scope of air quality assessment required for a particular project (Table 1-1 in the SLOAPCD CEQA Air Quality Handbook). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the SLOAPCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within 10% of exceeding the screening criteria.

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

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, day care centers, nursing homes, hospitals, and residences. The nearest sensitive receptor locations are single-family residential dwellings located approximately 400 feet north and multi-family dwellings located approximately 400 feet southwest of the project site. Additionally, Twin Cities Community Hospital is located approximately 1,150 feet west of the project site.

Naturally Occurring Asbestos

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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 (SLOAPCD 2022).

Developmental Burning

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

An Air Quality Analysis was prepared by LSA Associates (LSA) for the project and includes potential impacts related to air quality and greenhouse gas emissions (LSA 2021; Attachment 1). Potential impacts were evaluated using California Emissions Estimator Model (CalEEMod 2020.4.0). Additionally, a Health Risk Assessment (HRA) was prepared by LSA to evaluate potential impacts related to toxic air contaminants (TACs) from the proposed gas station to people living and/or working near the proposed project (LSA 2022; Attachment 2). The HRA was conducted using the fuel throughput and toxic emission methodology defined by California Air Pollution Control Officers Association (CAPCOA). The U.S. EPA Air Dispersion Model (AERMOD) was used to determine the movements of TACs following release and CARB's Hot Spots Analysis and Reporting Program (HARP) model was used to determine individual health risks to project-specific sensitive receptors locations. The following evaluation is based, in part, on findings of the Air Quality Analysis and the HRA.

Discussion

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

In order to be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the CAP (SLOAPCD 2012). Adopted land use planning strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing. The proposed project would include the development of a quick service restaurant with a drive-through, a gas station with eight pump stations, convenience store, and drive-through carwash. The project has the potential to generate limited short- and long-term employment opportunities; however, the project would not include new residences or other infrastructure that could result in substantial population growth within the county. Based on the Traffic and Circulation Study, implementation of the project would result in a total of 2,649 trips to the site and 1,719 pass-by trips (Associated Transportation Engineers [ATE] 2021). Since the project would provide new local-serving retail uses near existing urban land uses, VMT associated with the project would be redirected and would not be considered new. Additionally, the project has the potential to result in an overall reduction in regional VMT through the implementation of a new gas station, quick-service restaurant, and drive-through car wash in an area that currently lacks these uses. Additionally, based on the proposed implementation of retail uses near existing residential, commercial, and office land uses, the project would be consistent with mixed-land use planning

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strategies. As discussed in detail in Impact (b), below, construction and operation of the project would not result in an increase in criteria air pollutants above SLOAPCD significance thresholds. The project would be consistent with the land use planning and transportation control measures and strategies outlined in the CAP; therefore, impacts would be *less than significant*.

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

The SCCAB is currently designated as non-attainment for ozone and PM₁₀ under state ambient air quality standards. Project construction would result in a short-term increase in particulate matter emissions (i.e., fugitive dust) generated by site preparation as well as CO, NO_x, ROG, directly emitted PM_{2.5} or PM₁₀, and DPM from vehicle and equipment use (LSA 2021).

Construction activities associated with the project would result in approximately 2.57 acres (111,949 square feet) of ground disturbance, including approximately 11,053 cubic yards of cut and 15,075 cubic yards of fill. Project air pollutant emissions are included in the Air Quality Analysis prepared for the project and were estimated using the California Emissions Estimator Model (CalEEMod 2020.4.0). Based on estimated construction phase length, grading volumes, and other factors, estimated construction-related emissions that would result from the project were calculated and compared to applicable SLOAPCD thresholds in Table 1.

Table 1. Proposed Project Estimated Construction Emissions

Pollutant	Project Construction Emissions (lbs/day)	SLOAPCD Significance Threshold (lbs/day) ¹	Project Construction Emissions (tons/quarter)	SLOAPCD Significance Threshold (tons/quarter) ¹	Threshold Exceeded?
ROG + NO _x (combined)	46.4	137	0.3	2.5	No
Diesel Particulate Matter (DPM)	0.5	7	<0.1	0.13 ³	No
Fugitive Dust ² (PM10)	--	--	<0.1	2.5	No

Source: LSA 2021

¹ Daily and quarterly emission thresholds are based on the California Health & Safety Code and the CARB Carl Moyer Guidelines.

² Per SLO County APCD, any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM₁₀ quarterly threshold.

³ Quarterly Tier 1 thresholds.

As shown in Table 1, the project would not exceed daily or quarterly SLOAPCD thresholds for construction-related emissions. Therefore, the project would not result in a cumulatively considerable net increase in identified criteria pollutants, and construction-related impacts would be *less than significant*.

Long-term air pollutant emission impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment), related to the proposed project. Operational air pollutant emissions are included in the Air Quality Analysis prepared for the project and were estimated using the California Emissions Estimator Model (CalEEMod 2020.4.0). Based on proposed operational components of the project, including vehicle trips, energy-source emissions, and area source emissions, estimated operational emissions that would result from the project were calculated and compared to applicable SLOAPCD thresholds in Table 2.

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Table 2. Proposed Project Estimated Operational Emissions

Pollutant	Project Construction Emissions (lbs/day)	SLOAPCD Significance Threshold (lbs/day) ¹	Project Construction Emissions (tons/quarter)	SLOAPCD Significance Threshold (tons/quarter) ¹	Threshold Exceeded?
ROG + NO _x (combined)	10.3	25	1.8	25	No
Diesel Particulate Matter (DPM)	<0.1	1.25 ²	--	--	No
Fugitive Dust ² (PM10)	2.6	25	0.5	25	No

Source: LSA 2021

¹ Daily and quarterly emission thresholds are based on the California Health & 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 2, the project would not exceed daily or quarterly SLOAPCD thresholds for operational emissions. Therefore, the project would not result in a long-term cumulatively considerable net increase in identified criteria pollutants, and operational impacts would be *less than significant*.

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

According to the SLOAPCD *CEQA Air Quality Handbook*, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions (SLOAPCD 2012). Surrounding sensitive receptors within 1,000 feet of the project include single-family residential dwellings located approximately 400 feet north and multi-family residential dwellings located 400 feet southwest of the project site. As evaluated above, the project would not result in construction-related or operational criteria air pollutant emissions above established SLOAPCD thresholds; however, due to the proximity of sensitive receptors, Mitigation Measures AQ-1 and AQ-2 have been included to ensure compliance with diesel idling and dust-reduction requirements to reduce exposure of emissions to sensitive receptors.

According to the HRA prepared for the project, the proposed gas station would result in significant impacts to nearby sensitive receptor locations if operational TACs were to exceed established SLOAPCD thresholds for cancer risk. Estimated TACs that would result from the project were calculated and compared to applicable SLOAPCD thresholds in Table 3.

Table 3. Health Risks from project Operation of Off-Site Sensitive Receptors

Location	Carcinogenic Inhalation Health Risk in 1 Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Sensitive Receptor Risk	0.12	0.0004	0.06
SLOAPCD Thresholds	10.0	1.0	1.0
Significant?	No	No	No

Source: LSA 2022

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As shown in Table 3, the project would have a maximum cancer risk of 0.12 in one million, which would not exceed established SLOAPCD thresholds. Additionally, the chronic inhalation hazard and acute inhalation hazard index would fall below the SLOAPCD threshold of 1.0 (LSA 2022). Based on the findings of the HRA, implementation of the proposed project would not result in TACs emissions that could increase health risks to nearby sensitive receptor locations.

Based on the analysis provided above, with implementation of Mitigation Measures AQ-1 and AQ-2, the project would not expose sensitive receptors to substantial pollutant concentrations or TACs; therefore, impacts would be *less than significant with mitigation*.

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

Typically, construction activities have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Any odors generated by construction activities would be intermittent and temporary, and generally would not extend beyond the construction area. Operation of the project has the potential to emit odors; however, operational odors would be limited to the immediate area and would not result in odor emissions that could adversely affect a substantial number of people. Therefore, odors generated by the project would be short-term, intermittent, and generally undetectable. Additionally, the project would not expose people to other emissions, such as naturally occurring asbestos (NOA), because the project site is not located in an area with the potential for NOA to occur (SLOAPCD 2022). Additionally, the project does not require the demolition of any structures that may contain asbestos containing material (ACM) or lead-based paint. As evaluated in *impact (c)*, the proposed gas station would not emit TACs that could increase health risks to nearby sensitive receptor locations. Construction-related odors would be temporary, intermittent, and undetectable and the project would not expose people to other emissions, including NOA or TACs; therefore, potential impacts would be *less than significant*.

Conclusion

The project would be consistent with SLOAPCD's CAP. Construction and operation of the project would not result in an increase in criteria air pollutants above SLOAPCD significance thresholds, generate adverse odors, or result in release of NOA. With incorporation of Mitigation Measures AQ-1 and AQ-2, the project would not expose sensitive receptors to substantial pollutant concentrations. With implementation of the identified mitigation measure, impacts related to air quality would be less than significant.

Mitigation

AQ-1

Diesel Idling Restrictions for Construction Phases

The APCD recognizes the public health risk reductions that can be realized by idle limitations for both on- and off-road equipment. The following idle restricting measures are required for the construction phase of projects. **Upon application for construction and/or encroachment permits**, all required measures shall be shown on applicable grading or construction plans and made applicable during grading and construction activities, as described below.

a. Idling Restrictions Near Sensitive Receptors for Both On- and off-Road Equipment

1. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
2. Diesel idling within 1,000 feet of sensitive receptors is not permitted;

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3. Use of alternative fueled equipment is recommended whenever possible; and,
4. Signs that specify the no idling requirements must be posted and enforced at the construction site.

b. Idling Restrictions for On-road Vehicles

Section 2485 of Title 13, the California Code of Regulations 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:

1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 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 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following web site: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

c. Idling Restrictions for Off-Road Equipment

Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use off-Road Diesel regulation: 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 5-minute idling limit.

AQ-2

Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. Projects with grading areas more than 4 acres and/or within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance (APCD Rule 402) impacts. **Upon application for construction and/or encroachment permits**, all required PM₁₀ measures shall be shown on applicable grading or construction plans and made applicable during grading and construction activities, as described below.

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks 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 shall be implemented. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water shall be used whenever possible;

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- c. All dirt stock pile areas shall be sprayed daily or covered with tarps or other dust barriers, as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil-disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation shall 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;
- g. All roadways, driveways, sidewalks, etc. to be paved shall 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;
- h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials shall be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- j. Installation of wheel washers or other devices to control tracking of mud and dirt onto adjacent roadways where vehicles enter and exit unpaved roads onto streets shall be implemented, or trucks and equipment shall be washed prior to leaving the site;
- k. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. 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 the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period, and to prevent 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 Engineering & Compliance Division prior to the start of any grading, earthwork, or demolition.

Sources

See Exhibit A.

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IV. BIOLOGICAL RESOURCES

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

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Setting

Federal and State Endangered Species Acts

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

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies. On April 11, 2018, the USFWS issued guidance on the M-Opinion affecting MBTA implementation. The M-Opinion concludes that the take of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds. The USFWS interprets the M-Opinion to mean the MBTA prohibitions on take apply when the purpose of the action is to take migratory birds, their eggs, or their nests. The USFWS coordinates with other agencies on migratory bird conservation, including CDFW.

California Fish and Game Code

California Fish and Game Code Section 3511 includes provisions to protect Fully Protected species, such as: (1) prohibiting take or possession “at any time” of the species listed in the statute, with few exceptions; (2) stating that “no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to “take” the species; and (3) stating that no previously issued permits or licenses for take of the species “shall have any force or effect” for authorizing take or possession. The CDFW is unable to authorize incidental take of “fully protected” species when activities are proposed in areas inhabited by those species. Sections 3503 and 3503.5 of the Fish and Game Code state that it is unlawful to take, possess, or destroy the nest or eggs of any bird, with occasional exceptions. In addition, Section 3513 states that it is unlawful to take or possess any migratory bird as designated in the MBTA or any part of such migratory birds except as provided by rules and regulations under provisions of the MBTA.

Clean Water Act and State Porter Cologne Water Quality Control Act

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria. USACE jurisdiction regulates almost all work in, over, and under waters listed as “navigable waters of the U.S.” that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under the Clean Water Act and the 2015 Clean Water Rule, USACE regulates activities in waters that are jurisdictional by rule in all cases; jurisdictional by rule, as defined; and waters requiring a case-specific evaluation. Traditional navigable waters (TNW), interstate waters, the

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territorial seas, and impoundments of these waters are jurisdictional by rule. Tributaries and adjacent waters are jurisdictional by rule, if they meet certain definitions as defined in the 2015 Clean Water Rule. Waters such as vernal pools, coastal prairie wetlands, prairie potholes, waters that are within the 100-year flood plain of a TNW, and waters within 400 feet of the high tide line require a case specific evaluation to determine jurisdictional status.

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit or fall under other federal jurisdiction and have the potential to impact waters of the State.

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

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

Sensitive Resource Area Designations

The County's LUO SRA combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection. The project site is not located in an SRA combining designation.

Biological Resources Assessment

A Biological Resources Assessment (BRA) was prepared by Terra Verde Environmental Consulting, LLC (Terra Verde) to determine the project's potential impacts related to biological resources (Terra Verde 2020; Attachment 3). The BRA includes the results of background review and focused field surveys of the project site and immediately surrounding area (project area). Background review consisted of a review of the California Natural Diversity Database (CNDDDB), the California Native Plant Society (CNPS) Electronic Inventory of Rare and Endangered Plants of California, and other applicable databased and studies to determine the potential for special-status plant and wildlife species to occur within the project area. Focused waters and wetlands assessment surveys took place on March 16, 2018, March 22, 2018, and April 27, 2018; focused plant surveys took place on April 27, 2018 and May 15, 2018; and focused habitat assessment and wildlife surveys took place on April 27, 2018 and May 9, 2018.

Site Description

According to the BRA, the project area primarily consists of wild oats and annual brome grassland habitat with areas of ruderal habitat (i.e., roadsides and other disturbed areas). Dominant species of the wild oats and annual brome grassland habitat include soft chess (*Bromus hordeaceus*), rye grass (*Festuca perennis*), yellow star-thistle (*Centaurea solstitialis*), slender wild oat (*Avena barbata*), and common fiddleneck (*Amsinckia Intermedia*). The project area is currently subject to frequent mowing and other disturbance. The project area also supports two ephemeral drainage features, one of which flows through the western portion of the project site. The bed and banks of the drainage features support wild oats and annual brome

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grassland habitat; no riparian habitat was identified within the project area. Overall, the project area is entirely surrounded by public roads and urban development, with no direct connectivity to other areas of natural habitat and is characterized as highly disturbed and subject to frequent disturbance, such as mowing (Terra Verde 2020).

Based on desktop-level background review, the potential for two sensitive natural communities, 60 special-status plant species, and 39 special-status wildlife species have been previously documented within the project region. However, based on site-specific conditions such as soil types, disturbance frequency, habitats, etc., the BRA identifies the potential for six special-status plant species, four special-status wildlife species, and no sensitive natural communities to occur within the project area. The six special-status plant species and four special-status wildlife species are further described, below.

Special-Status Plant Species

- **Cambria morning-glory (*Calystegia subacaulis* ssp. *episcopalis*)** – This species is a California Rare Plant Rank (CRPR) 4.2 and typically occurs in clay soils within grassland, chaparral, and woodland habitats. This species has been known to tolerate disturbance. The nearest recorded occurrence of this species is approximately 6.5 miles south of the project area. This species was not observed within the project area during focused plant surveys.
- **San Luis Obispo owl's-clover (*Castilleja densiflora* ssp. *obispoensis*)** – This species is a CRPR 1B.2 and typically occurs in coastal grassland habitats and is somewhat tolerant to disturbance. The nearest recorded occurrences are approximately 8 and 10 miles northeast and southeast of the project area. This species was not observed within the project area during focused plant surveys.
- **paniculate tarplant (*Deinandra paniculata*)** – This species is a CRPR 4.2 and typically occurs in sandy soils within grassland, open chaparral, and woodland habitats. This species is known to tolerate some disturbance. The nearest recorded occurrence of this species is more than 10 miles south of the project area. This species was not observed within the project area during focused plant surveys.
- **Santa Lucia dwarf rush (*Juncus luciensis*)** – This species is a CRPR 1B.2 and typically occurs in a variety of seasonally and perennially wet habitats, including seeps, meadows, vernal pools, along streams, and in roadside ditches. The nearest recorded occurrence is approximately 5.3 miles northeast of the project area. This species was not observed within the project area during focused plant surveys.
- **spreading navarretia (*Navarretia fossalis*)** – This species is a CRPR 1B.1 and typically occurs in roadside ditch and vernal pool habitats. The nearest recorded occurrence is approximately 10 miles east of the project area. This species was not observed within the project area during focused plant surveys.
- **shining navarretia (*Navarretia nigelliformis* ssp. *radians*)** – This species is a CRR 1B.2 and typically occurs in vernal pools and clay depressions. The nearest recorded occurrence is approximately 2.1 miles east of the project area. This species was not observed within the project area during focused plant surveys.

Special-Status Wildlife Species

- **American badger (*Taxidea taxus*)** – This species typically occurs in open, arid habitats, including grasslands, meadows, savannahs, desert scrub, and chaparral. The nearest documented occurrence of this species was recorded in 2003, approximately 1.5 miles northeast of the project area. This

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species nor evidence of this species was observed during focused wildlife surveys. An adequate prey base (e.g., pocket gophers and squirrels) for this species is present within the project area; however, due to the highly disturbed characteristics of the project site and lack of connectivity to natural areas and/or open grassland areas, American badger is not expected to occur on site.

- **Crotch bumble bee (*Bombus chrotchii*)** – This species typically occurs in open grassland and scrub habitats in soft, disturbed soils and/or under leaf litter and debris. Colonies are usually underground in abandoned holes made by ground squirrels, mice, and rats, or occasionally abandoned bird nests. However, bumble bees may also nest above ground in tufts of grass or cavities in downed wood, rock walls, or brush piles. The nearest documented occurrence of this species was recorded in 1959 and is approximately 5.25 miles south of the project area. There are two additional occurrences of this species within a 13-mile radius of the project area, recorded in 1965 and 1968. The project area supports plant families commonly associated with this species as well as marginally suitable nesting habitat (e.g., small mammal burrows and brush piles); however, this species is not anticipated to occur onsite due to frequent ground disturbance (i.e., mowing).
- **grasshopper sparrow (*Ammodramus savannarum*)** – This species typically occurs in open grasslands with scattered trees and patches of bare ground. The nearest documented occurrence is approximately 12 miles southeast of the project area. There is moderate potential for this species to occur within the project area due to the presence of nesting and foraging habitat.
- **sharp-shinned hawk (*Accipiter striatus*)** – This species is a State Watch List species and typically occurs in aspen, pine, and fir forests. This species is attracted to urban and agricultural areas for foraging. This species was observed foraging near the project area; however, there is no suitable nesting habitat present within the project area.

Waters and Wetlands

As previously identified, the project area supports two ephemeral drainage features, one of which flows through the western portion of the project site. The drainages convey seasonal flows in above-average rainfall years. According to the BRA, neither drainage would be considered waters of the U.S. under the jurisdiction of the Army Corps of Engineers (USACE) based on a lack of ordinary high-water mark (OHWM) mark. Further, according to the new Navigable Water Protection Rule, ephemeral drainages as described in the Federal Register Volume 84 No. 77, dated April 21, 2020, are not considered tributaries to traditionally navigable waters. However, impacts to the drainages would require appropriate permits from the CDFW and the Regional Water Quality Control Board (RWQCB).

Discussion

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

As described above, the BRA identified the potential for six special-status plant species and four special-status wildlife species to occur within the project area. During field surveys, sharp-shinned hawk individuals were observed foraging near the project site; however, no other special-status plant or animal species were observed within the project area (Terra Verde 2020). Based on habitat conditions of the project site observed during field surveys, there is potential for sharp-shinned hawk and some potential for grasshopper sparrow and other nesting migratory birds to inhabit the project site. However, based on frequent site disturbance and lack of connectivity to natural areas

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other identified special-status plant and wildlife species are not anticipated to occur onsite. Potential impacts to special-status species are described in further detail, below.

Special-Status Plants

The project includes ground-disturbance activities for site improvements and construction of the proposed project. Proposed ground-disturbance activities have the potential to result in direct removal of special-status plant species if present within the project site during construction. As described above, the project area does not support any special-status plant species that could be directly or indirectly disturbed by implementation of the proposed project (Terra Verde 2020). In addition, the project area is currently subject to frequent mowing and other disturbance, which further reduces the potential for any special-status plant species to occur. Mitigation Measure BIO-1 would further reduce potential impacts to special-status plant species by requiring environmental awareness training for construction personnel, which details special-status species and other biological resources that could occur onsite and associated protection measures. Since there are no special-status plant species located on or near the project site, implementation of the project would not result in take or other disturbance of any special-status plant species. Therefore, potential impacts related to special-status plant species would be *less than significant with mitigation*.

Special-Status Wildlife

Proposed construction activities have the potential to result in direct and/or indirect disturbance to special-status wildlife species if present at the project site at the time of project construction. Potential disturbance may occur through direct take; habitat modification; and/or increased noise, dust, or light pollution. As described above, the project site does not support American badger or Crotch bumble bee. Further, these species are not anticipated to occur within the project area due to frequent disturbance and lack of connectivity to natural, open areas (Terra Verde 2020). Mitigation Measure BIO-1 would further reduce potential impacts to these species through required environmental awareness training for construction personnel, which details special-status species and other biological resources that could occur onsite and associated protection measures.

There is some potential for grasshopper sparrow and other migratory bird species to inhabit the project site at some point(s) during construction of the proposed project. In addition, sharp-shinned hawk individuals were observed foraging near the project area (Terra Verde 2020). If present during proposed construction activities, associated noise, dust, or light pollution may result in disturbance to nesting migratory bird species. Mitigation Measure BIO-2 has been included to require nesting bird surveys prior to project construction and implementation of avoidance measures as necessary to avoid and/or minimize potential impacts related to migratory birds. Therefore, with implementation of Mitigation Measures BIO-1 and BIO-2, the project is not anticipated to result in disturbance to special-status wildlife or migratory birds and potential impacts related to special-status wildlife species would be *less than significant with mitigation*.

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

The project site does not contain riparian habitat or other sensitive natural communities (Terra Verde 2020). The project site is primarily dominated by wild oats and annual brome grassland habitat with areas of ruderal or otherwise disturbed habitats. Because there are no sensitive natural communities onsite, the project would not have a substantial adverse effect on any riparian habitat

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or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or USFWS; therefore, *no impacts* would occur.

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

There are two unnamed, ephemeral drainages within the project area, one of which flows through the western portion of the project site. The drainages convey seasonal flows in above-average rainfall years. According to the BRA, the drainages would not be considered waters of the U.S. under the jurisdiction of USACE due to the ephemeral nature of the drainages and the lack of OHWM marks (Terra Verde 2020). The project requires a portion of the onsite drainage to be channelized and placed in a culvert, which would result in permanent and temporary impacts to the drainage. The proposed culvert has been designed as a 36-inch-wide trench drain with an 18-inch perforated pipe. As a result, it is anticipated that permits would need to be obtained from CDFW and RWQCB, as well as an Approved Jurisdictional Determination from USACE verifying absence of USACE jurisdiction. In addition, erosion, sedimentation, and/or accidental release of hazardous materials from construction (e.g., fuel) may result in indirect impacts to these drainage features. Mitigation Measures BIO-3 and BIO-4 have been included to protect the onsite drainage and the additional off-site drainage located on the northern parcel through implementation of erosion and sediment control measures and construction equipment storage and use requirements. Further, implementation of Mitigation Measure BIO-1 would ensure construction personnel are made aware of these avoidance and minimization measures. With implementation of the identified mitigation measures, the project would not result in adverse impacts to the on- or off-site drainages and impacts would be *less than significant with mitigation*.

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

The project site is located within an urban area and is immediately surrounded by Bennett Way to the west, Duncan Road to the east, and Las Tablas Road to the south. Additionally, single-family residential dwellings are located approximately 400 feet north and US 101 is located approximately 260 feet east. Due to the surrounding developed areas, the project site does not support connectivity to any natural areas (Terra Verde 2020). Additionally, artificial structures have been previously installed within the drainages located within the project site, which reduces the potential for migratory fish or amphibian species to utilize the drainages for seasonal reproduction or as a migration corridor (Terre Verde 2020). Therefore, implementation of the proposed culvert would not introduce a new barrier to migration or substantially decrease the existing habitat connectivity potential of the culvert. Since the project site does not support habitat connectivity, implementation of the proposed project would not interfere with the movement of any migratory wildlife species or impede a wildlife corridor; therefore, potential impacts would be *less than significant*.

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

The County's Inland LUO Chapter 22.58 establishes regulations for clear-cutting oak woodlands. The project does not include clear-cutting of any oak woodlands and would not be subject to regulations included in LUO Section 22.58. The project includes planting of 56 trees for landscaping, which

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would increase the total number of trees onsite. Therefore, the project would not interfere with the County's LUO and *no impacts* would occur.

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

The project does not overlap with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plans. Therefore, the project would not conflict with any approved local, regional, or state habitat conservation plans, and *no impacts* would occur.

Conclusion

Mitigation Measures BIO-1 through BIO-4 have been included to avoid and/or minimize potential impacts related to special-status plant and wildlife species and the on- and off-site drainages to a less-than-significant level. Therefore, with implementation of the identified mitigation measures, potential impacts related to biological resources would be less than significant.

Mitigation

BIO-1

An environmental awareness training shall be presented to all construction 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 with potential, to occur on site, as well as other sensitive resources requiring avoidance near the project site. The training shall also include a description of protection measures required by discretionary permits, an overview of the Federal and State Endangered Species Acts, and implications of noncompliance with these regulations. This shall include an overview of the required avoidance, minimization, and mitigation 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 environmental awareness trainees shall be kept and provided to the County within one-week after the training. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel and anyone else who may enter the project site.

If new construction personnel join the project after the initial training period, they shall receive the environmental awareness training from the qualified biologist before beginning work. Visitors to the proposed project site, such as company executives, administrative staff, or other guests, are not required to receive the environmental awareness training as their time in the project area will be of short duration. Visitors may be unaccompanied on the proposed project site if they elect to receive the training, but otherwise must be escorted by someone who is trained.

BIO-2

If work is planned to occur between February 1 and August 31, a qualified biologist shall survey the area for nesting birds **within one week prior to activity beginning on site**. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A non-disturbance buffer of 50 feet will be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If other special-status avian species are identified and nesting within the work area, no work

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shall begin until an appropriate buffer is determined in consultation with CDFW, and/or the USFWS.

If work is proposed within the buffer, a qualified biologist shall prepare a nest monitoring plan to be approved by the County prior to start of work. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas. The qualified biologist shall document any active nests and submit a letter report to the County Department of Planning and Building documenting compliance with this measure, within **30-days of survey completion**.

BIO-3

The following measures are required to protect hydrologic resources on site:

- Construction activity within 100 feet of drainages shall occur only when conditions are dry.
- To prevent erosion and sedimentation into drainages and wetlands during construction, an erosion and sedimentation control plan shall be developed and implemented. It shall outline Best Management Practices for short term, temporary stabilization. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) rolls, jute or coir netting, and/or other industry standards. Erosion control devices shall be installed and maintained for the duration of the project. The erosion and sedimentation control plan shall be provided for review and approval to the County Department of Public Works prior to issuance of construction or grading permits.
- Prior to any site grading or disturbance, all applicable permits and/or authorizations to proceed from regulatory agencies with jurisdiction over the project area (i.e., Corps, CDFW, RWQCB, and USFWS) should be obtained, as necessary. Additional measures may be required by these agencies and shall be implemented as necessary throughout the project.

BIO-4

The following general measures are required to minimize impacts to sensitive resources during active construction:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing. No work shall occur outside these limits.
- Staging of equipment and materials shall occur in designated areas with appropriate demarcation and perimeter controls. No staging areas shall be located within 100 feet of drainages. Staging areas shall be shown on all construction and grading plans prior to permit issuance.
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated areas. These activities will occur a

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minimum of 100 feet from drainages. Sandbags and/or absorbent pads and spill control kits shall always be available on site to clean up any spilled fuel, as needed.

- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
- Plastic monofilament netting (erosion control matting) or similar material shall not be used on site due to the potential to entangle special-status wildlife. Acceptable substitutes include coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds.

Sources

See Exhibit A.

V. CULTURAL RESOURCES

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

Setting

The project is located in an area historically occupied by two Native American tribes, the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokaan-speaking Playanos Salinan, is currently the subject of debate, as those boundaries may have changed over time.

San Luis Obispo county possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American habitation, Spanish missionaries, immigrant settlers, and military branches of the United States.

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).

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2. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant. The architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence.

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

A Cultural and Paleontological Resources Assessment was prepared Cogstone Resource Management (CRM) for the proposed project to identify potential impacts related to cultural resources (CRM 2020)).

Discussion

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

The project site is currently vacant and there are no identified historic buildings or structures within or adjacent to the project site. As such, the project does not require demolition or removal of any on-site structures that could be eligible for listing in the CRHR. Additionally, the project does not include the use of high-impact construction activities (i.e., pile driving) that could directly or indirectly damage or result in adverse change to a historical building or structure. Therefore, *no impacts* would occur.

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

Construction activities associated with the project would result in approximately 2.57 acres (111,949 square feet) of ground disturbance, including approximately 11,053 cubic yards of cut and 15,075 cubic yards of fill. Based on the results of the Cultural and Paleontological Resources Assessment Report prepared for the project, there are no known cultural archaeological resources within or adjacent to the project site; therefore, proposed ground disturbance would not result in disturbance to any known cultural resource sites (CRM 2020). In addition, the project would be required to comply with LUO Section 22.10.040 for the protection of unknown cultural resources as a result of inadvertent discovery. Per LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. Based on required compliance with the County's LUO, the project is not anticipated to result in adverse impacts to known or unknown cultural archaeological resources and impacts would be *less than significant*.

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

There is potential to uncover previously unidentified human remains during proposed ground disturbance activities. The project would be required to comply with California Health and Safety Code (HSC) Section 7050.5 and LUO Section 22.10.040, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the Native American Heritage Council

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(NAHC). Based on the required compliance with HSC Section 7050.5 and LUO Section 22.10.040, implementation of the proposed project is not anticipated to disturb human remains; therefore, potential impacts would be *less than significant*.

Conclusion

The project does not require demolition or removal of any on-site structures that could be eligible for listing in the CRHR. Based on required compliance with the County’s LUO and the California HSC, impacts related to cultural resources would be considered less than significant, and no mitigation would be required.

Mitigation

Mitigation is not necessary.

Sources

See Exhibit A.

VI. ENERGY

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

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. PG&E utilizes clean energy sources, including 31% renewable energy sources and 69% greenhouse-gas free energy sources (PG&E 2020).

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

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The Southern California Gas Company (SoCalGas) is the primary provider of natural gas for urban and rural communities within San Luis Obispo County. SoCalGas has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra 2019).

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 most recent version of which are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements.

Vehicle Fuel Economy Standards

In October 2012, the U.S. Environmental Protection Agency (USEPA) and the National Highway Traffic Safety Administration (NHTSA), on behalf of the U.S. Department of Transportation (USDOT), issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light-duty vehicles for model years 2017 and beyond. NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of carbon dioxide (CO₂) per mile for the fleet of cars and light-duty trucks by the model year 2025.

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

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

In January 2012, the CARB approved the Advanced Clean Cars Program, which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires a battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to

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15% of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34% fewer global warming gases and 75% fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2022).

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of NO_x and particulate matter from off-road diesel vehicles operating within California through the implementation of standards including, but not limited to, limits on idling, reporting and labeling of off-road vehicles, limitations on use of old engines, and performance requirements.

Local Energy Plans and Policies

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

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

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100). The project is not located within the Renewable Energy Area combining designation.

Discussion

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

During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The project would be required to comply with state and local diesel idling restrictions, including limiting idling to 5 minutes or less; therefore, energy consumed during construction would be temporary and would not represent a significant or wasteful demand on

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available resources. Although not necessary to reduce energy use during construction, Mitigation Measure AQ-1 included in Section III, *Air Quality*, has been included to ensure compliance with diesel-idling restrictions which would further avoid unnecessary, wasteful, and inefficient energy consumption during construction.

The project would use electricity from PG&E, which utilizes clean energy sources, including 31% renewable energy sources and 69% greenhouse-gas free energy sources, and would reduce the project's operational use of non-renewable energy resources (PG&E 2020). Additionally, natural gas would be provided by SoCalGas, which has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra 2019). Proposed building design would be required to adhere to Title 24 of the California Energy Code and CBC energy efficiency building standards to further reduce operational energy use through implementation of green building and energy efficient building design. Based on required compliance with the California Energy Code and the CBC, operation of the project is not anticipated to result in environmental impacts due to wasteful or otherwise inefficient use of energy during operation. Therefore, the project would not result in unnecessary, wasteful, or inefficient energy use during project construction or operation, and impacts would be *less than significant*.

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

As previously evaluated, proposed construction activities would require the use of energy in the form of diesel fuel and gasoline for worker and construction vehicles and equipment. During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources, which would be consistent with applicable renewable energy plans. In order to be compliant with the County's COSE and EWP, the project would be required to reduce GHG emissions where feasible in energy consumption. The project would source energy from PG&E, which sources energy from clean energy sources, including 31% renewable energy sources and 69% greenhouse-gas free energy sources (PG&E 2020). By utilizing PG&E for electricity, 100% of the project's electricity demand would be sourced from GHG-free energy sources, which is consistent with the County's COSE and EWP. The project would be required to comply with CBC 2019 Building Energy Efficiency Standards and 2019 Green Building Code to ensure compliance with energy efficient building design to reduce operational energy use.

Additionally, the County Land Use Ordinance includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources, and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities ("SEFs"). The Land Use Ordinance establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (Section 22.14.100). The project is located within a Renewable Energy combining designation. The project is required to meet the mandatory measures laid out in the 2020 California Green Building Standards Code (CCR Title 24, Parts 6 and 11). The project does not propose a solar electric facility.

Therefore, the project would be compliant with applicable energy efficiency plans and impacts would be *less than significant*.

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Conclusion

The project would primarily be provided energy from GHG-free sources and would be subject to green building and CBC standards for energy efficiency. The project would not result in excessive energy use during construction or operation. Therefore, impacts would be less than significant, and no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

VII. GEOLOGY AND SOILS

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

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

Setting

The Alquist-Priolo Earthquake Fault Zoning Act (Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The Safety Element of the County of San Luis Obispo General Plan identifies three active faults that traverse through the County and that are currently zoned under the State of California Alquist-Priolo Fault Zoning Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near the pier at San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills. The Los Osos Fault zone is located approximately 18 miles southwest and the San Andreas Fault is located approximately 20 miles east of the project site (DOC 2015). The County's Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the county. The nearest fault is an unnamed quaternary fault associated with the Rinconada fault zone, approximately 3 miles northeast of the project site (DOC 2015).

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

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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.

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. The project site is not located within the LUO Geologic Study Area (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. According to the County's General Plan Safety Element Maps, the project site is located in an area with low landslide 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. Typically, soils that are comprised of clay or clay materials are considered expansive soils. The project site is underlain by Arbuckle-San Ysidro complex, 2 to 9 percent slopes; Lockwood-Concepcion complex, 2 to 9 percent slopes; and Lockwood-Concepcion complex, 9 to 15 percent slopes. These soils contain clay components and would be considered to have some potential for expansion.

The County Local Agency Management Program (LAMP) develops minimum standards for the treatment and disposal of sewage through onsite wastewater treatment systems. The LAMP is the culmination of the actions required by Assembly Bill 885 and the State Water Resources Control Board to develop regulations and standards for onsite wastewater treatment systems. The County of San Luis Obispo LAMP is designed to protect surface water and groundwater from contamination while providing flexibility in design criteria in consideration of local conditions. LAMP standards also include requirements for minimum subdivision parcel size for parcels served by septic systems (County of San Luis Obispo 2020).

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

A Cultural and Paleontological Resources Assessment was prepared Cogstone Resource Management (CRM) for the proposed project to identify potential impacts related to paleontological resources (CRM 2020).

Discussion

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

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

The nearest Alquist-Priolo fault zones are the Los Osos Fault zone is located approximately 18 miles southwest and the San Andreas Fault is located approximately 20 miles east of the project site (DOC

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2015). Since the project site is not underlain by or located in close proximity to an Alquist-Priolo fault zone, implementation of the project would not result in risk of loss, injury, or death associated with rupture of a known Alquist-Priolo fault, and *no impact* would occur.

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

The Central Coast is a seismically active region and there is always potential for seismic ground shaking to occur. The nearest fault is an unnamed quaternary fault associated with the Rinconada fault zone, approximately 3 miles northeast of the project site (DOC 2015). Proposed buildings would be required to be constructed in accordance with seismic design standards included in Section 1613 of the 2019 CBC and other engineering standards to adequately withstand earthquake loads and associated risk, including seismic ground shaking. Adherence to the 2019 CBC and other applicable engineering standards would ensure that new development would not result in the risk of loss, injury, or death associated with seismic ground shaking; therefore, impacts would be *less than significant*.

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

According to the County's General Plan Safety Element Maps, the proposed project site is located in an area with low potential for liquefaction. In addition, proposed buildings would be required to comply with seismic design standards included in Section 1613 of the 2019 CBC and other engineering standards to adequately withstand earthquake loads and associated risk, including liquefaction. Adherence to the 2019 CBC and other applicable engineering standards would ensure that new development would not result in the risk of loss, injury, or death associated with liquefaction; therefore, impacts would be *less than significant*.

(a-iv) *Landslides?*

According to the County's General Plan Safety Element Maps, the proposed project site is located in an area with low potential for landslides. The project is located on relatively flat to gently sloping land and does not require deep cuts into hilly areas, which further reduces the risk for landslide to occur. The project would be constructed in accordance with the most recent CBC to adequately withstand and minimize risk associated with landslides. Based on required compliance with the CBC, new development would not result in the risk of loss, injury, or death associated with landslides; therefore, impacts would be *less than significant*.

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

Proposed construction activities have the potential to result in increased erosion and loss of topsoil. Construction of the proposed project, including on- and off-site improvements, would result in approximately 2.57 acres (111,949 square feet) of ground disturbance, including approximately 11,053 cubic yards of cut and 15,075 cubic yards of fill. The project would be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) with best management practices (BMPs) to avoid and/or minimize the potential for increased erosion to runoff from the project site during construction. Mitigation Measure BIO-4 has been included to ensure implementation of construction best management practices during proposed construction activities. In addition, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term

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sedimentation and erosion impacts. The project would also be subject to RWQCB post construction requirements (PCRs) for long-term stormwater control at the site and would implement stormwater control measures in accordance with these requirements. Following construction, the site would be developed with hardscapes and landscaping, which would reduce the potential for long-term erosion at the site. Based on implementation of Mitigation Measure BIO-4 and required compliance with the RWQCB requirements and the County's LUO, the project would not result in adverse impacts related to an increase in erosion and/or loss of topsoil; therefore, impacts would be *less than significant with mitigation*.

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

As previously described, the project site is located in an area with low potential for landslide and liquefaction to occur. Additionally, the project site is not located in an area with known land subsidence (USGS 2022). The project would be constructed in accordance with the most recent CBC to adequately withstand and minimize risk associated with potential ground-failure events; therefore, potential impacts related to ground failure would be *less than significant*.

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

Soils at the project site contain clay components and would be considered to have some potential for expansion. The project would be required to comply with Section 18 of the CBC, which requires geotechnical investigations to be conducted by a qualified engineer prior to development to determine soil conditions at the site and provide design recommendations to be implemented in final design plans. Based on required compliance with the CBC, new development would not result in the risk to life or property as a result of development on expansive soils; therefore, impacts would be *less than significant*.

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

The project would connect to the TCSD's existing sewer system and does not include the development of new septic tanks or alternative wastewater disposal systems; therefore, *no impacts* would occur.

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

The project area is underlain by older alluvium (Qoa), which consists of older, dissected alluvial gravel, sand, and clay. The Project surface is mapped as Pleistocene (2.6 million years ago [Ma] - 11,700 years ago) older surficial sediments. These surficial sediments overlie older rocks of the Pliocene to Pleistocene (5.3 Ma to 11,700 years before present) Paso Robles Formation and the middle to late Miocene (23.03 - 5.3 Ma) Monterey Formation at unknown depths (CRM 2020). Qoa has a high paleontological sensitivity based on the age of the geologic unit and there are known paleontological resources within the project region (SWCA 2019; CRM 2020). Construction of the proposed project, including on- and off-site improvements, would result in approximately 2.57 acres of ground disturbance, including approximately 11,053 cubic yards of cut and 15,075 cubic yards of fill (net 4,022 cubic yards of cut and fill), which has the potential to disturb fossils if present within the proposed work area. Based on the Cultural and Paleontological Resources Assessment prepared

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for the project, no indication paleontological resources were observed during field surveys (CRM 2020). However, based on the high paleontological sensitivity of the site and known paleontological resources within the project area, Mitigation Measure GEO-1 requires preparation and implementation of a Paleontological Resources Impact Mitigation Plan, including a Paleontology Worker Environmental Awareness Program and requirements for paleontological monitoring. With implementation of Mitigation Measure GEO-1, the project is not anticipated to adversely affect significant unknown paleontological resources and impacts would be *less than significant with mitigation*.

Conclusion

Based on required compliance with the most recent CBC and other engineering standards, the project would not result in risk of loss, injury, or death associated with seismic activity, ground-failure, or development on expansive soils. The project does not include installation of new septic tank or alternative wastewater systems. With implementation of Mitigation Measure BIO-4 and required compliance with RWQCB and County LUO regulations, impacts related to a short-term increase in erosion would be less than significant. Additionally, with Mitigation Measure GEO-1, impacts related to paleontological resources would be less than significant. Therefore, upon implementation of the identified mitigation, potential impacts related to geology and soils would be less than significant.

Mitigation

Implement Mitigation Measure BIO-4.

- GEO-1** **Prior to issuance of grading and construction permits**, a County of San Luis Obispo-approved paleontologist shall be retained that meets the qualifications of a Qualified Professional Paleontologist, as defined by the Society of Vertebrate Paleontology (SVP). The County of San Luis Obispo-approved paleontologist shall develop and submit a 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 and meet all regulatory requirements. The Paleontological Monitoring and Treatment Plan shall include provisions for documenting the site according to the standards developed by the National Research Council (1987) and shall include, at a minimum:
1. Identification of construction impact areas of moderate to high sensitivity for encountering potential paleontological resources and the shallowest depths at which those resources may be encountered;
 2. 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 Paso Robles Formation, and monitoring efforts shall be adjusted accordingly.
 3. 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 paleontological resources;
 4. Definition of the specific conditions in which monitoring of earthwork activities could be reduced. These factors shall be defined by the project paleontological resource specialist, following examination of sufficient, representative excavations.

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5. 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; and,
6. Detail methods of recovery, preparation, and analysis of specimens, final curation of specimens at a federally accredited repository, data analysis, and reporting.

Sources

See Exhibit A.

VIII. GREENHOUSE GAS EMISSIONS

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

Setting

Greenhouse gasses (GHGs) are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrogen oxides (NO_x), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). Carbon dioxide (CO₂) is the most abundant GHG and is estimated to represent approximately 80–90% of the principal GHGs that are currently affecting the earth’s climate. According to the California Air Resources Board (CARB), transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In October 2008, the CARB published the *Climate Change Proposed Scoping Plan*, which is the state’s plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the state’s GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

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Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state's GHG reduction goals and require CARB to regulate sources of GHGs to meet the following goals:

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

The initial Scoping Plan was first approved by CARB on December 11, 2008, and is updated every 5 years. The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The most recent update released by CARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts which were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 MTCO_{2e} per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a 'gap analysis' and was used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with AB32 and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020, the SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- **No-net Increase:** The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "*is an appropriate overall objective for new development*" consistent with the Court's direction provided by the Newhall Ranch case. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., *de minimis*: too trivial or minor to merit consideration).
- **Lead Agency Adopted Defensible GHG CEQA Thresholds:** Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030. According to the *California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators* published by the California Air Resources Board, emissions of GHG statewide in 2017 were 424 million MMTCO_{2e}, which was 7 million MTCO_{2e} below the 2020 GHG target of 431 MMTCO_{2e} established by AB 32. Therefore, application of the 1,150 MTCO_{2e} Bright Line Threshold in San Luis Obispo County, together with other local and State-wide efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB32 for the year 2020. It should be noted that the 1,150 MTCO_{2e} per year Bright Line Threshold was based on the assumption that a project

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with the potential to emit less than 1,150 MTCO₂e per year would result in impacts that are less than significant and less than cumulatively considerable impact and would be consistent with state and local GHG reduction goals.

Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030, the application of an interim “bright line” SB32-based working threshold that is 40 percent below the 1,150 MTCO₂e Bright Line threshold ($1,150 \times 0.6 = 690$ MTCO₂e) would be expected to produce comparable GHG reductions “in the spirit of” the targets established by SB32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, emissions estimated to be less than 690 MTCO₂e per year GHG are considered *de minimus* (too trivial or minor to merit consideration), and will have a less than significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

EnergyWise Plan

The County Energy Wise Plan (EWP) identifies changes that could occur in the County as a result of climate change, provides an inventory of GHG emissions in the County, and establishes a GHG emissions forecast and reduction targets for the County. This plan identifies strategies to reduce the county’s GHG emissions by 15% below the baseline year of 2006 by the year 2020. This goal is consistent with Assembly Bill 32. The inventory denotes municipal and community-wide emissions caused by a range of activities in 2006, including transportation, waste, agriculture, energy, and aircraft-related activities. The EWP includes an Implementation Program that provides a strategy for action with specific measures and steps to achieve the identified GHG reduction targets including, but not limited to, the following:

- Encourage new development to exceed minimum Cal Green requirements;
- Require a minimum of 75% of nonhazardous construction and demolition debris generated on site to be recycled or salvaged;
- Continue to implement strategic growth strategies that direct the county’s future growth into existing communities and to provide complete services to meet local needs;
- Continue to increase the amount of affordable housing in the County, allowing lower-income families to live closer to jobs and activity centers, and providing residents with greater access to transit and alternative modes;
- Reduce potable water use by 20% in all newly constructed buildings by using the performance method provided in the California Green Building Code;
- Require use of energy-efficient equipment in all new development;
- Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index of 10 for high-slope roofs and 68 for low-slope roofs; and
- Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities.

In 2016 the County published the EnergyWise Plan 2016 Update, which describes changes and modifications to the EnergyWise plan. These modifications include a summary of the progress made toward implementing measures in the 2011 EWP, overall trends in energy use and emissions since the baseline year of the inventory (2006), and the addition of implementation measures intended to provide a greater understanding of the County’s emissions status.

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An Air Quality Analysis was prepared by LSA for the project and includes potential impacts related to air quality and greenhouse gas emissions (LSA 2021; Attachment 1). Potential impacts were evaluated using the most recent version of the California Emissions Estimator Model (CalEEMod 2020.4.0). The following evaluation is based, in part, on findings of the Air Quality Analysis.

Discussion

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

During construction, GHG emissions would occur from operation of construction equipment and associated vehicles. Typical GHG emissions from construction activities include CO₂, CH₄, and N₂O. Based on CalEEMod modelling conducted by LSA for the project, construction of the proposed project would generate an estimated total of 62.6 metric tons of CO₂e during construction of the proposed project. Since SLOAPCD has not established a threshold for GHG emissions generated during construction, amortized construction emissions are included in the quantification of operational emissions. When amortized over the 25-year life of the project, annual emissions would be 2.5 metric tons of CO₂e (LSA 2021). Table 4 shows the project's operational emissions, including amortized construction emissions.

Table 4. Operational GHG Emissions

Emission Type	Operational Emissions			
	CO ₂	CH ₄	N ₂ O	CO ₂ e
Area Source Emissions	<0.1	<0.1	0.0	<0.1
Energy Source Emissions	44.1	<0.1	<0.1	44.4
Mobile Source Emissions	498.1	0.1	<0.1	515.0
Waste Source Emissions	7.2	0.4	0.0	17.7
Water Source Emissions	1.0	<0.1	<0.1	2.1
Total Operational Emissions				579.3
Amortized Construction Emissions				2.5
Total Annual Emissions				581.8
SLOAPCD 2022 Operational Year Numeric Threshold				1,058
Exceed?				No

Source: LSA 2021

Notes: CO₂ – carbon dioxide; CH₄ – methane; N₂O – nitrous oxide; CO₂e – carbon dioxide equivalents

As shown in Table 4, the project would result in approximately 581.8 metric tons of CO₂e per year and would not exceed the SLOAPCD 2022 Operational Year Numeric Threshold of 1,058 metric tons

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of CO₂e per year. Although not required to reduce GHG emissions below applicable thresholds, Mitigation Measure AQ-1 included in Section III, *Air Quality*, would further reduce construction-related GHG emissions by ensuring compliance with diesel idling restrictions. Therefore, the project would not generate GHG emissions in a manner that would have a significant impact on the environment; therefore, impacts would be *less than significant*.

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

Implementation of the project would result in a 2,675-square-foot quick service restaurant with a drive-through, a 3,200-square-foot gas station with eight fuel dispensers and an attached convenience store, and a 1,170-square-foot single car wash tunnel. Energy inefficiency contributes to higher GHG emissions and would which in turn may conflict with state and local plans for energy efficiency. The project would be required to comply with 2019 CBC Building Energy Efficiency Standards and 2019 Green Building Code to ensure the implementation of energy efficient building materials and other design features to reduce operational GHG emissions through energy consumption.

As discussed above, the EWP, adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. The policy provisions are divided into community-wide measures and measures aimed at reducing GHG emissions associated with County operations. The GHG reduction measures contained in the EWP are generally programmatic and intended to be implemented at the community level. Measure No. 7 encourages energy efficient new development and provides incentives for new development to exceed CALGreen energy efficiency standards. The following is a summary of project consistency with the relevant supporting actions identified in Measure No. 7 for promoting energy efficiency in new development.

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

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10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	
Minimize heat gain from surface parking lots.	The project includes the development of new internal parking lots that would be constructed in accordance with Templeton Community Design Plan standards and would include landscaping throughout, which would minimize heat gain.
Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities and in some of the communities north of the Cuesta Grade.	The project is conditioned to comply with this requirement.

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

The project would provide new local-serving retail uses near existing urban land uses; therefore, VMT associated with the project would be redirected and would not be considered new. Additionally, the project has the potential to result in an overall reduction in regional VMT through the implementation of a new gas station, quick-service restaurant, and drive-through car wash in an area that currently lacks these uses. Additionally, based on the proposed implementation of retail uses near existing residential, commercial, and office land uses, the project would be consistent with mixed-land use planning strategies.

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

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

- Implement SB350 which is aimed at Reduce GHG emissions in the electricity sector;

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

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

Conclusion

The project would not generate GHG emissions in a manner that would result in an adverse effect to the environment and would be consistent with adopted plans and policies aimed at reducing GHG emissions. Although not required to reduce GHG emissions, Mitigation Measure AQ-1 would reduce construction-related GHG emissions by ensuring compliance with diesel idling restrictions. Therefore, impacts related to GHG emissions would be less than significant, and no mitigation would be required.

Mitigation

Mitigation is not necessary.

Sources

See Exhibit A.

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IX. HAZARDS AND HAZARDOUS MATERIALS

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

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Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>.

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone (FHSZ) viewer, the project site is located within a local responsibility area (LRA) and is not designated as a very high FHSZ (CAL FIRE 2022). The project site has an estimated response time of approximately 0-5 minutes. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

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

Based on a query of the California Department of Toxic Substances Control (DTSC) EnviroStor database and the SWRCB GeoTracker database, there are no previously recorded hazardous materials sites located within or adjacent to the project site (DTSC 2022; SWRCB 2022). The nearest recorded hazardous materials site is a closed LUST site, located approximately 850 feet southeast of the project site (SWRCB 2022). The nearest airport is a private airport located approximately 5 miles northwest of the project site. Additionally, Paso Robles Municipal Airport is located approximately 9 miles northeast of the project site. The nearest school is Templeton Middle School located approximately 0.55 mile southeast of the project site.

Discussion

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

The proposed project is anticipated to require limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. during construction. Use of these materials has the potential to result in accidental spill or release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling, transport, and storage of hazardous materials, including Occupational Safety and Health Administration (OSHA) Process Safety Management Standard (California Code of Regulations [CCR] 29.1910.119) and CCR Title 22 Division 4.5. In addition, Mitigation Measure BIO-4 has been

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included to further reduce the potential for accidental hazardous construction-related spills to enter into onsite drainages and/or escape the project site.

Implementation of the project would result in the operation of a new gas station, convenience store, car wash, and quick-service restaurant. The project includes the storage of 20,000 gallons of gasoline in a single 20,000-gallon storage tanks for the proposed gas station, which is consistent with quantity limitations identified in LUO 22.10.070.D. Operational components of the project would also be required to comply with OSHA Process Safety Management Standard (CCR 29.1910.119) and CCR Title 22 Division 4.5 to reduce the potential for long-term hazardous material use to result in significant hazard to the public. As evaluated in Section III, *Air Quality*, the proposed gas station would not emit TACs that could increase health risks to nearby sensitive receptor locations. In addition, the project includes the installation of a grease and sand trap and a 1,500-gallon grease interceptor to retain any accidental spills from the proposed gas station. Therefore, with implementation of Mitigation Measure BIO-4 and adherence to applicable federal and state environmental and workplace safety laws, the project would not increase short- or long-term hazard to the public through the routine transport, use, or disposal of hazardous materials; therefore, impacts would be *less than significant with mitigation*.

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

As previously identified, construction of the proposed project is anticipated to require use of limited quantities of hazardous substances (e.g., gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc.) and construction contractors would be required to comply with CCR Title 22 Division 4.5 and OSHA Process Safety Management Standard (CCR 29.1910.119) for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Mitigation Measure BIO-4 has also been included to reduce the potential for accidental hazardous construction-related spills to enter into onsite drainages and/or escape the project site. The project does not require soil disturbance within 30 feet of existing major roadways (i.e., US 101) that could release aerially deposited lead (ADL) if present within the soil. Additionally, the project site is not located in an area with known NOA and does not require demolition of any buildings or structures that could contain ACM or lead-based paint (SLOAPCD 2022). Therefore, construction of the project is not anticipated to 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 and construction-related impacts would be *less than significant*.

Implementation of the project would result in the operation of a new gas station, convenience store, car wash, and quick-service restaurant. The project includes the storage of 20,000 gallons of gasoline in a single 20,000-gallon storage tank for the gas station. Proposed gasoline storage would be consistent with LUO 22.10.070.D for limitations on the quantity of stored hazardous materials. As evaluated in Section III, *Air Quality*, the proposed gas station would not emit TACs that could increase health risks to nearby sensitive receptor locations. In addition, operational components of the project would also be required to comply with OSHA Process Safety Management Standard (CCR 29.1910.119) and CCR Title 22 to reduce the potential for long-term hazardous material use to result in significant hazard to the public. In addition, the project includes the installation of a grease and sand trap and a 1,500-gallon grease interceptor to retain any accidental spills from the proposed gas station. Therefore, with implementation of Mitigation Measure BIO-4 and adherence to applicable federal and state environmental and workplace safety laws, the project would not increase short- or

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long-term hazard to the public through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; therefore, impacts would be *less than significant with mitigation*.

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

There are no schools located within 0.25 mile of the proposed project. The nearest school is Templeton Elementary School located approximately 0.55 mile southeast of the project site. The proposed project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school, and *no impacts* would occur.

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

Based on a query of the DTSC EnviroStor database and the SWRCB GeoTracker database, there are no previously recorded hazardous materials sites located within or adjacent to the project site and the nearest recorded hazardous materials site is a closed LUST site, located approximately 850 feet southeast of the project site (DTSC 2022; SWRCB 2022). The project site is not located on or adjacent to a site that is on a list of hazardous materials site pursuant to Government Code Section 65962.5; therefore, the project would not create a significant hazard to the public or the environment related to disturbance in a hazardous materials site and *no impacts* would occur.

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

The nearest airport is a private airstrip located approximately 5 miles northwest of the project site (Oak Country Ranch Airport) and the nearest public use airport is Paso Robles Municipal Airport, located approximately 9 miles northeast of the project site. The project would be not located within an Airport Review Area and there are no active public or private landing strips within the immediate project vicinity; therefore, *no impacts would occur*.

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

The project includes frontage improvements and development of additional site access from Bennett Way and exit onto Duncan Road that may require temporary traffic controls; however, roadways would remain open to allow for emergency access and public ingress and egress throughout the project area during construction. The site has been designed to allow for adequate emergency vehicle accessibility, to address long-term circulation patterns onsite, and to avoid vehicle queues outside of the site that could interfere with emergency access and/or public ingress and egress to the site. The project includes new access from Bennet Way and an exit to Duncan Road, which would be constructed in accordance with Templeton Fire and Emergency Services and County Public Works requirements for emergency vehicle access. Construction and operation of the project would not impair an adopted emergency response plan or emergency evacuation plan; therefore, potential impacts would be *less than significant*.

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

The project site is located within an LRA in an urban area and is not located within or adjacent to a very high FHSZ, which reduces the potential for wildfire to occur within the project area (CAL FIRE 2022). Implementation of the project would result in a new quick service restaurant, a gas station, a convenience store, and an attached single car wash tunnel. Proposed buildings and associated structures would be constructed in accordance with CFC and CBC requirements to reduce risk associated with fire ignition and exposure of project occupants to wildfire risk. Proposed access roads and utility infrastructure expansion would be required to comply with Templeton Fire and Emergency Services and County Public Works requirements to ensure adequate emergency access to the project site and proper utility installation to reduce risk associated with wildfire ignition. Based on required compliance with existing state and local regulations, the project is not anticipated to result in the risk of loss, injury, or death as a result of wildfire; therefore, impacts would be *less than significant*.

Conclusion

With adherence to OSHA Process Safety Management Standard (CCR 29.1910.119) and CCR Title 22 Division 4.5 and implementation of Mitigation Measure BIO-4 construction and operation of the project is not anticipated to result in significant hazard to the public through the use of hazardous materials. The project site is not located within or adjacent to a known hazardous materials site or within the vicinity of a school or airport. The project would not interfere with an emergency response or evacuation plan or result in substantial risk associated with wildfire. Therefore, with implementation of Mitigation Measure BIO-4, impacts related to hazards and hazardous materials would be less than significant.

Mitigation

Implement Mitigation Measure BIO-4.

Sources

See Exhibit A.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Setting

The 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 water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those

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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 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 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 Department of Public Works is responsible for ensuring that new construction sites implement Best Management Practices (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 LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The Safety Element of the County of San Luis Obispo General Plan 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. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06079C0612G (effective date 11/16/2012), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2020). In addition, the project site is not located in the County's Flood Hazard combining designation.

There is an unnamed ephemeral drainage that flows in a north to south direction through the western portion of the project site. In addition, there is a second off-site ephemeral drainage located on the parcel directly north of the project site (Terra Verde 2022).

Discussion

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

There is an unnamed ephemeral drainage that flows in a north to south direction through the western portion of the project site. In addition, there is a second off-site ephemeral drainage located on the parcel directly north of the project site (Terra Verde 2022). Proposed construction activities have the potential to result in erosive or other polluted runoff to the drainage features. Construction of the proposed project, including on- and off-site improvements, would result in approximately 2.57 acres (111,949 square feet) of ground disturbance, including 107,593 square feet of disturbance on-site and 4,356 square feet of disturbance off-site. The project would also require approximately 11,053 cubic yards of cut and 15,075 cubic yards of fill. The project would be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) with best management practices (BMPs) to reduce

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the potential for increased erosion or construction-related spills to runoff into the drainages. Mitigation Measure BIO-4 has been included to ensure implementation of construction best management practices during proposed construction activities. In addition, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

Implementation of the project would result in the operation of a new gas station, convenience store, car wash, and quick-service restaurant. Following project construction, the site would consist of hardscapes and would include stormwater control measures, which would reduce the potential for long-term erosive and polluted runoff from the site. In addition, the project includes the installation of a 4,500-gallon concrete clarifier to retain runoff water from the proposed carwash. The project also includes the installation of a grease and sand trap and a 1,500-gallon grease interceptor to retain any accidental spills from the proposed gas station. Based on implementation of proposed control measures at the site, operational components would not substantially degrade surface or ground water quality.

Based on implementation of Mitigation Measure BIO-4 and required compliance with the RWQCB permitting requirements and the County's LUO, the project is not anticipated to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; therefore, impacts would be *less than significant with mitigation*.

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

The project site is currently undeveloped and allows for unrestricted groundwater recharge. Implementation of the proposed project would result in approximately 74,223 square feet (1.7 acres) of new impervious surface areas to the project site and would retain approximately 37,850 square feet (0.87 acre) of pervious surface areas. The project includes implementation of stormwater control measures including, but not limited to, bioswales along the perimeter of the project site, pervious pavers, and landscape areas, which would facilitate continued groundwater recharge at the project site; therefore, potential impacts related to interference with groundwater recharge would be *less than significant*.

The project would be provided potable water services from the TCSD, which is located in the Atascadero subbasin of the Salinas Valley groundwater Basin. The Atascadero subbasin is identified by the Department of Water Resources (DWR) Bulletin 118 as Subbasin No. 3-004.11 and is currently recognized as very-low priority (the Atascadero Basin Groundwater Sustainability Agency [GSA] 2022). The project would have total potable water demand of 1,725 gpd, which is consistent with the allotted water use for the project parcel. Additionally, the TCSD approved the use of an existing private irrigation well, located on the adjacent northern parcel, to provide non-potable water for landscaping and the proposed carwash. According to the Water Demand Analysis Memorandum prepared for the proposed project, the project's non-potable water demand would be 3,550 gallons per day. The on-site well has a blow test yield estimate of 60 gallons per minute and would have adequate ability to meet the project's non-potable water demand (Wallace Group 2021b). TCSD has adequate water supply to provide potable water to the project and for the on-site well would be capable of supporting the project's non-potable water demand; therefore, the project would not

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substantially decrease groundwater supply within the Atascadero subbasin, and potential impacts would be *less than significant*.

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

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

The project requires a portion of the onsite drainage to be channelized and placed in a culvert, which has the potential to result in permanent and temporary impacts to the drainage. The proposed culvert has been designed as a 36-inch-wide trench drain with an 18-inch perforated pipe and would convey flows in a manner that is consistent with existing conditions. Mitigation Measure BIO-3 would ensure project compliance with appropriate permitting for impacts to the drainage.

In addition, construction of the proposed project would result in approximately 2.57 acres of ground disturbance, including approximately 11,053 cubic yards of cut and 15,075 cubic yards of fill. The project would be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) with best management practices (BMPs) to avoid and/or minimize the potential for increased erosion to runoff into the drainages. Mitigation Measure BIO-4 has been included to ensure implementation of construction best management practices during proposed construction activities. In addition, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Based on implementation of Mitigation Measure BIO-4 and required compliance with the RWQCB permitting requirements and the County's LUO, impacts related to adverse impacts associated with a substantial increase in erosion and siltation would be *less than significant with mitigation*.

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

The project requires a portion of the onsite drainage to be channelized and placed in a culvert which consists of a 36-inch-wide trench drain with an 18-inch perforated pipe. Although implementation of the culvert would result in direct impacts to the on-site drainage, the culvert would be capable of supporting stormwater and other flows at the site. Mitigation Measure BIO-3 would ensure project compliance with appropriate permitting for impacts to the drainage.

Implementation of the proposed project would result in approximately 74,223 square feet of new impervious surface areas to the project site and would retain approximately 37,850 square feet of pervious surface areas. The project site is located in an MS4 stormwater management area and would be subject to RWQCB PCRs for long-term stormwater control measures. The project includes implementation of stormwater control measures in accordance with RWQCB PCRs and the San Luis Obispo Waterway Management Plan Drainage Design Manual including, bioswales along the perimeter of the project site, on-site pervious pavers, landscaping throughout the project site, disconnected roof downspouts directed toward landscaped areas, and underground stormwater chambers. Implementation of these measures would retain required 24-hour and 2-year through 10-year storm runoff volumes (RRM Design Group 2021). Based on required compliance with

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RWQCB PCRs and implementation of proposed stormwater control measures, the is not anticipated to increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; therefore, impacts would be *less than significant*.

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

As discussed above, implementation of the proposed project would result in approximately 74,223 square feet of new impervious surface areas to the project site and the project would implement stormwater control measures in accordance with RWQCB PCRs and the San Luis Obispo Waterway Management Plan Drainage Design Manual, including on-site pervious pavers, landscaping throughout the project site, disconnected roof downspouts directed toward landscaped areas, and underground stormwater chambers. Stormwater control infrastructure would be maintained onsite to avoid additional, long-term sources of polluted runoff. During project construction, the project would be required to comply with the RWQCB general construction permit requirements, including preparation and implementation of a SWPPP with BMPs to control polluted stormwater during construction activities. Mitigation Measure BIO-4 has been included to ensure implementation of these measures during construction. Based on implementation of Mitigation Measure BIO-4 and required compliance with the RWQCB PCRs, the project is not anticipated to 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; therefore, impacts would be *less than significant with mitigation*.

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

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06079C0612G (effective date 11/16/2012), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2020). In addition, the project is not located within the County's Flood Hazard combining designation. As a result, flood flows are not anticipated to occur within the project area. However, the project includes implementation of stormwater control measures in accordance with RWQCB PCRs and the San Luis Obispo Waterway Management Plan Drainage Design Manual including, bioswales along the perimeter of the project site, on-site pervious pavers, landscaping throughout the project site, disconnected roof downspouts directed toward landscaped areas, and underground stormwater chambers. Implementation of these measures would retain required 24-hour and 2-year through 10-year storm runoff volumes (RRM Design Group 2021). The proposed project requires a portion of the onsite drainage to be channelized and placed in a culvert, which would result in permanent and temporary impacts to the drainage. The proposed culvert has been designed as a 36-inch-wide trench drain with an 18-inch perforated pipe to convey flows in a manner that is consistent with existing conditions. Based on project design and compliance with RWQCB PCRs, the project would not impede or redirect flood flows and impacts would be *less than significant*.

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

The project site is not located within a mapped flood hazard zone or within the County's Flood Hazard combining designation (FEMA 2020). According to the Department of Conservation's San Luis Obispo County Tsunami Inundation Map, the project is not within a tsunami inundation area. Seiches occur as a series of standing waves induced by seismic shaking or land sliding into an impounded body of water. The project site is not located in proximity to any impounded body of

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water that would be subject to seiche. The project is not within a flood hazard, tsunami, or seiche zone and would not risk release of pollutants due to project inundation; therefore, *no impacts* would occur.

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

The Atascadero subbasin is identified by DWR Bulletin 118 as Subbasin No. 3-004.11 and is currently recognized as very-low priority and is not required to mandatorily comply with SGMA. However, the Atascadero Basin GSA was formed, and a Groundwater Sustainability Plan (GSP) has been prepared for the subbasin to continue proactive management of the subbasin. The GSP identifies basin and local groundwater conditions, quantifiable management objectives, and actions to maintain sustainability of the subbasin (Atascadero Basin GSA 2022). As described above, the project would result in a total potable water demand of 1,725 gpd, which would be supplied by the TCSD. Additionally, non-potable water for landscaping and the proposed carwash would be provided by a private irrigation well, which was also approved by the TCSD. TCSD has adequate water supply to provide potable water to the project and has approved use of recycled water for non-potable water; therefore, the project would not conflict with the GSP, and impacts would be *less than significant*.

The project site is under the jurisdiction of the Central Coast RWQCB and would be subject to the Central Coast Water Quality Control Plan (Basin Plan), which sets water quality objectives and criteria to protect water quality in the Central Coast region (RWQCB 2019). The project would be subject to RWQCB general construction permit requirements and PCRs to control short- and long-term stormwater runoff and LUO Section 22.52.120 to control short- and long-term erosive runoff from the project site. Based on required compliance with RWQCB and County regulations, the project would be consistent with water quality protection efforts included in the Central Coast RWQCB Basin Plan and impacts would be *less than significant*.

Conclusion

With implementation of Mitigation Measures BIO-3 and BIO-4 and required compliance with RWQCB and the County's LUO, the project would not result in adverse impacts related to water quality, groundwater quality, or stormwater runoff. The project is not within a flood hazard, tsunami, or seiche zone and would not risk release of pollutants due to project inundation. The project would be consistent with the Atascadero Basin GSP and the RWQCB Basin Plan. Therefore, with implementation of the identified mitigation, impacts related to hydrology and water quality would be less than significant.

Mitigation

Implement Mitigation Measures BIO-3 and BIO-4.

Sources

See Exhibit A.

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XI. LAND USE AND PLANNING

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

Setting

The County Inland Land Use Element (LUE) provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic growth principles to define and focus the county’s pro-active planning approach and balance environmental, economic, and social equity concerns. Each strategic growth principle correlates with a set of policies and implementation strategies that define how land will be used and resources protected. The LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation they are located within. The project site is within the Commercial Retail (CR) land use and zoning designation in the Salinas River subarea of the North County Planning area in the unincorporated community of Templeton.

Discussion

(a) *Physically divide an established community?*

Implementation of the project would result in a 2,675-square-foot quick service restaurant with a drive-through and a 3,200-square-foot gas station with a convenience store, including an attached 1,170-square-foot single car wash tunnel, and eight fuel dispensers on a single 2.47-acre parcel in the unincorporated community of Templeton. Implementation of the project would not result in the removal or blockage of existing public roadways or other circulation paths and would not otherwise include any features that would physically divide an established community; therefore, impacts would be *less than significant*.

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

The project would be consistent with the property’s land use designation and the guidelines and policies for development within the applicable area plan, inland LUO, and COSE. The project was found to be consistent with standards and policies set forth in the County of San Luis Obispo General Plan, the South County Area Plan, the SLOAPCD CAP, and other land use policies for this

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area. The project would be required to be consistent with standards set forth by County Fire/CAL FIRE and the County Department of Public Works.

The project would be required to implement measures to mitigate potential impacts associated with Air Quality, Biological Resources, Geology and Soils, Noise, and Traffic; therefore, with mitigation, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects and impacts would be *less than significant with mitigation*.

Conclusion

Implementation of the proposed project would not physically divide an established community. Upon implementation of mitigation measures identified throughout this document, the project would be consistent with the County's LUO, COSE, General Plan, South County Area Plan, SLOAPCD CAP, and other applicable documents. Therefore, impacts would be less than significant upon implementation of the identified mitigation measures.

Mitigation

Implement the Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-4, GEO-1, and N-1.

Sources

See Exhibit A.

XII. MINERAL RESOURCES

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

Setting

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

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

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

The County of San Luis Obispo Land Use Ordinance (LUO) provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The EX combining designation is used to identify areas of the county where:

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

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County Land Use Element from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production. The project site is not located within the EX or EX1 combining designation.

Discussion

- (a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- (b) *Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

The project site is not located within the EX or EX1 combining designation and there are no known mineral resources in the project area. The project would not be located on land that is zoned or designated for mineral extraction; therefore, the project would not result in the loss of availability of a known mineral resource or result in the loss of availability of a locally-important mineral resource recovery site, and *no impacts* would occur.

Conclusion

No impacts to mineral resources would occur as a result of the project, and no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

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XIII. NOISE

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

Setting

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

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

- Residential development, except temporary dwellings
- Schools (preschool to secondary, college and university, 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

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

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

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

Table 5. Maximum Allowable Exterior Noise Level Standards¹

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

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

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

An acoustics assessment was prepared by 45dB Acoustics for the proposed project to determine the potential operational noise impacts associated with the proposed project (45dB Acoustics 2021; Attachment 4). Noise levels were modeled using reflection from buildings and terrain, attenuation due to ground cover, air properties, and stationery and transportation noise sources. The following evaluation is based, in part, on the results of the acoustics assessment.

Discussion

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

Construction

The project site is located in an urban area and existing ambient noise levels in the project area are primarily dominated by vehicle traffic along US 101. During project construction, noise from construction activities may intermittently dominate the noise environment in the immediate project area. The project would require the use of typical construction equipment (dozers, excavators, etc.) during proposed construction activities. According to the Federal Highway Administration (FHWA), noise from standard construction equipment generally range from 80 dBA to 85 dBA at 50 feet from the source, as shown in Table 6, below.

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Table 6. Construction Equipment Noise Emission Levels

Equipment Type	Typical Noise Level (dBA) 50 ft From Source
Concrete Mixer, Dozer, Excavator, Jackhammer, Man Lift, Paver, Scraper	85
Heavy Truck	84
Crane, Mobile	83
Concrete Pump	82
Backhoe, Compactor	80

Source: FHWA 2018

The nearest noise sensitive land uses are single-family residential dwellings located approximately 400 feet north of the project site, along Lavender Lane, and multi-family residential dwellings located 400 feet southwest. There is office development located approximately 870 feet southwest. In addition, there are single-family residential units located approximately 550 feet southeast of the project site, on the other side of US 101. Due to the intervening noise from vehicles along US 101, project-related construction and operational noise is not anticipated to reach noise-sensitive land uses located 550 feet southeast of the site. Noise attenuates at a rate of 6 dB per doubling of distance; therefore, at the nearest noise-sensitive land uses, including single-family residential dwellings located 400 feet north and multi-family residential dwellings located 400 feet southwest, construction-related noise would be approximately 62 to 67 dBA, depending on equipment type in use. As a result, construction-related noise would not exceed the County's maximum exterior noise standards of 70 dB at nearby noise-sensitive land uses.

Construction-related noise would be short-term, intermittent and would not result in a permanent increase in ambient noise within the project area. According to LUO Section 11.10.120.A.4, construction noise is exempt from the County's noise standards between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends. Proposed construction activities would be limited to the hours specified in the LUO; therefore, associated noise would be exempt. Further, since proposed construction would not exceed the County's maximum exterior noise standards at the property line of surrounding noise-sensitive residential land uses, the project is not anticipated to result in adverse impacts related to noise during project construction. Therefore, construction-related noise impacts would be *less than significant*.

Operation

The project includes the development of a new gas station, convenience store, car wash, and quick service restaurant. Based on the acoustics assessment prepared for the project, the proposed car wash and increase in vehicle noise would contribute to the ambient noise environment in the project area and has the potential to exceed County noise standards. As previously identified, the nearest noise sensitive land uses are single-family residential dwellings located approximately 400 feet north of the project site and multi-family residential dwellings located 400 feet southwest of the site. As part of the acoustics assessment, operational hourly and maximum noise levels were modeled using reflection from buildings and terrain, attenuation due to ground cover, air properties, and stationery and transportation noise sources. Table 7 shows the hourly and

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maximum noise level during the day and night (Leq dBA) at each noise-sensitive land use within the project area.

Table 7. Hourly Noise at Noise-Sensitive Land Uses

Receiver	Existing Hourly		Proposed Hourly		Hourly Increase		Proposed Lmax	
	Leq,d dBA	Leq,n dBA	Leq,d dBA	Leq,n dBA	Leq,d dBA	Leq,n dBA	Leq,d dBA	Leq,n dBA
N Residential – 1	53	46	52	46	--	--	52	46
N Residential – 2	55	48	55	48	--	--	55	48
N Residential – 3	56	49	56	50	0.2	0.2	56	50
N Residential – 4	57	50	57	50	--	--	57	52
N Residential – 5	59	52	59	52	0.1	0.2	59	53
SW Residential – 1	66	58	66	58	--	--	66	58
SW Residential – 2	61	54	61	54	--	0.1	61	55
SW Residential – 3	61	55	61	55	--	--	61	55

Source: 45dB Acoustics 2021

Per the County's LUO, since the existing ambient noise level at the property line of surrounding noise-sensitive residential land uses exceeds the County's LUO noise standards, the project would be subject to the adjusted noise standard identified in LUO Section 22.10.120.B. Pursuant to LUO Section 22.10.120.B, an increase above the existing hourly ambient level plus 1 dB would be considered not allowable. In accordance with LUO 22.10.120, maximum noise levels must not exceed 70 dBA during the daytime and 65 dBA during nighttime hours. As shown in Table 6, implementation of the project would not result in an increase in ambient noise levels above 1 dB and would not exceed the maximum exterior noise level at nearby noise-sensitive residential land uses during daytime or nighttime. The acoustics assessment assumed 24-hour operation of the proposed project; however, operation of the proposed carwash would be limited to the hours between 7:00 a.m. and 10:00 p.m. Since the proposed carwash would not operate during nighttime hours, the potential to exceed the County's nighttime noise standards would be further reduced (45dB Acoustics 2021). Although implementation of the project is not anticipated to exceed County noise standards, there is still some potential for the proposed car wash tunnel and/or dryers to vary from modeled design specifications. Mitigation Measure N-1 has been included to require on-site sound level measurements of the operational carwash and requires noise-reduction measures to be implemented onsite if operational noise from the car wash is determined to exceed County noise standards. Therefore, operational impacts would be *less than significant with mitigation*.

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

The project does not include pile-driving or other high-impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Standard construction equipment would generate some groundborne noise and vibration during ground disturbance activities; however, these activities would be limited in duration and consistent with

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other standard construction activities. In addition, any groundborne noise or vibration generated by short-term construction activities would be limited to the immediate work area and is not anticipated to disturb nearby residential land uses. Operation of the project does not include new features that could generate substantial groundborne noise. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be *less than significant*.

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

The nearest airport is a private airstrip located approximately 5 miles northwest of the project site (Oak Country Ranch Airport) and the nearest public use airport is Paso Robles Municipal Airport, located approximately 9 miles northeast of the project site. The project site is not located within the vicinity of an airport or a private airstrip; therefore, *no impact* would occur.

Conclusion

With implementation of Mitigation Measure N-1, the project would not result in an increase in construction-related or operational noise in a manner that would be inconsistent with LUO Section 22.10.120 and would not generate groundborne noise or vibration in a manner that could disturb nearby noise-sensitive land uses. The project site is not located within the vicinity of an airport or a private airstrip. Therefore, with implementation of the identified mitigation, potential impacts related to noise would be less than significant.

Mitigation

- N-1** **Following construction and prior to operation of the on-site carwash**, a qualified engineer shall be obtained to conduct on-site sound level measurements during carwash operation at the property lines to confirm compliance with the noise standards outlined in the County's Land Use Ordinance (LUO) Section 22.10.120 (Noise Standards). If the project is determined to increase ambient noise levels plus 1 dB or if the maximum exterior noise level would exceed 70 dB at the noise-sensitive residential land uses located approximately 400 feet north and multi-family residential dwellings located 400 feet southwest, the project would be considered non-compliant with the noise standards identified in LUO Section 22.10.120 (Noise Standards). If the qualified engineer determines that the project is not compliant with the noise standards identified in LUO Section 22.10.120, the car wash shall not operate until noise-reduction measures recommended by the qualified engineer are installed and the carwash is in compliance with the noise standards identified in LUO Section 22.10.120. Compliance shall be monitored through County inspection. Noise-reduction measures shall remain in-place and functional **for the life of the carwash**.

Sources

See Exhibit A.

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XIV. POPULATION AND HOUSING

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

Setting

The County of San Luis Obispo General Plan Housing Element recognizes the difficulty for residents to find suitable and affordable housing within San Luis Obispo County. The Housing Element includes an analysis of vacant and underutilized land located in urban areas that are suitable for residential development and considers zoning provisions and development standards to encourage development of these parcels. These parcels are categorized into potential sites for very low- and low-income households, moderate-income households, and above moderate-income households.

In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Discussion

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

The project includes the development of a new gas station, convenience store, car wash, and quick serve restaurant on a 2.47-acre parcel in the unincorporated community of Templeton. The site is located off of US 101 and would provide visitor-serving uses for travelers along US 101 and existing residents of the community. The project does not include the construction of new homes or businesses or the extension or establishment of roads, utilities, or other infrastructure that would induce direct or indirect population growth in the project area. Short-term construction activities may increase temporary construction-related employment opportunities; however, temporary employment opportunities generated by the project are anticipated to be filled by the local workforce and would not result in a substantial population increase within the community or county. The project has the potential to facilitate a limited number of permanent employment opportunities; however, based on the nature of the project, new employment opportunities would

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primarily be filled by the local workforce and implementation would not facilitate a substantial number of new residents within the area. Proposed visitor-serving uses would primarily be used by travelers or existing residents and would not facilitate substantial unplanned population growth within the project region; therefore, potential impacts would be *less than significant*.

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

The project site is currently vacant and there are no permanent or temporary housing units onsite. The project would not displace existing housing or necessitate the construction of replacement housing elsewhere; therefore, *no impacts* would occur.

Conclusion

The proposed project would not result in a significant adverse impact related to population and housing, and no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XV. PUBLIC SERVICES

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

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project site is located within the TCSD, which is served fire protection services from the Templeton Fire and Emergency Services Department. Templeton Fire and Emergency Services Department has a service population of approximately 8,000 residents and responds to medical emergencies, vehicle accidents, structure fires, wildland fires, technical rescues, hazardous materials incidents, and public service assists. Templeton Fire and Emergency Services has a full-time chief, three full-time captains, a full-time Fire Engineer, and 15 reserve firefighters (TCSD 2022a). The Templeton Fire and Emergency Services Department is located at 206 5th Street, approximately 0.5 mile southeast of the project site. Emergency response time to the site is approximately 0-5 minutes.

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, conduct proactive law enforcement activities, and perform initial investigations of crime. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest office is the North Station in Templeton, located at 365 N Main Street, approximately 0.8 mile northeast.

San Luis Obispo County has a total of 10 school districts that currently enroll approximately 34,000 students in over 75 schools. The project area is within the Templeton Unified School District (TUSD).

A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (State Government Code 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. 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. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the Recreation Element.

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Discussion

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

Fire protection?

The project includes the development of a new gas station, convenience store, car wash, and quick service restaurant and has the potential to increase demand on existing fire protection services. The site is located off of US 101 and would primarily provide visitor-serving uses for travelers along US 101 or existing residents of the community. The project would facilitate limited short- and long-term employment opportunities; however, the project would not induce substantial population growth in a manner that would substantially increase demand on existing fire protection services. The project would be subject to standard public facilities fees to offset the project's demand on existing fire protection services. Based on the limited population increase and payment of development impact fees, the project would not require or otherwise facilitate the need for additional or expanded fire protection services and impacts would be *less than significant*.

Police protection?

The project includes the development of a new gas station, convenience store, car wash, and quick serve restaurant and has the potential to increase demand on existing police protection services. The project has the potential facilitate new, limited short- and long-term employment opportunities; however, the project would not induce population growth in a manner that would substantially increase demand on existing police protection services. The project would be subject to standard public facilities fees to offset the project's demand on existing fire protection services. Based on the limited population increase and payment of development impact fees, the project would not require or otherwise facilitate the need for additional or expanded police protection services and impacts would be *less than significant*.

Schools?

The project would primarily provide visitor-serving uses for travelers along US 101 or existing residents of the community and does not include the development of new homes that could facilitate new school-aged children within the project region. Based on the limited increase in school-aged children, the project would not require or otherwise facilitate the need for additional or expanded TUSD services and impacts *no impacts* would occur.

Parks?

The project has the potential facilitate new, limited short- and long-term employment opportunities; however, the project would not induce population growth in a manner that would substantially increase demand on existing public recreational facilities. Based on the limited population increase associated with the proposed project, the project would not require or otherwise facilitate the need for additional or expanded public recreation facilities and impacts would be *less than significant*.

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Other public facilities?

As previously evaluated, the project would not result in a substantial increase in population or otherwise result in an increased demand on other public facilities. Therefore, the project would not facilitate the development of new or expansion of existing public facilities and potential impacts would be *less than significant*.

Conclusion

The proposed project would not result in a significant adverse impact related to public services. Therefore, no mitigation measures are necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XVI. RECREATION

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

Setting

The County of San Luis Obispo Parks and Recreation Element (Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. 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. The City of San Luis Obispo Parks and Recreation Department maintains 28 parks and 15 other recreational facilities. The nearest County-operated park is Templeton Park located approximately 0.5 miles southeast of the project site. In addition, Tom Jermin Senior Park, a TCSD-operated public park, is located approximately 0.8 mile west of the project site.

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

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

Discussion

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

The project includes the development of a new gas station, convenience store, car wash, and quick service restaurant on a 2.47-acre parcel located off of US 101. The project would primarily provide visitor-serving uses for travelers along US 101 or existing residents of the community and does not include the construction of new homes or other infrastructure that could induce substantial population growth in a manner that could facilitate substantial population growth and increase demand on existing public recreational facilities. Based on the limited population increase associated with the proposed project, the project would not 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. Additionally, the nearest County-operated park is Templeton Park located approximately 0.5 miles southeast of the project site and the nearest TCSD-operated public park is Tom Jermin Senior Park located approximately 0.8 mile west of the project site. Due to distance, construction and operation of the project would not result in restricted access or other disturbances in a manner that could deter recreationists from these facilities and substantially increase use of other recreational facilities in the project vicinity. The project would not directly or indirectly increase the use of existing recreational facilities in a manner that would result in substantial physical deterioration of these facilities; therefore, impacts would be *less than significant*.

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

The project does not include the development of new or expanded recreational facilities; therefore, *no impacts* related to adverse physical effects on the environment as a result of construction or expansion of recreational facilities would occur.

Conclusion

No significant impacts to recreational resources would occur and no mitigation is necessary.

Initial Study – Environmental Checklist

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XVII. TRANSPORTATION

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

Setting

The 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. 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.

In 2013 SB 743 was signed into law with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the

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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 of San Luis Obispo has developed a Vehicle Miles Traveled (VMT) Program (Transportation Impact Analysis Guidelines; Rincon, October 2020 & VMT Thresholds Study; GHD, 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 Land Use and Circulation Elements of the County of San Luis Obispo General Plan. 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. There are four transit stops within a 0.5-mile radius of the project site as well as the Las Tablas Park and Ride Lot located south of the project site on the other side of Las Tablas Road.

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include the South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county.

A Revised Traffic and Circulation Study was prepared by Associated Transportation Engineers (ATE) for the project to identify existing roadway conditions and evaluate the potential impacts related to traffic and circulation (ATE 2021; Attachment 5). The study analyzes existing and future traffic conditions within the project area and evaluated the project's potential impacts related to consistency with the County's transportation policy and VMT. The project site is immediately surrounded by Las Tablas Road to the south, Bennett Way to the west, and Duncan Road to the east. In addition, US 101 is located approximately 0.5 mile east of the site. Las Tablas Road (east of Bennett Way) is an arterial road and consists of two travel lanes and Las Tablas Road (west of Bennett Way) is a 2-lane arterial road with Class II bicycle lanes. Bennett Way (north of Las Tablas Road) is a two-lane road and consists of a center turn lane and Class II bicycle lanes. Duncan Road (north of Las Tablas Road) is an unimproved, 2-lane local road primarily used to access residential land uses and the California Highway Patrol (CHP) Station.

Existing roadway operations, for the year 2021, were assessed using the average daily traffic (ADT) volumes and the County's roadway capacity standards. Table 8 shows the existing ADT volumes and levels of service (LOS) for nearby roadway segments.

Table 8. Existing Roadway Operations (2021)

Roadway Segment	Roadway Class	Year 2021 ADT	Level of Service (LOS)
Las Tablas Road – Bennet Way to US 101 SB Ramps	3-lane arterial w/ left turn lane	15,800	LOS A
Las Tablas Road – US 101 NB Ramps to US 101 SB Ramps	2-lane arterial w/ left turn lane	12,000	LOS B

Source: ATE 2021

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Existing intersection operations, for the year 2021, were assessed using the Transportation Research Board's Highway Capacity Manual (HCM). Table 9 shows the existing intersection LOS for AM and PM peak hour periods.

Table 9. Existing Intersection Operations (2021)

Intersection	Control	Delay/LOS	
		AM Peak Hour	PM Peak Hour
Las Tablas Road/Bennet Way	Signal	10.3 sec/LOS B	8.8 sec/LOS A
Las Tablas Road/Duncan Road	Stop Sign	16.5 sec/LOS C	12.3 sec/LOS B
Las Tablas Road/US 101 SB Ramps	Signal	20.9 sec/LOS C	20.7 sec/LOS C
Las Tablas Road/US 101 NB Ramps	Signal	18.5 sec/LOS B	13.4 sec/LOS B

Source: ATE 2021

In addition, the Traffic and Circulation Study includes a cumulative traffic scenario using a County-provided approved project list in addition to existing roadway operations. Tables 10 and 11 show cumulative roadway and intersection operations within the project area.

Table 10. Cumulative Roadway Operations

Roadway Segment	Roadway Class	Year 2021 ADT	Level of Service (LOS)
Las Tablas Road – Bennet Way to US 101 SB Ramps	3-lane arterial w/ left turn lane	17,800	LOS B
Las Tablas Road – US 101 NB Ramps to US 101 SB Ramps	2-lane arterial w/ left turn lane	15,000	LOS D

Source: ATE 2021

Table 11. Cumulative Intersection Operations

Intersection	Delay/LOS	
	AM Peak Hour	PM Peak Hour
Las Tablas Road/Bennet Way	37.0 sec/LOS C	13.2 sec/LOS B
Las Tablas Road/Duncan Road	19.5 sec/LOS C	13.9 sec/LOS B
Las Tablas Road/US 101 SB Ramps	22.1 sec/LOS C	22.9 sec/LOS C
Las Tablas Road/US 101 NB Ramps	33.7 sec/LOS C	16.2 sec/LOS B

Source: ATE 2021

As shown in Tables 8 through 11, existing roadway and intersection operations, including cumulative conditions, are forecasted to meet the County's LOS D standards for the Templeton area.

Discussion

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

The project site is located in the unincorporated community of Templeton, within the County's Templeton road fee area. The County's Framework for Planning (Inland) and the Templeton Circulation Study identify a roadway operation threshold of LOS. Based on the Traffic and Circulation

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Study, implementation of the project would result in a total of 2,649 trips to the site and 1,719 pass-by trips, which includes 173 trips to the site and 113 pass-by trips during AM peak hour conditions and 184 trips to the site and 119 pass-by trips during PM peak hour conditions (ATE 2021). Table 12 shows the project's contribution to existing roadway conditions, including cumulative conditions.

Table 12. Project Roadway Operations

Roadway Segment	ADT/LOS	Impact?
Las Tablas Road – Bennet Way to US 101 SB Ramps	19,190/LOS C	No
Las Tablas Road – US 101 NB Ramps to US 101 SB Ramps	15,960/LOS D	No

Source: ATE 2021

Table 13 shows the project's contribution to existing intersection conditions, including cumulative conditions.

Table 13. Cumulative Intersection Operations

Intersection	Delay/LOS		Impact?
	AM Peak Hour	PM Peak Hour	
Las Tablas Road/Bennet Way	25.4 sec/LOS C	13.6 sec/LOS B	No
Las Tablas Road/Duncan Road	21.1 sec/LOS C	14.5 sec/LOS B	
Las Tablas Road/US 101 SB Ramps	23.1 sec/LOS C	23.1 sec/LOS C	No
Las Tablas Road/US 101 NB Ramps	34.9 sec/LOS C	17.0 sec/LOS B	No

Source: ATE 2021

Based on Tables 12 and 13, an increase in vehicle trips to the project site would not result in roadway or intersection conditions lower than LOS D, which is consistent with thresholds included in the County's Framework for Planning (Inland) and the Templeton Circulation Study.

In addition, Las Tablas Road (west of Bennett Way) and Bennett Way (north of Las Tablas Road) provide Class II bicycle lanes and there are four transit stops within a 0.5-mile radius of the project site as well as the Las Tablas Park and Ride Lot located south of the project site. The project includes dedication of right-of-way (ROW) on Las Tablas Road to provide an additional westbound right-turn lane and bike lane. As a result, the project would be accessible using alternative modes of transportation, which is consistent with SLOCOG's 2019 RTP and the County's Bikeways Plan. The project would also be subject to road improvement fees for the Templeton road fee area to contribute to maintenance and improvements of other roadways within the project area, included as Mitigation Measure TR-1. The project would be consistent with applicable circulation system plans; therefore, impacts would be *less than significant with mitigation*.

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

According to the Traffic and Circulation Study prepared for the project, new retail development generally redistributes shopping trips within an area rather than generating new trips; therefore,

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VMT impacts are determined by estimating the total change in VMT. Typically, retail projects greater than 50,000 square feet are considered regional-serving and would likely increase VMT. The project would result in 7,045 square feet of new retail uses and would be considered a local-serving retail project based on thresholds included in OPR's Technical Advisory. Local-serving retail projects generally shorten vehicle trips and reduce VMT by adding retail destinations in close proximity to existing land uses. Although implementation of the project would result in a total of 2,649 trips to the site and 1,719 pass-by trips, these trips would be redistributed from other areas and would not be considered new. The project is anticipated to reduce VMT in the county by providing new, centrally located retail opportunities for residents and employees in an area that currently lacks the proposed uses (ATE 2021). As a result, the project would not constitute a change in VMT above existing conditions and may result in an overall reduction in VMT; therefore, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3(b), and impacts would be *less than significant*.

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

The project includes the development of a new access from Bennett Way and a new exit to Duncan Way as well as new internal roadways and parking areas. Proposed entry and exit driveways, internal roadways, and parking areas would be designed and constructed in accordance with the County's roadway design standards and the Templeton Community Design Plan to avoid creating new hazards due to roadway design. Additionally, the Traffic and Circulation study determined that construction of left-turn lanes from Duncan Road and Bennett Way would not be necessary for the project (ATE 2021). The project would be required to comply with the County's sight distance standards, which would require proposed driveways to maintain 200 feet of unobstructed sight distance.

Implementation of the project would result in a gas station with eight pumps, a convenience store, a quick-service restaurant with a drive through, and a drive through car wash. The on-site circulation plan includes one way circulation in a counterclockwise direction throughout the site to manage the movement of cars entering and exiting the site and to manage vehicle movement through the site around the drive-throughs and fuel pump stations. Based on local and national drive-through queue studies included in the Traffic and Circulation Study, during peak hours, vehicle queue stacking at the quick-service restaurant could reach a maximum of 14 vehicles (ATE 2021). The quick-service restaurant would be designed to accommodate a vehicle queue stacking of 15 vehicles and the carwash would accommodate a vehicle queue stacking of six vehicles, which exceeds County standards. In addition, proposed vehicle queues for the quick-service restaurant would not occur within 40 feet of the curb and would not block traffic along Bennett Way. The project does not include the development of new land uses or other features that would result in incompatible uses along existing roadways. Based on proposed access and circulation design and required compliance with the County's roadway design standards, the project would not result in new roadway hazards; therefore, impacts would be *less than significant*.

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

The project includes frontage improvements and development of additional site access from Duncan Road and Bennett Way that may require temporary traffic controls; however, roadways would remain open to allow for emergency access throughout the project area during construction. The project includes new access from Bennet Way and an exit to Duncan Road, which would be

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constructed in accordance with Templeton Fire and Emergency Services and County Public Works requirements for access. In addition, the site has been designed to allow for adequate emergency vehicle accessibility, to address long-term circulation patterns onsite, and to avoid vehicle queues outside of the site that could interfere with emergency access to the site. Construction and operation of the project would not result in inadequate emergency access; therefore, potential impacts would be *less than significant*.

Conclusion

The project would be consistent with the 2019 RTP, 2016 Bikeways Plan, the Templeton Circulation Study, and the County’s Circulation Element. The project would not generate vehicle trips that would exceed existing VMT thresholds. In addition, the project would be consistent with Templeton Fire and Emergency Services and County standards for site access, internal road, and parking design; therefore, impacts related to transportation would be less than significant, and no mitigation is required.

Mitigation

TR-1 Prior to occupancy/final inspection, in accordance with Title 13.01 of the County Code, the applicant must pay to the Department of Public Works the Templeton Road Improvement Fee (Area A) based on the latest adopted area fee schedule. (The fee schedule is subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect prior to issuance of certificate of occupancy or final inspection, or within 30 days of Land Use Permit approval if no building permits are required.)

Sources

See Exhibit A.

XVIII. TRIBAL CULTURAL RESOURCES

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

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

Setting

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

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

In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

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

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Discussion

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

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

There are no existing structures onsite and there are no onsite resources listed in the California Register of Historical Resources or in a local register of historical resources. Therefore, impacts would be *less than significant*.

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

Pursuant to AB 52, tribal consultant opportunity was provided. Referral letters were sent to tribal representatives on May 24, 2021. No tribes requested consultation or provided information regarding significant tribal cultural resources.

Construction activities associated with the project would result in approximately 2.57 acres of ground disturbance, including approximately 11,053 cubic yards of cut and 15,075 cubic yards of fill. Based on the results of the Cultural and Paleontological Resources Assessment Report prepared for the project, there are no known cultural or tribal cultural resources within or adjacent to the project site; therefore, proposed ground disturbance would not result in disturbance to any known tribal cultural resource sites (CRM 2020). Further, the project would be required to comply with LUO Section 22.10.040 for inadvertent discovery of unknown cultural resources. LUO Section 22.1.040 requires that in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. In addition, the project would be required to comply with HSC Section 7050.5, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the NAHC. Based on the required compliance with LUO Section 22.10.040 and HSC Section 7050.5, implementation of the proposed project is not anticipated to disturb known or unknown cultural resources, tribal cultural resources, or human remains; therefore, impacts would be less than significant.

Conclusion

Based on compliance with the County's LUO and HSC Section 7050.5, impacts related to tribal cultural resources would be considered less than significant, and no mitigation would be required.

Mitigation

Mitigation is not required.

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Sources

See Exhibit A.

XIX. UTILITIES AND SERVICE SYSTEMS

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

Setting

The County Department of Public Works provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater “will serve” letters. The County Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the county rely on on-site wells and individual wastewater systems. Regulatory

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standards and design criteria for on-site wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

Per the County's Stormwater Program, the County Department of Public Works 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 SoCalGas provide natural gas services for urban and rural communities within the county.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the city of San Luis Obispo; Chicago Grade Landfill, located near the community of Templeton; and Paso Robles Landfill, located east of the city of Paso Robles. The project would be serviced by Mid State Solid Waste and Recycling and Chicago Grade Landfill.

A Water Demand Analysis Memorandum was prepared by Wallace Group to determine the project's potable and non-potable water demands and evaluate potential impacts related to water supply (Wallace Group 2021a, 2021b; Attachments 6 and 7). The following water supply evaluation is based, in part, on the findings of the Water Demand Analysis.

Discussion

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

The project includes the construction of a new gas station, quick-service restaurant with a drive through, convenience store, and drive-through car wash on a vacant 2.47-acre parcel. The project would require the extension of water, sewer, electrical, and natural gas utility infrastructure to connect to existing TCSD and other agency infrastructure. As evaluated throughout this IS/MND, construction of the project has the potential to result in impacts related to air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality and noise. Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-4, GEO-1, and N-1 have been included in individual resource sections throughout this IS/MND to mitigate potential impacts to less-than-significant levels. Therefore, potential impacts would be *less than significant with mitigation*.

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

Potable water for the project would be provided by the TCSD. The TCSD water supply is made up of several sources, including deep aquifer groundwater, shallow underflow water, recycled water, and imported Nacimiento water. In 2021, TCSD had an available water supply of 2,156 acre-feet per year (AFY). The available water supply is anticipated to increase upon infrastructure improvements for Nacimiento water delivery and as a result of ongoing recycled water treatment (TCSD 2022b).

As a result of approval of the LLA on April 23, 2020 (SUB2020-00016 COAL20-003), the subject parcel has three water units at 575 gpd for a total water allotment of 1,725 gpd. The project includes development of a new gas station, convenience store, quick-service restaurant with a drive through, and a drive-through car wash. The proposed convenience store and quick-service restaurant would have a new potable water demand of 1,725 gpd, which is within the TCSD allotment for use (Wallace Group 2021a). On December 28, 2021, TCSD issued a conditional will-serve commitment to supply

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1,725 gpd for potable water use upon annexation into the Templeton Community Facilities District (CFD). As a result, the project would be subject to fees imposed by the CFD to aid in providing funding for public facilities in the community.

As part of conditions of approval for the project, outlined in the December 28, 2021 conditional will serve letter, the TCSD would not provide water for the proposed car wash. On November 30, 2020, TCSD approved the use of an existing private irrigation well, subject to conditions of approval, located on the adjacent northern parcel for non-potable water for landscaping and the proposed carwash. According to the Water Demand Analysis Memorandum prepared for the project, the total water demand for the carwash and irrigation for landscaping would be 3,550 gallons per day. The on-site well has a blow test yield estimate of 60-gallons per minute, which would be sufficient to meet the project's non-potable water demand (Wallace Group 2021b). Proposed landscaping would require low irrigation requirements and proposed irrigation systems would be designed and constructed according to efficient landscape irrigation design standards to reduce non-potable water use. Since the on-site well has sufficient capacity to meet the project's non-potable water demand and the project's potable water demand would be within the TCSD's allotment for use, the project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; therefore, impacts would be *less than significant*.

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

The project would be provided sewer services by the TCSD. As a result of approval of the LLA (SUB2020-00016 COAL20-003), the subject parcel has six sewer units at 300 gpd (total sewage allotment of 1,800 gpd). On December 28, 2021, TCSD issued a conditional will-serve commitment to supply 1,800 gpd for sewer services upon annexation into the Templeton Community Facilities District (CFD). As a result, the project would be subject to fees imposed by the CFD to aid in providing funding for public facilities in the community. Therefore, the TCSD would have adequate capacity to serve the project's sewage demand and impacts would be *less than significant*.

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

Solid waste services for the project would be provided by Mid State Solid Waste and Recycling and would be disposed of at the Chicago Grade Landfill located approximately 5 miles southeast of the project site. Chicago Grade Landfill has a maximum permitted capacity of 10,548,980 cubic yards and can accept 500 tons of solid waste per day. The estimated closure date of this landfill is December 2039 (California Department of Resources Recycling and Recovery [CalRecycle] 2019b).

During construction, the project would result in a short-term increase in construction-related solid waste. Construction waste would be subject to California's Green Building Standards Code (CALGreen) Sections 4.408 and 5.408, which requires diversion of at least 65 percent of construction waste (Integrated Waste Management Authority [IWMA] 2022). Based on required compliance with CALGreen regulations, construction of the project would not generate solid waste in excess of local infrastructure capacity.

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According to the CalRecycle Estimated Solid Waste Generation Rates, operation of the project would result in approximately 42.27 pounds of solid waste per day (CalRecycle 2019a). Proposed solid waste calculations are shown in Table 14, below.

Table 14. Estimated Solid Waste Generation Rates

Waste Generation Source	Generation Rate	Unit of Measure	Proposed Development	Total
Commercial Retail	0.006	lb/square foot/day	7,045 square feet	42.27 pounds
Total				42.27 pounds

Source: CalRecycle Estimated Solid Waste Generation Rates, 2019a

Implementation of the project would result in a long-term increase in operational solid waste generation; however, Chicago Grade Landfill would have adequate available capacity to support the increase of solid waste; therefore, impacts would be *less than significant*.

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

The project would be serviced by Mid State Solid Waste and Recycling and Chicago Grade Landfill, which are fully compliant with existing local and state regulations related to disposal of solid waste. As evaluated above, construction and operation of the project is not expected to generate solid waste in excess of state or county regulations for solid waste. In addition, the project would be required to comply with CALGreen regulations during construction and County-implemented recycling and organic waste disposal programs during operation and would be consistent with federal, state, and local solid waste reduction goals; therefore, 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 and AQ-2, BIO-1 through BIO-4, GEO-1, and N-1 to reduce potential environmental impacts during expansion and installation of utility infrastructure for the proposed projects. Water and sewer services for the project would be provided by TCSD, which would have adequate capacity to the project. The project would not generate solid waste in exceedance of state or county regulations. Therefore, upon implementation of the identified mitigation measures, impacts would be less than significant.

Mitigation

Implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-4, GEO-1, and N-1.

Sources

See Exhibit A.

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XX. WILDFIRE

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

Setting

In central California, the fire season usually extends from roughly May through October, however, recent events may indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by the California Department of Forestry and Fire Protection (CALFIRE) based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency’s ability to provide service to the area. FHSZs throughout the County have been designated as “Very High,” “High,” or “Moderate.” In San Luis Obispo County, most of the area that has been designated as a “Very High Fire Hazard Severity Zone” is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County, from Monterey County in the north to Santa Barbara County in the south. A lack of designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has “fire weather” is less than in moderate, high or very high fire severity zones. According to the CAL FIRE FHSZ viewer, the project site is located within a local responsibility area (LRA) and is not designated as a very high FHSZ (CAL FIRE 2022). Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire

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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.

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

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

The County of San Luis Obispo Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger. Implementation strategies for this policy include identifying high risk areas, the development and implementation of mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

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

Discussion

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

The project site is not located within an SRA or within a very high FHSZ (CAL FIRE 2022). The project includes frontage improvements and development of additional site access from Bennett Way and an exit onto Duncan Road that may require temporary traffic controls; however, roadways would remain open to allow for emergency access and public ingress and egress throughout the project area during construction. The site has been designed to allow for adequate emergency vehicle accessibility, to address long-term circulation patterns onsite, and to avoid vehicle queues outside of the site. The project includes new access from Bennet Way and an exit to Duncan Road, which would be constructed in accordance with Templeton Fire and Emergency Services and County Public Works requirements for emergency vehicle access. In addition, the TCSD Fire and Emergency Services Department has reviewed the proposed project and has issued an approval letter, subject to

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conditions of approval. Construction and operation of the project would not substantially impair an adopted emergency response plan or emergency evacuation plan within an SRA or very high FHSZ. Therefore, potential impacts related to impairing an emergency response or evacuation plan would be *less than significant*.

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

The 2.47-acre project parcel is characterized by nearly level to gently sloping topography in an urban area and is not located within an SRA or within a very high FHSZ, which reduces the potential for wildfire to occur within the project area (CAL FIRE 2022). Implementation of the project would result in a new quick-service restaurant with a drive-through, a gas station with a convenience store, and an attached single car wash tunnel. Proposed buildings and associated structures would be constructed in accordance with CFC and CBC requirements to reduce risk associated with fire ignition and exposure of project occupants to wildfire risk. Based on the low potential for wildfire at the project site and required compliance with the CFC and CBC, the project is not anticipated to significantly exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire in an SRA or a very high FHSZ; therefore, impacts would be *less than significant*.

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

The project includes development on a previously undeveloped parcel and would require the installation of expanded utility infrastructure, access roads, and parking areas. The project also includes the establishment of a new gas station with eight fuel pumps, that could increase fire risk at the project site. All proposed infrastructure, including utility expansions, access and internal roadways, and gasoline pump stations, would be constructed in accordance with applicable CFC, CBC, Templeton Fire, and County Public Works requirements to reduce wildfire risk associated with installation of utility infrastructure and to ensure adequate emergency access to the site. In addition, the project site and surrounding area is not located within a very high FHSZ or SRA, which reduces the potential for wildfire to occur within the project area. Based on required compliance with existing state and local requirements, the project would not exacerbate wildfire risk within an SRA or a very high FHSZ; therefore, potential impacts would be *less than significant*.

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

The project site is not located within an SRA or within a very high FHSZ and would be located on nearly level to gently sloping land surrounding by previously developed areas. Additionally, the project site is located in an area with low potential for landslide and flooding to occur. Proposed occupiable structures would be developed in accordance with CBC and CFC regulations to reduce risk associated with wildfire and post-wildfire events. The project would not be sited in location that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes within an SRA or very high FHSZ; therefore, impacts would be *less than significant*.

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Conclusion

The project is located within an LRA and is not located in a designated very high FHSZ. Based on required compliance with CFC, CBC, Templeton Fire, and County Public Works development requirements for proposed buildings and associated site improvements, the proposed project and associated activities would not result in significant adverse impacts related to wildfire and, no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

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Discussion

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

Based on the analysis provided in individual resource sections above, the project has the potential to disturb nesting migratory birds, surface water features, unknown cultural and/or tribal cultural resources, and paleontological resources. Mitigation Measures BIO-1 through BIO-4 and GEO-1 have been identified and would reduce potential impacts to less than significant. Therefore, potential impacts would be *less than cumulatively considerable with mitigation*.

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

Based on the nature of proposed development and the analysis provided in resource sections above, the project would have the potential to result in environmental impacts associated with air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise that could have a cumulative effect with other development projects in the project region. Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-4, GEO-1, and N-1 have been identified to reduce potential environmental impacts to a less-than-significant level, which would result in the reduction of impacts to a less-than-cumulatively-considerable level. Therefore, potential impacts would be *less than cumulatively considerable with mitigation*.

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

Based on the nature and scale of proposed development and the analysis provided in individual resource areas sections above, the project has the potential to have environmental effects that could result in substantial adverse effects on human beings. Potential impacts associated with air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise would be reduced to less-than-significant levels with the implementation of Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-4, GEO-1, and N-1. Therefore, potential impacts associated with environmental effects that would cause substantial adverse effects on human beings would be *less than cumulatively considerable with mitigation*.

Conclusion

Potential impacts associated with mandatory findings of significance would be less than significant with mitigation.

Mitigation

See Exhibit B.

Sources

See Exhibit A.

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Exhibit A - Initial Study References and Agency Contacts

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

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

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

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

- | | |
|--|--|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Project File for the Subject Application County Documents <input type="checkbox"/> Coastal Plan Policies <input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland) <input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agriculture Element <input checked="" type="checkbox"/> Conservation & Open Space Element <input type="checkbox"/> Economic Element <input checked="" type="checkbox"/> Housing Element <input checked="" type="checkbox"/> Noise Element <input checked="" type="checkbox"/> Parks & Recreation Element/Project List <input checked="" type="checkbox"/> Safety Element <input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal) <input checked="" type="checkbox"/> Building and Construction Ordinance <input checked="" type="checkbox"/> Public Facilities Fee Ordinance <input type="checkbox"/> Real Property Division Ordinance <input type="checkbox"/> Affordable Housing Fund <input type="checkbox"/> Airport Land Use Plan <input checked="" type="checkbox"/> Energy Wise Plan <input checked="" type="checkbox"/> North County Area Plan/Salinas River SA; Templeton Community Plan | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Templeton Design Plan <input type="checkbox"/> Specific Plan <input type="checkbox"/> Annual Resource Summary Report <input checked="" type="checkbox"/> Templeton Circulation Study Other Documents <input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook <input checked="" type="checkbox"/> Regional Transportation Plan <input checked="" type="checkbox"/> Uniform Fire Code <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) <input checked="" type="checkbox"/> Archaeological Resources Map <input checked="" type="checkbox"/> Area of Critical Concerns Map <input checked="" type="checkbox"/> Special Biological Importance Map <input checked="" type="checkbox"/> CA Natural Species Diversity Database <input checked="" type="checkbox"/> Fire Hazard Severity Map <input checked="" type="checkbox"/> Flood Hazard Maps <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) <input checked="" type="checkbox"/> Other: LAMP |
|--|--|

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

Associated Transportation Engineers (ATE). 2021. *East Bennett Village Commercial Development San Luis Obispo County Revised Traffic and Circulation Study*. November 8, 2021.

Atascadero Basin Groundwater Sustainability Agency (GSA). 2022. Atascadero Basin Groundwater Sustainability Plan. Available at: <http://templetoncsd.org/AgendaCenter/ViewFile/Item/4522?fileID=3161>. Accessed March 15, 2022.

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- . 2022. *Health Risk Assessment East Bennet Village Project Templeton, San Luis Obispo County, California*. June 2022.
- Natural Resources Conservation Service (NRCS). 2022. Web Soil Survey. Available at: <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed March 11, 2022.
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- RRM Design Group. 2021. *Stormwater Control Plan for Bennet & Las Tablas*. October 21, 2021.
- San Luis Obispo Air Pollution Control District (SLOAPCD). 2012. CEQA Air Quality Handbook. Available at: https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA_Handbook_2012_v2%20%28Updated%20Map2019%29_LinkedwithMemo.pdf. Accessed March 17, 2022.
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Exhibit B - Mitigation Summary

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

AQ-1 Diesel Idling Restrictions for Construction Phases

The APCD recognizes the public health risk reductions that can be realized by idle limitations for both on and off-road equipment. The following idle restricting measures are required for the construction phase of projects:

d. Idling Restrictions Near Sensitive Receptors for Both On and off-Road Equipment

1. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
2. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
3. Use of alternative fueled equipment is recommended whenever possible; and,
4. Signs that specify the no idling requirements must be posted and enforced at the construction site.

e. Idling Restrictions for On-road Vehicles

Section 2485 of Title 13, the California Code of Regulations 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:

3. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
4. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 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 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following web site: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

f. Idling Restrictions for off-Road Equipment

Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use off-Road Diesel regulation: 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 5-minute idling limit.

AQ-2 Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. Projects with grading areas

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more than 4 acres and/or within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance (APCD Rule 402) impacts:

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD'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 mph. Reclaimed (non-potable) water should be used whenever possible. When drought conditions exist and water use is a concern, the contractor or builder should consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control. Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: [Products Available for Controlling Dust](#);
- c. All stockpiled dirt should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
- e. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114;
- f. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the trackout prevention device may need to be modified;
- g. All fugitive dust mitigation measures shall be shown on grading and building plans;
- h. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend

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periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact the Compliance Division at 805-781-5912);

- i. 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;
- j. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- k. 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 APCD;
- l. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- n. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

BIO-1

An environmental awareness training shall be presented to all construction 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 with potential, to occur on site, as well as other sensitive resources requiring avoidance near the project site. The training shall also include a description of protection measures required by discretionary permits, an overview of the Federal and State Endangered Species Acts, and implications of noncompliance with these regulations. This will include an overview of the required avoidance, minimization, and mitigation 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 environmental awareness trainees will be kept. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel and anyone else who may enter the project site.

If new construction personnel join the project after the initial training period, they will receive the environmental awareness training from the qualified biologist before beginning work. Visitors to the proposed project site, such as company executives, administrative staff, or other guests, are not required to receive the environmental awareness training as their time in the project area will be of short duration. Visitors may be independent on the proposed project site if they elect to receive the training, but otherwise must be escorted by someone who is trained.

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BIO-2

If work is planned to occur between February 1 and August 31, a qualified biologist shall survey the area for nesting birds within one week prior to activity beginning on site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A non-disturbance buffer of 50 feet will be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If other special-status avian species are identified and nesting within the work area, no work will begin until an appropriate buffer is determined in consultation with CDFW, and/or the USFWS.

If work is proposed within the buffer, a qualified biologist shall prepare a nest monitoring plan to be approved by the County prior to start of work. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas. The qualified biologist shall document any active nests and submit a letter report to the County Department of Planning and Building documenting compliance with this measure, within 30-days of survey completion.

BIO-3

The following measures are provided to protect hydrologic resources on site:

- Construction activity within 100 feet of drainages shall occur only when conditions are dry.
- To prevent erosion and sedimentation into drainages and wetlands during construction, an erosion and sedimentation control plan shall be developed and implemented. It shall outline Best Management Practices for short term, temporary stabilization. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) rolls, jute or coir netting, and/or other industry standards. Erosion control devices shall be installed and maintained for the duration of the project.
- Prior to project initiation, all applicable permits and/or authorizations to proceed from regulatory agencies with jurisdiction over the project area (i.e., Corps, CDFW, RWQCB, and USFWS) should be obtained, as necessary. Additional mitigation measures may be required by these agencies and shall be implemented as necessary throughout the project.

BIO-4

The following general measures are recommended to minimize impacts to sensitive resources during active construction:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing. No work shall occur outside these limits.

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- Staging of equipment and materials shall occur in designated areas with appropriate demarcation and perimeter controls. No staging areas shall be located within 100 feet of drainages.
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated areas. These activities will occur a minimum of 100 feet from drainages. Sandbags and/or absorbent pads and spill control kits shall always be available on site to clean up any spilled fuel, as needed.
- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

Plastic monofilament netting (erosion control matting) or similar material will not be used on site due to the potential to entangle special-status wildlife. Acceptable substitutes include coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds.

GEO-1

a. A County-approved paleontologist shall be retained that meets the qualifications of a Qualified Professional Paleontologist as defined by the SVP to develop and conduct a Workers Environmental Awareness Program training for project personnel involved in ground-disturbing activities, such as grading, excavation, trenching, and other earthwork. The training shall describe applicable laws and regulations regarding paleontological resources, types of resources that may be found in the project area, and the required procedures in the event of an inadvertent discovery.

b. The County-approved paleontologist shall develop and submit a Paleontological Resources Management Plan (PRMP) to the County for review. The PRMP shall include provisions for documenting the site according to the standards developed by the National Research Council (1987) and shall include, at a minimum:

1. All ground disturbances that impact older surficial sediments, Paso Robles Formation, or Monterey Formation, shall be monitored;
2. A map, based on final grading plans, showing the areas where monitoring shall occur;
3. Processes and procedures for paleontological monitoring, fossil salvaging, reporting, and curation;
4. In the event paleontological resources are identified during construction, all work within 50 feet of the discovery shall immediately cease so that the County -approved paleontologist can evaluate the significance of the discovery;
5. Preservation of significant fossils found during construction by prompt removal and/or stabilization whenever feasible; and
6. Cataloguing and curation of all artifacts and records detailing the results of the investigations at a recognized, nonprofit paleontological specimen repository with permanent curator, such as a museum or university, or at the discretion of the paleontologist, at a County -approved facility.

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At the conclusion of paleontological monitoring, the project paleontologist shall prepare a final Paleontological Resources Monitoring Report that documents the implementation of the PRMP, as well as any paleontological resources discoveries.

N-1

Following construction and prior to operation of the on-site carwash, a qualified engineer shall be obtained to conduct on-site sound level measurements at the entry and exit of the operational carwash to confirm compliance with the noise standards outlined in the County's Land Use Ordinance (LUO) Section 22.10.120. If the project is determined to increase ambient noise levels plus 1 dB or if the maximum exterior noise level would exceed 70 dB at the noise-sensitive residential land uses located approximately 400 feet north and multi-family residential dwellings located 400 feet southwest, the project would be considered non-compliant with the noise standards identified in LUO Section 22.10.120. If the qualified engineer determines that the project is not compliant with the noise standards identified in LUO Section 22.10.120, the car wash shall not operate until noise-reduction measures recommended by the qualified engineer are installed. Compliance shall be monitored through County inspection.