



ENVIRONMENTAL IMPACT REPORT ADDENDUM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

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ENVIRONMENTAL DETERMINATION NO. ED22-042-PL

DATE: July 12, 2022

PROJECT/ENTITLEMENT: Paso Basin Agricultural Offset Requirements Termination Date Extension, LRP2022-00007

APPLICANT NAME: County of San Luis Obispo

ADDRESS: 976 Osos Street, Rm. 200, San Luis Obispo, CA 93408-2040

CONTACT PERSON: Airlin Singewald, Division Manager

Telephone: (805) 781-4979

PROPOSED USES/INTENT: The ordinance amendment extends the termination date of the Agricultural Offset Requirements from August 31, 2022 to the effective date of the Paso Basin Land Use Management Area Planting Ordinance, or August 31, 2023, whichever occurs sooner.

LOCATION: The ordinance amendment affects properties in the area subject to the Paso Basin Agricultural Offset Requirements in the North County Planning Area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040

FINDINGS: An Addendum to the Final Supplemental Environmental Impact Report (FSEIR) prepared for the Countywide Water Conservation Program (State Clearinghouse Number 2014081056) is appropriate for this project. The FSEIR was certified by the County of San Luis Obispo on October 27, 2015, pursuant to County Board of Supervisors Resolution No. 2015-288. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162), the Lead Agency may prepare an addendum to a certified Environmental Impact Report (EIR) where all of the following apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the EIR due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) new information of substantial importance which was not known or could not have been known at the time of the adopted EIR.

Based on staff's determination that all of the above conditions apply, an addendum to the adopted EIR is appropriate. The basis for this conclusion is described in the following section. In addition, please refer to the original EIR for further discussion about all potentially significant issues originally identified for the proposed project.

BASIS FOR ADDENDUM: See attachment.

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the Lead Agency at the above address or telephone number.

Addendum Prepared by:

Kylie Hensley	Project Manager	7/12/22	County of San Luis Obispo
Name	Signature	Title	Date
			Public Agency

Addendum Reviewed by

Airlin Singewald	Division Manager	7/12/22	County of San Luis Obispo
Name	Signature	Title	Date
			Public Agency

**ADDENDUM TO THE CERTIFIED FINAL SUPPLEMENTAL ENVIRONMENTAL
IMPACT REPORT FOR THE COUNTYWIDE WATER CONSERVATION
PROGRAM (SCH # 2014081056)**

July 2022

A. INTRODUCTION

This document is an Addendum to the Final Supplemental Environmental Impact Report (FSEIR) prepared for the Countywide Water Conservation Program (State Clearinghouse Number 2014081056). The FSEIR was certified by the County of San Luis Obispo on October 27, 2015, pursuant to County Board of Supervisors Resolution No. 2015-288. The Addendum is intended to bring the existing CEQA documentation up to date as appropriate. Because there are no new significant impacts or mitigation measures as a result of this updated analysis, an Addendum is the appropriate CEQA document.

B. ADDENDUM REQUIREMENTS

The Addendum has been prepared in accordance with the relevant provisions of the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State CEQA Guidelines as implemented by the SSLOCS. According to §15164(b) of the State CEQA Guidelines, an Addendum to an Environmental Impact Report (EIR) is the appropriate environmental document in instances when “only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred”. Section 15162(a) of the State CEQA Guidelines states that no subsequent Negative Declaration shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR or Negative Declaration was adopted, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;*
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or Negative Declaration;*
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or Negative Declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

This Addendum does not require circulation because it does not provide significant new information that changes the certified FSEIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect.

This Addendum includes this introduction and a description of the proposed actions addressed in the Addendum as they related to the previously-approved project.

The Board of Supervisors shall consider this Addendum to the Final Supplemental EIR as part of the approval of the updated project.

C. PREVIOUS CEQA DOCUMENTATION

The County Board of Supervisors unanimously certified a Final Supplemental EIR and approved the project on October 27, 2015, pursuant to County Board of Supervisors Resolution No. 2015-288. A Notice of Determination (NOD) was prepared, and there were no legal challenges to the adequacy of the Final Supplemental EIR during the 30-day statute of limitations associated with the NOD, pursuant to CEQA (PRC Section 21167 and CEQA Guidelines Section 15094).

D. REASONS WHY AN ADDENDUM IS APPROPRIATE

This Addendum incorporates the additional analysis for inclusion in the environmental record. The updated analysis does not materially change the findings and conclusions of the FSEIR, making a Subsequent EIR unnecessary pursuant to Section 15162 of the CEQA guidelines.

E. UPDATED PROJECT ELEMENTS

The proposed ordinance amendment would extend the termination date for the Paso Basin Agricultural Offset Requirements from August 31, 2022 to the effective date of the Paso Basin Land Use Management Area Planting Ordinance, or August 31, 2023, whichever occurs sooner.

F. UPDATED ENVIRONMENTAL IMPACT ANALYSIS

The Agricultural Offset Requirements section of the County Land Use Ordinance, adopted as part of the Countywide Water Conservation Program in 2015, originally terminated upon the adoption of the Groundwater Sustainability Plan (“GSP”) for the Paso Basin.

On November 17, 2020, the County Board of Supervisors adopted an ordinance amendment and approved a SEIR Addendum to extend the termination date to January 1, 2022 to avoid a gap between GSP adoption and implementation.

On January 26, 2021 and April 6, 2021, the County Board of Supervisors authorized developing a new land use ordinance framework to regulate new and expanded irrigated crop production within the Paso Basin area (“Planting Ordinance”).

On August 24, 2021, the County Board of Supervisors adopted an ordinance amendment and approved a SEIR Addendum to extend the termination date for the Agricultural Offset Requirements to August 31, 2022 to allow time for the development and adoption of the Planting Ordinance, to be effective until 2045, including preparation of a new Environmental Impact Report.

As of July 2022, the GSP management actions are still in progress and the project schedule for the Planting Ordinance anticipates releasing the Final Environmental Impact Report in October 2022, presenting to the Planning Commission in November 2022, and presenting to the Board of Supervisors for final action in December 2022.

The proposed ordinance amendment would further extend the termination date for the Agricultural Offset Requirements from August 31, 2022 to the effective date of the Planting Ordinance, or August 31, 2023, whichever occurs sooner.

The change in the Agricultural Offset Requirements termination date would be consistent with the original intent of the ordinance – to maintain neutral water use for crop irrigation using water from the Paso Basin until an alternative management system is in place – and is consistent with the environmental impact analysis in the original SEIR.

G. DETERMINATION

In accordance with Section 15164 of the CEQA Guidelines, the County of San Luis Obispo (County) has determined that this Addendum to the certified FSEIR is necessary to document changes or additions that have occurred in the project description since the FSEIR was originally certified. The County has reviewed and considered the information contained in this Addendum and finds that the preparation of subsequent CEQA analysis that would require public circulation is not necessary.