



Project Title & No. Sands Road LLC Major Grading ED20-188 (PMTG2019-00080)

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Young Choi _____
 Prepared by (Print) Signature Date

Schani Siong _____
 Reviewed by (Print) Signature Date

Initial Study – Environmental Checklist

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's 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 Sands Road LLC for a major grading permit to allow for the construction of a new 2,500 square-foot single family residence with 785-square foot garage with 1,000-square foot of deck and porch. The proposed project also includes access improvement, approximately 250 linear feet of retaining walls, and five (5) culvert installation to support the driveway. The proposed project will disturb approximately 2-acres of the 98-acre parcel, including 2,800-cubic-yards of cut and 2800-cubic-yards of fill. The project is located approximately 2 miles northeast of Adelaida Road and Chimney Rock Road intersection, approximately 9.2 miles northwest of the community of Paso Robles in the Adelaida sub area of the North County planning area.

ASSESSOR PARCEL NUMBER: 014-311-033

Latitude: 35° 6' 7" N **Longitude:** 120° 8' 4" W **SUPERVISORIAL DISTRICT #** 1

B. Existing Setting

Plan Area: North County **Sub:** Adelaida **Comm:**

Land Use Category: Agriculture

Combining Designation: None

Parcel Size: 98 acres

Topography: Gently sloping to moderately sloping

Vegetation: Shrubs Herbaceous Tree

Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

North: Agriculture; **East:** Agriculture;

South: Agriculture; **West:** Agriculture;

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C. Environmental Analysis

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

Initial Study – Environmental Checklist

I. AESTHETICS

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

Setting

The proposed project is located at Chimney Rock Road, approximately 2.8 miles southwest of Lake Nacimiento Drive and 9.2 miles northwest of the City of Paso Robles. The project site is within a predominantly agricultural and rural area and is located on moderate to steeply rolling topography surrounded by large, sparsely developed residential parcels. The subject parcel is currently undeveloped and contains areas of oak woodland and grasslands. The surrounding visual setting includes views of herbaceous hillsides, scattered rural residences, and large amounts of open space. The surrounding land is used primarily for single-family residences and farming land. No nearby roadways have been officially designated as scenic highways. No major roadways are visible from the project site, and the area proposed for development is only visible from Chimney Rock Road, the only access road for the site. The residential development proposed is consistent with the character of surrounding development.

The only road that lies nearby the site that provides a view corridor to the site is Chimney Rock Road. In July of 2019, a visual simulation and analysis was done to show where the site would be visible from public land and how much of an effect the project would have. A pylon target was used to help approximate more accurately where the project would lie after the proposed grading. In this section, all references to specific Viewpoint's (i.e. "Viewpoint 1," "Viewpoint 2") correlate to Figure 2 of the visual analysis done by FIRMA Landscape Architects in July of 2019. Through the visual analysis, it was discovered that the residence at the top of the ridge as well as a section would be visible from the Viewpoint 1 on the visual analysis, the point of

Initial Study – Environmental Checklist

maximum visibility (driving northeast on Chimney Rock Road, towards Paso Robles). Two other points along Chimney Rock Road were identified as providing a view corridor into the site, Viewpoint 2 (driving towards the east) and Viewpoint 3 (driving towards the northeast), but the site is hardly visible from these points and will not require mitigation.

Discussion

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

The project is not within a dedicated scenic vista and will therefore not cause any substantial adverse effect on a scenic vista. The scale and style of the residential development is similar to existing residential development scattered along the foothills which will not incur substantial adverse effect on any scenic vista. Therefore, impacts would be less than significant.

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

The project is not located within a state scenic highway design corridor or along a scenic roadway and no scenic resources are known to exist on site. Therefore, impacts would be less than significant.

(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 is within a non-urbanized, agricultural area. The proposed project is consistent with the existing visual character of the area consisting of scattered, rural residences in-between forested land.

As stated above, the project is visible from Chimney Rock Road in three locations. To mitigate the visual impacts, a landscaping plan is utilized to screen and soften the proposed development (AES-1). The applicant provided visual simulations of the development with screening landscaping that will blend the development with the existing surroundings. In addition, the visual impacts can be minimized with careful selection of exterior colors and materials to 1) minimize structures' massing, and 2) reduce the contrast between the proposed development and surrounding environment (AES-2). Treatments of large walls i.e. retaining, sound walls, noise-blocking house facades shall be softened with landscaping or a variety of texture/materials to avoid blank wall face (AES-3). With the incorporation of screening landscaping, earthy tone color materials, aesthetic treatments to walls and graded slopes, visual impacts can be reduced and not result in substantial degradation of the existing visual character or quality of public views of the site and its surroundings. The impact will be *less than significant with the incorporation of mitigation measures AES-1 through AES-3.*

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

The proposed project is not expected to produce a substantial amount of light. However, due to the remote nature of the project and relative distance to the nearest urbanized area, the project is located in an area with a low-level of existing light pollution. Without appropriate light shielding and prevention, nighttime lighting within these structures would have the potential to affect nighttime views in the area.

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The requirement of an exterior lighting plan (AES-4) to ensure exterior lights are of low lumen/ glare, down casted and shielded, potential impacts associated with the creation of a new source of substantial light would be less than significant with mitigation.

Conclusion

The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Measure AES-1 through AES-4 has been identified to reduce potential impacts associated with visual resources and lighting to less than significant. Upon implementation of identified mitigation, impacts to aesthetic resources would be less than significant.

Mitigation

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

- a. **Landscape Plan.** *At the time of application for construction permits*, the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The landscape plan shall be developed and signed by a licensed landscape architect and shall include fast growing, evergreen vegetation that will help screen the water tank, walls (*sound walls, retaining, noise blocking/ highway facing house facades*) and blend the entire new development (such as the main structures, driveways, access roads, accessory structures) into the existing environment when viewed from Chimney Rock Road. Criteria for landscaping as follow:
 - i. General landscaping should include various tree types and understory vegetation to create a more natural setting around the development. Screening plants shall cover 75% of the critical elements (retaining walls, noise blocking/ public road facing house facades, water tanks) as seen from Chimney Rock Road, upon maturity or 3 years, whichever occurs first.
 - ii. Trees shall be planted from a minimum 15-gallon container size. Shrubs shall be planted among the screen trees. Shrubs shall be planted from five-gallon containers. All landscaping plants shall be native to the area and utilize plants identified in the County's Approved Plant List.
 - iii. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.

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

AES-3 Wall Treatments. Retaining walls, sound walls, and noise blocking/ public road facing house facades

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that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Chimney Rock Road. Landscaping that will either screen from in front or grow over from above the wall shall be established. Landscape materials shall be from the County's approved plant list and be considered non-invasive and drought-tolerant.

- AES-4 Nighttime lighting.** Prior to issuance of construction permits, the applicant shall submit a lighting plan to the County Planning Department for approval that all exterior lighting shall conforms to LUO Section 22.10.060.

Sources

See Exhibit A.

II. AGRICULTURE AND FORESTRY RESOURCES

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| (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"/> |

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

Setting

The project parcel is within the Agricultural Land Use Category and the Adeladia Agricultural Preserve Area. The parcel is not under a Williamson Act contract, and it does not have historic crops or agricultural activities.

Although the site has historically been used as a vineyard production and grazing, the site does not contain soil viable for farmland. The site still contains an agricultural road.

The soil types and characteristics subject to disturbance from this project include:

Dibble clay loam (9 - 15 % slope). This gently to moderately sloping fine loamy soil is considered not well drained. The soil has high erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class III when irrigated.

Dibble clay loam (15-30 % slope). This moderately sloping fine loamy soil is considered not well drained. The soil has high erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Dibble clay loam (30 - 50 % slope). This steeply sloping fine loamy soil is considered not well drained. The soil has high erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Gaviota Rock outcrop complex (30 -75 % slope). This steeply to very steeply sloping soil is considered very poorly drained. The soil's erodibility is not rated and has low shrink-swell

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characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VIII without irrigation and Class is not rated when irrigated.

Gaviota rock outcrop complex is the soil type under the entire proposed home and supporting utilities, not including the road. The road takes place on Gaviota rock and Dibble Clay Loam.

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

Discussion

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

The proposed project is located on Not Prime Farmland. The project parcel has been used for agriculture in the past and remnants of the previous vineyard can still be found on-site; however, the parcel is not currently being used for agriculture. The soil types could not support the use of agriculture on this parcel, so there is *no impact*.

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

The proposed development is within the allowed uses for land zoned as "agricultural" and will comply with all land use ordinance standards for that section. The parcel is not currently under a Williamson Act contract land, so there is *no impact*.

- (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 is not located in an area that is zoned as forest land, timberland, or timberland zoned Timberland Production, nor would the project cause the rezoning of such lands. Therefore, there is *no impact*.

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

The project is not located in an area that is zoned as forest land. Therefore, there is *no impact*.

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

The project is not considered farmland or forest land. Therefore, there is *no impact*.

Conclusion

No expected Agriculture or Forestry impacts are expected.

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Mitigation

No mitigation measures are required.

Sources

See Exhibit A.

III. AIR QUALITY

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

Setting

The project site is under the jurisdiction of the San Luis Obispo County Air Pollution Control District (SLOAPCD). The SLOAPCD has developed and updated a CEQA Air Quality Handbook (2012) and clarification memorandum (2017) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by SLOAPCD).

The project would be within close proximity (approx. 1,000 feet) to sensitive receptors including single-family residences. The project would not be within close proximity to any serpentine rock outcrops and/or soil formations which may have the potential to contain naturally occurring asbestos.

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

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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 PM2.5), ozone (O3), nitrogen dioxide (NO2), sulfate, carbon monoxide (CO), sulfur dioxide (SO2), visibility reducing particles, lead (Pb), hydrogen sulfide (H2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO2, ozone, PM10 and PM2.5, 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.

SLOAPCD Thresholds

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

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NOx), reactive organic gases (ROG), greenhouse gases (GHG) and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants. The project would result in approximately 2-acres of total site disturbance and require approximately 2,800 cubic yards of cut and 2,800 cubic yards of fill (a total of 5,600 cubic yards of earth work).

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of project can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (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 APCD's 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 APCD'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 ten percent (10%) of exceeding the screening criteria.

Air Quality Monitoring

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The county's air quality is measured by a total of 10 ambient air quality monitoring stations, and pollutant levels are measured continuously and averaged each hour, 24 hours a day. The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to state and federal air quality standards. These standards represent allowable atmospheric containment concentrations at which the public health and welfare are protected, and include a factor of safety. The SLOAPCD prepares an Annual Air Quality Report detailing information on air quality monitoring and pollutant trends in the county.

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

County Clean Air Plan

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

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. Main areas within the county known to have NOA include areas along the coast from Ragged Point to Nipomo, and near the Highway 41 and Highway 46 Junction in the eastern part of the county. The project is not located in an area that the APCD has identified as having potential for NOA.

Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, asthmatics, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, 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 project site is located in a moderately developed area and the nearest sensitive land uses to the project site would be single-family residential homes located approximately 150 feet to the southeast.

Discussion

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

The Land Use Ordinance requires proper methods of construction for major grading permits in Section 22.52.160 (C). This project includes the disturbance of approximately 2 acres which will all occur during the limited period of construction. The project is consistent with the general level of development anticipated and projected in the 2001 Clean Air Plan. The project will not conflict with, or obstruct implementation of SCCAB air quality plans, *therefore no impact*.

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

Construction Related Emissions

Based on the project description, the project will be moving less than 1,200 cubic yards/day of material and will result in the disturbance of approximately 2 acres. This will result in the creation of construction dust, as well as short-and-long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and, therefore, will be below the general thresholds triggering construction-related mitigation.

Operational impacts.

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will result in less than 10 lbs/day of pollutants, which is below thresholds warranting any mitigation. Additionally, the project is consistent with the general level of development anticipated and projected in the Clean Air Plan and would therefore not conflict with or obstruct the implementation of the applicable air quality plan.

Overall, impacts related to exceedance of federal, state, or SLOAPCD ambient air quality standards due to operational activities would be less than significant and considerably less cumulatively.

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

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity or exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. The nearest sensitive receptors are offsite residences located on the opposite side of Chimney Rock Road, about 700 feet to the southwest of the project parcel, but over 4,000 feet from the project site. Residents and schoolchildren could be exposed to diesel particulates and fugitive dust during construction activities. Construction of the road is expected to require the use of large diesel-powered construction equipment or significant amounts of grading. Therefore, LUO 22.52.160 (Construction Procedures), all air quality controls shall be implemented to ensure impacts to sensitive receptors *will be less than significant*.

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

Construction activities have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Odors from construction activities would be intermittent and temporary, and generally would not extend beyond the construction area. The proposed project does not include any components or operational activities that would generate substantial odor or other emissions. Due to the temporary and intermittent nature of construction odors, the project would not result in other emissions affecting a substantial number of people; therefore, potential impacts would be *less than significant*.

Conclusion

Incorporation of LUO 22.52.160 (Construction Procedures) relating to dust control would reduce project related impacts on air quality to a less than significant level pursuant to CEQA.

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Mitigation

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

Sources

See Exhibit A.

IV. BIOLOGICAL RESOURCES

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

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.

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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 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.

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.

Site Description

The project site supports a mosaic of habitats such as herbaceous area, coastal scrub, and woodland. The site has incurred previous disturbances that have resulted in the occurrence of many non-native, weedy species. There are several creeks on the project site; an unnamed creek that runs in the north portion of the site, over 300 feet away from the project, and a feeder to Dip Creek which runs across the existing access road off of Chimney Rock Road.

Discussion

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

The project site is located in rural portion of the County, within a mixed landscape of chaparral/scrub, oak woodlands, and vineyards. The Biological Survey Results, which was part of the 401 Water Quality Certification Application (November 9, 2018 Terra Verde Environmental Consulting) survey area included all areas of the proposed road, along with a 50-foot buffer (includes residential pad). The survey was conducted during appropriate blooming period to identify potential occurring special-status species.

Special-Status Plants

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Suitable chaparral/scrub and oak woodland habitat is present on the project site, however, none of the special-status plant species were observed during an appropriately timed botanical survey and therefore are not expected to occur. The project proposes removal of 2 (two) coast live oak trees. Please refer to discussion (d) for oak tree removal discussion.

Special-Status Wildlife

Birds

No special-status avian species and/or nesting sites were observed. The chaparral/scrub and woodland habitat on-site may offer suitable nesting opportunities for a variety of other common and special-status raptor and passerine species during the typical avian nesting period (February 1 through August 31). To avoid any inadvertent impacts to special-status or nesting bird resources, BIO-1 mitigation measure shall be implemented prior to any site disturbance.

Mammals

Suitable habitat was identified on site for Monterey dusky-footed woodrat. Monterey dusky-footed woodrat typically inhabit forested areas with dense understories. A single woodrat house was observed in the understory of scrub vegetation during the survey. To avoid any inadvertent impacts to Monterey dusky-footed woodrat, BIO-2 mitigation measure shall be implemented prior to any site disturbance.

Amphibians

Northern California legless lizard is considered CSC by CDFW and has been documented in the project vicinity (within 2 miles) according to CDFW (CDFW, 2017). Within the project area, accumulated leaf litter under the tree canopy provides suitable habitat for legless lizard. As such, avoidance and mitigation measure BIO-3 shall be implemented prior to any site disturbance.

With implementation of BIO-1 through BIO-3, impacts to special-status species would be less than significant.

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

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

(b-c) The proposed project is construction of a new single-family residence and associate improvements, including the access driveway. The proposed access improvement proposes to install approximately 2,000-foot long paved driveway to the proposed single-family residence. The construction of the road will require the installation of the 5 (five) culverts, however, based on the site visit from the biologists, only two of the culverts were determined to be within the jurisdiction of the CDFW, RWQCB, and the Corps. (November 9, 2018, Terra Verde). Proposed area of disturbance within the jurisdictional waterway is limited to approximately 2,150-square-feet (0.048-acres), and 200 linear feet. Of the 0.048-acres of impacts, only 0.016-acre (approximately 700 square-feet) will be considered permanent impacts to Army Corps jurisdiction. In addition, the installation of culverts would require approximately 100 cubic yards of fill material that will be placed within the bed and banks of the unnamed ephemeral drainage features. To minimize impacts to jurisdictional drainages, mitigation measure BIO-4 shall be implemented to ensure best management practices, and site restoration. To

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mitigate for the permanent impacts to the jurisdictional drainage impacts, applicant shall implement BIO-5 to submit compensatory mitigation plan to be approved by RWQCB and the County.

Implementation of Mitigation Measure BIO-4 and BIO-5 would reduce impacts on riparian habitat, sensitive habitat, and jurisdictional impacts to *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 is not located in close proximity to any waterbodies that support migratory fish populations. The project site does not contain known or proposed habitat connectivity corridors, therefore, there is *no impact*.

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

The proposed project will result in the removal of up to 2 coast live oak trees. The County of San Luis Obispo has oak woodland preservation ordinance and, policies for native trees protection including mitigation for unavoidable tree removal, replacement planting and long-term monitoring plan. A tree protection and replacement plan will be required to adhere to the General Plan and County Code to reduce impacts to native trees. Each removed oak tree shall be replaced at 4:1 ratio, and each impacted oak tree shall be replaced at 2:1 ratio. Mitigation Measure BIO-6 and BIO-7 shall be implemented to ensure minimization of oak tree impacts, and replanting of oak trees. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or state habitat conservation plan adopted that includes the project site, therefore there is no impact.

Conclusion

The largest biological threat from this site is the impact on the oak trees. Mitigation measures included below must be implemented to ensure the ongoing protection of oak trees.

Mitigation

- BIO-1** **Avoidance of Nesting Birds** –To avoid impacts to nesting birds, including special status species and species protected by the Migratory Bird Treaty Act, any tree or shrub removal should be limited to the time period between September 1 and February 14, if feasible. If initial site disturbance, grading, and tree removal cannot be conducted during this time period, a pre-construction survey for active bird nests within the sufficient limits of the project (any area potentially affected by the project) shall be conducted by a qualified biologist and the following measures incorporated.

Surveys shall be conducted within 10-days prior to any construction activities proposed to occur between February 15 and August 31. If no active nests are located, ground disturbing/construction activities may proceed. If active nests are located, then all construction work shall be conducted outside a non-disturbance buffer zone to be developed

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by the project biologist based on the species (i.e., 250 feet for common species and at least 500 feet for raptors and special status species), slope aspect and surrounding vegetation. No direct disturbance to nests shall occur until the young are no longer reliant on the nest site as determined by the project biologist. The biologist shall conduct monitoring of the nest until all young have fledged.

BIO-2 **Avoidance of Monterey dusky-footed Woodrat** –To avoid impacts to Monterey dusky-footed woodrat, prior to any vegetation clearing, a qualified biologist shall clearly identify the locations of woodrat houses. Woodrat houses located outside of the disturbance areas shall be flagged for avoidance and provide a 10-foot, no disturbance buffer area. The location of woodrat houses within the disturbance areas that cannot be avoided will be identified with construction personnel. A biological monitor shall be present during initial vegetation removal and initial earth disturbance to monitor the mechanical dismantling of woodrat houses. Due to potential health hazards associated with disturbing woodrat houses, hand removal is not recommended. Dismantling will be completed by an equipment operator gently disturbing the top of the nests with heavy equipment (e.g., excavator or similar equipment that can accomplish the task) and allowing woodrats to evacuate unharmed prior to completely dismantling the nest. As necessary, the biological monitor will temporarily halt work within the immediate vicinity of any observed woodrats to allow them to evacuate the immediate area of impact on their on volition.

BIO-3 **Northern California legless lizards - Pre-Construction Surveys and Avoidance Measures.** The Applicant shall retain a County- qualified biologist to conduct pre-construction surveys immediately prior to ground disturbance (i.e., the morning of the commencement of). If Northern California legless lizards are found within the area of disturbance, the biologist will relocate the animals to a pre-approved location outside the project or work area with suitable habitat. The candidate locations for species relocation will be identified prior to ground disturbance and based on the size and type of habitat present, the potential for negative interactions with resident species, and species range.

BIO-4 **Sensitive Habitat Protection (Restoration Area)**

- a. **At the time of construction permit submittal**, project plans, drawings, and specifications shall show the boundaries of all work areas on site , and the location of erosion and sedimentation controls, limit delineation, and the approved Final compensatory mitigation plan.
- b. Adequate measures (e.g., highly visible temporary fencing, etc.) shall be installed **prior to any construction** to clearly delineate that this habitat will be avoided. 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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- c. Staging of equipment and materials shall occur in designated areas with appropriate demarcation and perimeter controls. No staging areas shall be located 100 feet of sensitive habitat or jurisdictional aquatic resources.
- d. Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated staging areas. These activities will occur at a minimum of 100 feet from sensitive habitat or jurisdictional aquatic resources, including drainages and wetlands. Sandbags and/or absorbent pads and spill control kits shall always be available for use in the case of a spill or leak.
- e. Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- f. Best Management Practices for sedimentation and erosion control shall be applied to prevent sediment from entering into this habitat.
- g. Any soil binders used within 50 feet of top of bank/riparian edge must be compatible with riparian/ freshwater habitats. Only soil binders/dust suppressants that have been approved for use in and adjacent to stream and lake habitats by one of the following: United States Environmental Protection Agency (EPA) under the Environmental Technology Verification (ETV) program; the United States Department of Agriculture (USDA) BioPreferredSM program; or CDFW. Approved soil binders/ dust suppressants shall be applied in such a manner as to avoid overspray outside of the target area.
- h. All temporary and permanent vegetation planting within 50 feet of habitat edge shall be compatible with existing habitat vegetation and shall not include any plants considered 'invasive' (as identified on the latest California Invasive Plant Council list).
- i. All areas temporarily disturbed as a result of the project shall be stabilized with a native erosion control seed mix and standard BMPs including, but not limited to the use of biodegradable fiber rolls. The stabilized areas will be monitored for one-year to ensure that no water quality issues are observed following the project.

BIO-5 Compensatory Mitigation Plan & Resource Agency Clearance

a. **Prior to issuance of grading permit**, all applicable permits from agencies with jurisdiction over the project area (CDFW, RWQCB, Corps, and etc.) shall be obtained, as necessary and evidence of such permit(s) obtained shall be submitted to the County. All additional mitigation measures required by these agencies shall be implemented as necessary throughout the duration of the project, including any long-term mitigation requirement.

c. **Establishment Monitoring and Success Criteria** -- The compensatory mitigation area shall be provided supplemental irrigation for plant establishment that could be upwards of three years depending on wet season rainfall. The area shall be maintained regularly for invasive weed removal and irrigation maintenance as needed. Monitoring and reporting would occur annually for a minimum of three-year period depending on successful plant establishment and agency requirements based on the approved Final Compensatory Mitigation Plan. Given this mitigation area would be viewed as an amenity to the proposed

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project, ongoing maintenance and irrigation may occur well beyond the success establishment period.

d. **Prior to final inspection of the proposed residence (construction permit),** applicant shall provide letter of clearance from permitting agencies that all mitigation requirements have been satisfied, and any long-term mitigation plan has been approved by permitting agencies.

BIO-6

Native Trees – Avoidance Measures. To avoid impacts to individual native (oak) trees, the following aspects will be integrated into the project design:

- a. Locate all structures, and construction activities, outside of the tree dripline, and where possible outside of the tree's root zone;
- b. Consider siting driveway location outside of the tree dripline(s); where this is not possible, trimming to about 15 vertical feet of any encroaching limbs should be done before any construction activities begin to avoid these limbs being irreparably ripped/broken by large vehicles.
- c. When located in "high" or "very high" fire severity zones, make all efforts to locate development at least 30 feet, preferably 100 feet, from existing trees to avoid trimming or removing trees as a part of a fuel modification program to protect structures from wildland fires;
- d. Locate all non-native landscaping that requires summer watering and leach lines outside the trees' dripline and root zone;
- e. Before siting structure location, consider where utility lines will be located to avoid trenching within the tree dripline/ canopy;
- f. When the site requires substantial grading near oaks, consider surface drainage aspects (oaks rely on surface water) to retain similar drainage characteristics to oak's root zones.

BIO-7

Native Tree (Oaks) – Replacement/Planting. If any oak tree is impacted or removed on site, these are considered individual oak trees with replacement planting to be conducted on-site.

- A. The applicant will be replacing "in-kind" trees at the following ratios:
 1. For each tree identified as impacted, two (2) trees (minimum 5-gallon) will be planted.
 2. For each tree identified for removal, four (4) trees (minimum 5-gallon) will be planted.
- B. Protection of newly planted trees is needed and shall include the following measures on the Plan:
 3. An above-ground shelter (e.g., tube, wire caging) will be provided for each tree, and will be of sturdy material that will provide protection from browsing animals for no less than five years (for oak trees) (unless determined successfully established by monitor);

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- Caging to protect roots from burrowing animals will be installed when the tree is planted and be made of material that will last no less than five years for oak trees.

Each shelter should include the following, unless manufacture instructions recommend a more successful approach:

- Shelter will be secured with stake that will last at least five years; metal stake will be used if grazing could occur on site;
- Height of shelter will be no less than three (3) feet;
- Base of shelter will be buried into the ground;
- Top of shelter will be securely covered with plastic netting, or better, and last for no less than five years;
- If required planting is located in areas frequented by deer, tube/caging heights will be increased to at least four feet or planting(s) will be protected with deer fencing.

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 checked="" type="checkbox"/>	<input 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

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

As defined by CEQA, a historical resource includes:

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- a) A resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR).
- b) 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.

An archeological study was done for proposed project in December of 2018. It was prepared by Thor Conway and consisted of a survey of the access road, the proposed residential area, and the sloped vineyards on the property. The survey was conducted with clear weather with a good ground visibility of 70%.

There are no previous county archeological reports within one-half mile of the project parcel, but a private archeological survey that was done reported one other study within a half mile. The study did not include whether the other study had findings or not.

Discussion

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

A seasonal stream runs through the site and the path of grading and is within 300 feet of a water source. In order to preserve this stream, a culvert has been added in two places beneath the grading plans to allow for the stream to still feed into Dip Creek. Through the archeological survey of the grading and development site, the determination has been made that no historical resources are present on the project site. Therefore, the project would have *a less than significant* on historical resources.

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

The project site is located on a steep hillside which would make it an unlikely location for a tribe to settle down in. It is also located far from any year-round streams or bodies of water which would also make it an unlikely area for Native Americans to settle down in. No archeological studies have been done within a mile of the parcel. For these reasons, it is unlikely that any archeological resources will be found.

In the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required, which states:

In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

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- b. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Based on the low known sensitivity of the project site, and with implementation of LUO Section 22.10.040, impacts to archaeological resources would be *less than significant*.

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

The nearest dedicated cemetery is the Adelaida Cemetery, located 2.7 miles to the southwest. No known cemeteries are located in the site. In the unlikely event of discovery of previously unknown remains, the conditions above will apply. Therefore, the project would have *a less than significant*.

Conclusion

County Land Use Ordinance Section 22.10.040 includes a provision that construction work cease in the event resources are unearthed, then work is allowed to continue once the issue is resolved. No significant archaeological or historical resource impacts are expected to occur.

Mitigation

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

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 type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project proposes to get its energy from solar panels, placed approximately 50 feet northeast of the building on property. The project will be fully reliant on solar energy to power their residence, without hook-ups to natural gasses.

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

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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 project aligns with this goal because the project's energy demand would be completely supplied by solar panels, placed to the northeast of the proposed home.

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

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

Discussion

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

The project proposes the development of a 2,490 square-foot four bedroom house. Construction of the building would be required to adhere to Title 24 of the California Energy Code and CBC energy efficiency building standards. During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. The project does not propose any activities (e.g., manufacturing) that would inherently be energy consumptive and the proposed uses are similar to other light industrial uses. As such, there are no unusual project characteristics during construction or throughout operation that would result in an inefficient, wasteful use, or unnecessary consumption of energy resources. Therefore, *impacts would be less than significant.*

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

The parcel would be located within the County’s Renewable Energy Area combining designation, but the footprint of the proposed building would not be. The project does not propose a use or activity that would otherwise conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, *no impacts* would occur.

Section 19.08.040(2) gives guidelines for all homes under 2,500 square feet. The home must be verified by a third party to be Green Point Rated with 75 points or higher, LEED for Homes Certified achieving a minimum of 40 points or include the Cal Green requirements in regards to energy efficiency. Because the house plans to rely on solar energy, it will meet this guideline easily. Therefore, *no impacts* would occur.

Conclusion

No Energy related impacts are expected to occur.

Mitigation

No mitigation measures are needed.

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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 County’s Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development

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to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code.

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

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

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is being impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project is located in an area with high potential for landslides.

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

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate. This report is then required to be evaluated by a geologist retained by the County. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault trace within an Earthquake Fault Zone (LUO 22.14.070).

The County Conservation and Open Space Element (COSE) identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils.

The project site is on moderate to steep slopes, and the soils on the site have a low to moderate shrink-swell (expansive) potential. According to the County's land use view, the project site is not within the County's Geologic Study Area, and it has a moderate to high landslide risk and low liquefaction potential. There is a potentially capable fault line 2.7 miles to the northeast of the parcel and no designated active faults within

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one mile. There are no notable geologic features on the project site, including serpentine or ultramafic rock/soils. An Engineering Geology Evaluation report was prepared by Midcoast Geotechnical, Inc. for the project on October 30, 2018.

Discussion

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

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

The project site is not located within an Alquist-Priolo Fault Hazard Zone, and there are no mapped active faults crossing or adjacent to the site (DOC 2018). The closest known fault is approximately 3.7 miles northeast of the project site. An Engineering Geology Evaluation was prepared by Midcoast Geotechnical, Inc., dated October 30, 2018, and provided recommendations for site preparation, grading, and foundations. Implementation of the geotechnical engineering report's recommendations has been included as project conditions of approval to reduce geologic impacts. Upon implementation of the above control measures impacts related to soil erosion and loss of topsoil would be less than significant.

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

The project would be required to comply with the California Building Code (CBC) to ensure the effects of a potential seismic event would be minimized to the greatest extent feasible. The project would be subject to California Building Code, therefore impacts related to the production of strong seismic ground shaking would be less than significant.

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

Exploratory borings were driven 15 feet below surface in the building area to test for liquefaction. The test was run twice, and in both excavations, hard sandy material was noted within 1 foot of the existing grade. No groundwater was observed in either boring. The potential for liquefaction is low, based on the seismicity of the site, the presence and depth of groundwater, the presence of sandy soil, and the density of soil. Therefore, impacts will be less than significant.

(a-iv) *Landslides?*

The project site has moderate to steep topography. Based on the County Safety Element Landslide Hazards Map, the project is located in an area with moderate to high potential for landslide risk. The geotechnical reports provide recommendations for site preparation, grading, and foundations. Incorporation of the preliminary geotechnical recommendations as well as professional engineering standards and CBC requirements would ensure the project is designed to adequately address potential liquefaction and landslide related impacts. Implementation of the geotechnical engineering report's recommendations has been included as project conditions of approval to reduce geologic impacts. Upon implementation of the above control measures impacts related to soil erosion and loss of topsoil would be less than significant.

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

The current grading plans for this project estimate a total of 2,800 cubic yards of cut and 2,800 cubic yards of fill; all cut from the site will stay on the site. Any excess material will be spread and stabilized at an on-site location that is not within the building area. A sedimentation and erosion control plan is required for all construction and grading projects (LUO Section 22.52.120) to minimize potential impacts related to erosion and sedimentation, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation. Upon implementation of the above control measures, as recommended by the county, impacts related to soil erosion and sedimentation would be reduced to less than significant.

(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?*

Grading measures include methods of packing down the soil to ensure that all soil that has been cut, filled, or disrupted has been properly prepared for the sites' development. As stated in the grading plans and CBC; after the grading is complete a geotechnical engineer is to create a report and determine if the building pad construction was performed in a substantial conformance with the plans and if it is able to support the development. The building pad must meet the geotechnical engineers' requirements before the construction can take place. Following these measures, the impact is *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?*

The project site is located on soils that have a low expansion potential. The project would be required to comply with the most recent CBC requirements, which have been developed to property safeguard structures and occupants from land stability hazards, such as expansive soils. Therefore, the project will not create a substantial direct or indirect risk to life or property from soil expansion, and impacts will 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?*

As stated in Section II. Agriculture and Forestry Resources, the soil under the proposed home is gaviota rock outcrop complex. This steeply to very steeply sloping soil is considered very poorly drained, and has potential septic system constraints due to steep slopes and shallow depth to bedrock. On February 12, 2020 percolation tests were performed in compliance with the current County of San Luis Obispo requirement for preparing and pre-saturated the soil in the test holes. During this investigation, no groundwater or evidence of historical high groundwater was encountered. Percolation Data Report, Mid-coast Geotechnical, Inc. dated February 18, 2020. Therefore, *impact is less than significant*.

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

The project does not lie within an area known for having a unique paleontological resource or site or unique geologic feature, so the impact is *less than significant*.

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Conclusion

The project would be required to comply with CBC requirements which have been developed to properly safeguard against seismic and geologic hazards. The project would not result in significant impacts related to geology or soils and no mitigation is necessary.

Mitigation

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

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 type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

As noted in Section 3 Air Quality, the project site is located in the South Central Coast Air Basin (SCCAB) under the jurisdiction of the San Luis Obispo County Air Pollution Control District (SLOAPCD). The SLOAPCD has developed and updated a CEQA Air Quality Handbook (2012) and clarification memorandum (2017) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Greenhouse Gas (GHG) Emissions have been found to result in an increase in the earth’s average surface temperature by exacerbating the naturally occurring “greenhouse effect” in the earth’s atmosphere. The rise in global temperature is has been projected to lead to long-term changes in precipitation, sea level, temperatures, wind patterns, and other elements of the earth’s climate system. This phenomenon is commonly referred to as global climate change. These changes are broadly attributed to GHG emissions, particularly those emissions that result from human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law

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required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects, the Bright-Line Threshold of 1,150 metric tons of carbon dioxide per year (MT CO₂e/year) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO₂e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above-mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the CARB (or other regulatory agencies) and will be "regulated" either by CARB, the federal government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio Standards, and the Clean Car Standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is 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.

Discussion

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

All energy consumed by this building will be generated by a group of solar panels located approximately 50 feet to the northeast of the building. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less than significant. The only sources of emissions would be the travel to and from the site from gas reliant vehicles. These emission levels are expected for this land use, and the lack of greenhouse gas emissions created from the reliance on solar energy makes the impact of this project *less than significant*.

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

The energy production of this site corresponds with San Luis Obispo's Energy Wise Plan of reducing buildings that rely on natural gasses and turn to renewable energy sources such as solar energy. The use of solar panels as the only source of energy complies with San Luis Obispo's Energy Wise Plan. There is no conflict with any emission related policy in San Luis Obispo, so there is *no impact*.

Conclusion

No greenhouse gas emission related issues are expected from this site.

Mitigation

No mitigation measures are needed.

Sources

See Exhibit A.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) 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"/>

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. The project is located in a High Fire Hazard Severity

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Zone with an estimated response time of approximately 10-15 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 search of the DTSC's Envirostor database and the SWRCB's Geotracker system, there are no environmental cleanup sites on or near the proposed project site. The nearest known cleanup site is located over 5 miles west and does not pose a threat to the site, the future uses of the site, or the future users of the site. The project is located approximately 2.5 miles north of the private airstrip MacGillivray Ranch Airfield; the nearest airport is the Paso Robles Municipal Airport, located approximately 12 miles east of the project site. There are no schools located within 0.25 mile of any of the proposed project.

Discussion

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

Construction of the proposed project is anticipated to require limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. The transport, use, handling, and disposal of hazardous materials during construction would be pursuant to local, state, and federal regulations to minimize risk and exposure. Operation of the proposed project would not require routine transport, use, or disposal of hazardous materials. Any hazardous substances associated with the project would continue to be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials; therefore, impacts would be *less than significant*.

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

Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. With these precautions taken, the impacts will be *less than significant*.

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

There are no schools within one-quarter mile of the proposed project; the nearest school is Cappy Culver Elementary School located 5 miles to the north of the project. The proposed project would not emit hazardous emissions or handle acutely hazardous materials, substance or waste; however, during construction, road paving materials, oils, lubricants, fuels, and other hazardous materials may be used. Given the limited building footprint and duration of construction activities, and the distance to the nearest school, potential impacts would be *less than significant*.

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- (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?*

The project sites do not overlay a landfill or hazardous material site; the closest hazardous waste sites, the Buena Vista and Klau mines, are located approximately 4.35 miles to the southwest. Based on a review of the DTSC's EnviroStor database and the SWRCB's Geotracker system on September 5, 2019, the new facilities would not be located in an area that includes any known hazardous material storage or cleanup sites. The proposed facility is not on a site that is on a list of hazardous materials site pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment related to disturbance in a hazardous materials site. Therefore, *no impacts* would occur.

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

The proposed facility is not located near any public airports or County designated Airport Review Areas. The proposed project would not result in a safety hazard related to airport operations, flight patterns, or other airport uses or resources that would create a safety hazard for people residing or working in the project area. Therefore, *no impacts* would occur.

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

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. During short-term construction activities are not expected to cause any lane closures in or around the parcel. The project construction will take place at the end of a private road, and the grading will also be of a private road. The closure of this lane to grade it would not affect anyone residing or working at the neighboring parcels. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and impacts would be *less than significant*.

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

According to the County's General Plan Safety Element and Fire Hazard Severity Zones overlay map, the project site is within a very high fire hazard severity zone and the 10 to 15 minute emergency response time zone. The project would be located on a relatively steep, undeveloped parcel containing minimal vegetation, and would be surrounded by agricultural parcels. The setback from the building envelope to the other parcels or vegetation on site would match the fire safety code and prevent the start and spread of wildfires. The project would be developed and built to include modern fire code standards including fire sprinklers. The project would be built using modern fire codes and would not be sited in location that would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, impacts would be *less than significant*.

Conclusion

Hazard and hazardous materials direct and related impacts are expected to be less than significant or have no impact.

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Mitigation

No mitigation measures are necessary.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Setting

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

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

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

The project is located in the South Coast Water Planning Area. Water for urban uses in the County is obtained from either surface impoundments such as Santa Margarita Lake, Whale Rock, and Lopez reservoirs, or from natural underground basins (aquifers). In October 2015, the County Board of Supervisors adopted a resolution which established the Countywide Water Conservation Program (CWWCP) in response to the declining water levels in the Nipomo Mesa sub basin of the Santa Maria Groundwater Basin, Los Osos Groundwater Basin, and the Paso Robles Groundwater Basin (PRGWB). A key strategy of the CWWCP is to ensure that all new construction or new or expanded agriculture will be required to offset its predicted water

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use by reducing existing water use on other properties within the same water basin. Each of the three groundwater basin areas have specific policies that apply.

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

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

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

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in flood plains are subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements. These requirements include, but are not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation.

The topography of the project is moderately to steeply sloping. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility and is considered very poorly to moderately drained. The project parcel is not within a designated Groundwater Basin. The closest creek from the proposed development, Dip Creek, lies adjacent to the southwest of the site. The project site is not located within a 100-year flood zone.

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

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Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is high.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Discussion

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

The proposed project is located within the jurisdiction of the Central Coast Regional Water Quality Control Board (CCRWQCB) and would be required to comply with all regulatory requirements designed to minimize and control discharges to surface and ground water. The project would require onsite grading and the removal of vegetation, which could result in the erosion of onsite soils and sedimentation during heavy wind or rain events. The project proposes over one-acre of disturbance, requiring a state Construction General Permit and a SWPPP, which would include BMPs to control the discharge of pollutants into local surface water drainages. The Notice of Intent and SWPPP will be filed with the state.

A Storm Water Control Plan (SWCP) has also been prepared for the project and identifies source control measures to prevent potential non-stormwater discharges. The project also proposes the use of rip-rap and culvert rip-rap infiltration areas around the site to reduce runoff, promote infiltration, and promote groundwater recharge. By incorporating LID treatments and source control measures identified in the SWCP, as well compliance with the CCRWQCB discharge requirements and BMPs identified in the SWPPP, the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Therefore, potential impacts would be *less than significant*.

Refer to the Land Use Ordinance Section 22.52.110 and Section 22.52.120 for more information on water quality standards and surface and ground water quality.

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

The development will rely on an existing private well for water supply. The proposed single-family residence was anticipated in the General Plan and planning area standards at the time the parcel was created. Therefore, no impacts would occur.

Initial Study – Environmental Checklist

- (c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- (c-i) *Result in substantial erosion or siltation on- or off-site?*
- (c-ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- (c-iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

(c-i – c-iii) The construction of the access road requires the installation of five culverts. Based on the Biological Survey Report (Terra Verde, November 8, 2019), only two of the culverts are within the jurisdiction of CDFW, RWQCB and the Army Corps. Proposed area of disturbance within the jurisdictional waterway is limited to approximately 2,150-square-feet (0.048-acres), and 200 linear feet. Of the 0.048-acres of impacts, only 0.016-acre (approximately 700 square-feet) will be considered permanent impacts to Army Corps jurisdiction. In addition, the installation of culverts would require approximately 100 cubic yards of fill material that will be placed within the bed and banks of the unnamed ephemeral drainage features. This amount of disturbance is not considered significant. However, mitigation measure BIO-4 (See Section IV. Biological Resources) would ensure that best management practices are in place during construction near drainages and would also require restoration of the site. The project has been conditioned to provide final grading, drainage, erosion and sedimentation control plans, and SWPPP for review and approval prior to building permit issuance as required by LUO Section 22.52.100, 110 and 120. With implementation of BIO-4 and Land Use Ordinance requirement, potential impacts to drainage would be less than significant.

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

The project is not located within a flood zone. Proposed culverts would not impede or redirect flood flows. No impacts would occur.

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

Based on the County Safety Element Dam Inundation Map, the project site is not located in an area that would become inundated in the event of dam failure. The proposed project is not located in a 100-year flood zone, and is approximately 16 miles from the Pacific Ocean. Therefore, there is *no impact*.

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

The project will be conditioned to comply with relevant provisions of the Central Coast RWQCB Basin Plan. Therefore, impacts would be less than significant.

Conclusion

No significant hydrology and water quality impacts is anticipated to occur.

Mitigation

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

Initial Study – Environmental Checklist

Sources

See Exhibit A.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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

The proposed project would be located in an area designated Agriculture by the County of San Luis Obispo. The project site is surrounded by spread out rural residences on large lots. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use

Initial Study – Environmental Checklist

(e.g., County Land Use Ordinance, North County Area Plan, etc.). Referrals were sent to outside agencies and other County departments to review for policy consistencies (e.g., County Fire/CAL FIRE for Fire Code, SLOAPCD for Clean Air Plan, etc.)

Discussion

(a) *Physically divide an established community?*

The project is located outside of an existing community, within a rural, unincorporated area. The property is not located in such a way as to cause the physical divide of any establish 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 site is zoned as Agricultural by the County of San Luis Obispo and no land use changes are proposed. As the project proposes construction of a residence, it would be compatible with the Agricultural designation. The project does not conflict with any land use plan, policy, or regulation in such a way that would cause a significant environmental impact which would not be otherwise addressed and mitigated through measure proposed within this document. Therefore, impacts would be less than significant.

Conclusion

There would be no impacts relating to land use and planning.

Mitigation

No mitigation measures are needed.

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"/>

Initial Study – Environmental Checklist

Setting

Information provided by the USGS Mineral Resources Data System confirms that the proposed project does not cross any active mining operations and no significant economic mineral resources have been recorded on site. The proposed project is more than three miles from any existing mines.

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?*

Accordinging the County’s General Plan Land Use Element and the Energy or Extractive Area (EX) combining designation overlay, there are no known mineral resources in the project area. *No impacts* to known mineral resources would occur.

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

Based on Chapter 6 of the County of San Luis Obispo General Plan Conservation and Open Space Element – Mineral Resources, the project site is not located within an extractive resource area or an energy and extractive resource area, and the site is not designated as a mineral resource recovery site. There is *no impact*.

Conclusion

There would be no known impacts relating to mineral resources.

Mitigation

No mitigation measures are needed.

Sources

See Exhibit A.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 San Luis Obispo County Noise Element of the General Plan provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the Noise Element is to minimize future noise conflicts. The Noise Element identifies the major noise sources in the county (highways and freeways, primary arterial roadways and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, and other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant policies of the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses, and performance standards for new commercial and industrial uses that might adversely impact noise-sensitive land uses.

The project is not within an Airport Review area.

The proposed single-family residence is considered a sensitive noise receptor. Exterior noise exposure over 60 dB is required to be mitigated. Based on the Noise Element’s projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area. Based on the expected noise levels, the additional construction measures, as specified in the Noise Element, would reduce interior noise levels to acceptable levels. Additional concerns include the noise produced by the active agricultural operations which exist within 100 feet of the site and consist of vineyard operations.

The project is not expected to generate loud noises, nor conflict with the surrounding uses. Surrounding residences are considered sensitive noise receptors. The nearest sensitive noise receptor to the site is the existing residence located approximately 1,300 feet to the southwest of the proposed project area.

Per Section 22.60.040(D) of the County's Land Use Ordinance (Title 22), staff reviewed the Noise Element and associated noise contour mapping for transportation and stationary noise sources, as well as the surrounding uses and their potential to generate noise, and determined that a noise study was not necessary.

Initial Study – Environmental Checklist

Discussion

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

The construction and use of the proposed project as a single-family residence is not expected to generate any substantial temporary or permanent increases in ambient noise levels in excess of standards established in the local general plan or noise ordinance. Therefore, impacts would be less than significant.

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

The construction and use of the proposed project as a single-family residence is not expected to result in any excessive groundborne vibrations or noise. Therefore, impacts would be less than significant. All construction will take place within the designated construction times, in accordance with Section 23.06.042 (d):

Noise sources associated with construction, provided such activities do not take place before seven a.m. or after nine p.m. any day except Saturday or Sunday, or before eight a.m. or after five p.m. on Saturday or Sunday.

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

The project is located approximately 1.7 miles north of the private airstrip MacGillivray Ranch Airfield; the nearest airport is the Paso Robles Municipal Airport, located approximately 11 miles east of the project site. There are no schools located within 2 miles of any of the proposed project; the closest school is approximately 5 miles southeast, there is *no impact*.

Conclusion

The proposed project would not result in a significant adverse impact related to Noise.

Mitigation

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

Sources

See Exhibit A.

Initial Study – Environmental Checklist

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

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. The County's Inclusionary Housing Ordinance (Title 22 Section 22.12.080) requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Discussion

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

The proposed does not include the creation or extension of roads or other infrastructure that would indirectly lead to unplanned population growth. The addition of one will not increase the need for housing in the area and would create only enough housing for the property owners. The zoning is Agriculture, so the addition of the house is expected as established by the Land Use Ordinance and County wide zoning. Therefore, impacts would be *less than significant*.

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

The proposed project exists on an undeveloped parcel of land and would not displace any existing people or housing. Therefore, there would be *no impact*.

Conclusion

No significant population and housing impacts would occur.

Mitigation

No mitigation measures are necessary.

Initial Study – Environmental Checklist

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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project area is served by the following public services:

Fire: Cal Fire (Formerly CDF) (Location: 35 Las Tablas, Cal Fire Station, approximately 4.2 miles Southwest of the project parcel) The project site has a Very High Fire Hazard Severity Zone rating. According to Cal Fire, response times are estimated to be between 10 to 15 minutes.

Police: County Sheriff (Location: Templeton, San Luis Obispo County Sheriff North Patrol, approximately 10.7 miles Southeast of the project parcel)

School District(s): Paso Robles Joint Unified School District, San Luis Obispo Joint Community College District.

Parks: Salinas River Trail to Adelaida, Cambria & Whalerock pass through the southern portion of the project parcel.

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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 lies on a site currently zoned for agricultural. There is no agriculture or residential uses on the property now, but there have been those uses in the past and the zoning allows for these uses, showing that residential and agricultural uses are expected in this parcel. Activities may increase fire risk during construction; however, the project does not propose a use or any operational activities that would generate substantial long-term increases in demand for fire protection or other emergency services. The project would be developed and built to include standard building codes including fire sprinklers. Because all properties will have a cumulative impact of the fire protection services, the impact is *less than significant*.

Police protection?

The proposed project, along with other projects in the area, would result in a cumulative effect on police protection services. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, impacts would be *less than significant*.

Schools?

The proposed project, along with other projects in the area, would result in a cumulative effect on educational services. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, impacts would be *less than significant*.

Parks?

The project parcel intercepts a portion of the Salinas River Trail corridors. Due to the nature of the project (single-family residence), the project does not trigger any additional measures be taken to ensure the provision of space for said trails. In addition, project is not proposed within the trail corridor. Therefore, impacts would be less than significant.

Other public facilities?

The project would result in negligible operational impacts and potential construction related effects would be predominantly limited to the existing right-of-way along Chimney Rock Road, no public road improvements are needed for this project. The project would not directly or indirectly affect other public facilities in the project vicinity. The proposed project would not directly or indirectly induce population growth in the area and would not increase demand on public facilities as a result of the project. No expansion of County facilities or emergency services would be required. Therefore, *no impacts* to other public facilities would occur.

Conclusion

No significant impacts to public services would occur.

Mitigation

No mitigation measures necessary.

Initial Study – Environmental Checklist

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 checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Based on the County Trails Map, the project parcel intercepts the Salinas River Trail to Adelaida, Cambria & Whalerock pass through the southern portion of the project parcel. The County’s Parks and Recreation Element does show that a potential trail goes through the proposed project site and the portion of the project parcel which intercepts the proposed trail corridor not within the project limits. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

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 use of the proposed project as a single-family dwelling is not expected to generate an increase in activity significant enough to cause substantial physical deterioration of existing neighborhood and regional parks or other recreational 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 propose any recreational facilities, nor does it necessitate the construction or expansion of recreational facilities in a way that might have an adverse physical effect on the environment. Therefore, impacts would be less than significant.

Conclusion

No significant impacts to recreation would occur.

Initial Study – Environmental Checklist

Mitigation

No mitigation measures are 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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 type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The County of San Luis Obispo Land Use and Circulation Element (LUCE) establishes goals, objectives, and policies to be implemented throughout the unincorporated area of the county.

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 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.

In 2013, Senate Bill 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

Initial Study – Environmental Checklist

adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of Senate Bill 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA. Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

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

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

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

The County LUCE establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations.

The proposed project is located approximately 9.2 miles northwest of the community of Paso Robles off of Chimney Rock Road. Full access into and out of the site would be provided by a new driveway off of Chimney Rock Road. Chimney Rock Road is a collector road that feeds into Nacimiento Lake Drive, an arterial road. The project site is not located in a busy or heavily trafficked area, so no traffic report is required.

The proposed project is not located within one-quarter mile buffer of a railroad crossing. There are no bus stations within one-quarter mile of the parcel and no designated bike paths lie within a 1-mile radius of the site.

Discussion

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

The proposed project would not conflict with plans, ordinances, or policies which address the circulation system. Therefore, impacts would be less than significant.

Initial Study – Environmental Checklist

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

The County of San Luis Obispo has not yet identified an appropriate model or method to estimate vehicle miles traveled for proposed land use development projects. Section 15064.3, subdivision (b) states that if existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. While the County's program is still in development, the estimated new vehicle trips generated by the proposed project fall below the suggested screening threshold of 110 trips/day identified in the State guidance (Technical Advisory on Evaluating Transportation Impacts in CEQA; Office of Planning & Research, December 2018), and would be assumed to 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 proposes grading for an extension of an existing driveway to provide direct access to the proposed single-family residence. This driveway is designed in such a way so as to avoid any hazardous design features and to avoid conflict with existing uses which may be considered incompatible. Therefore, impacts would be less than significant. The project would not result in any changes to Chimney Rock Road, the access road, and would have *no impact*.

(d) *Result in inadequate emergency access?*

The project proposes grading for a driveway and all-weather road which includes a Hammerhead fire truck turn around and would meet Cal Fire road design standards and would therefore provide for adequate emergency access. Therefore, impacts would be less than significant.

Conclusion

The main access to the parcel is via Chimney Rock Road, which is maintained by the County of San Luis Obispo up until the access to the parcel, where it is then under private maintenance. There would be no major impacts to transportation caused by this project.

Mitigation

No mitigation measures necessary.

Sources

See Exhibit A.

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XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, Assembly Bill 52 (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:

Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
- Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.

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

AB 52 consultation letters were sent on June 17, 2020 to four tribes: Northern Chumash Tribal Council, Salinan Tribe of San Luis Obispo and Monterey Counties, Xolon Salinan Tribe, and yak tityu tityu yak tihini. On June 29, 2020, Northern Chumash Tribal Council stated that they had no comments on the project. On July 15, Xolon Salinan Tribe requested Phase 1 report of the project. On July 16, 2020, County staff provided Phase 1 report to Xolon Salinan Tribe. As of August 3, 2020, no additional comment was received, and concluded AB 52 consultation.

As noted in Section V. Cultural Resources, the project is located in an area historically occupied by the Xolon Salinan Tribe and Obispeño Chumash.

Discussion

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

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

The proposed project does not contain any known tribal cultural resources that have been listed or are 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). Therefore, *no impacts* to listed or eligible tribal cultural resources would occur.

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

The archeological report done on December 7, 2018 concluded that there are no known sensitive tribal cultural resources in the project area. However, in the unlikely event resources are uncovered during grading activities, LUO Section 22.10.040 (Archaeological Resources) requires that, in the event archaeological resources are encountered during project construction, construction activities cease, and the County Planning Department be notified of the discovery. If human remains are exposed during construction, construction shall halt around the discovery of human remains, the area shall be protected, and consultation and treatment shall occur as prescribed by State law. The County's Coroner and Sheriff Department shall be notified immediately to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has been notified and can make the necessary findings as to origin and disposition of the remains. If the remains are determined to be Native American, the Coroner will notify the NAHC and the remains will be treated in accordance with Public Resources Code Section 5097.98. Adherence to LUO Section 22.10.040, the State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, potential impacts to tribal cultural resources would be *less than significant*.

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Conclusion

The proposed project would not result in a significant adverse impact related to Tribal Cultural Resources. Therefore, no mitigation is necessary.

Mitigation

No mitigation measures are necessary.

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

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Setting

The proposed project is a single-family residence which proposes the use of an on-site septic system, an on-site well for water supply, and the replacement and expansion of existing underground electrical. Regulations and guidelines on proper wastewater system design and criteria are found within the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy), and the California Plumbing Code. The California OWTS Policy includes the option for public agencies in California to prepare and implement a Local Agency Management Program (LAMP), subject to approval by the Central Coast Water Board. Once adopted, the LAMP will ensure local agency approval and permitting of on-site wastewater treatment systems protective of groundwater quality and public health and will incorporate updated standards applicable to onsite wastewater treatment systems. At this time, the California OWTS Policy standards supersede San Luis Obispo County Codes in Title 19. Until the County's LAMP is approved, the County permitting authority is limited to OWTS that meet Tier 1 requirements, as defined by the California OWTS Policy and summarized in the County's Updated Criteria Policy Document BLD-2028 (dated 06/21/18). All other onsite wastewater disposal systems, including all seepage pit systems, must be approved and permitted through the Central Coast Water Board.

- For onsite wastewater treatment (septic) systems, there are several key factors to consider for a system to operate successfully, including the following:
 - Sufficient land area to meet the criteria for as currently established in Tier 1 Standards of the California OWTS Policy; depending on rainfall amount, and percolation rate, required parcel size minimums will range from one acre to 2.5 acres;
 - The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
 - The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
 - The soil's slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
 - Potential for surface flooding (e.g., within 100-year flood hazard area);
 - Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
 - Distance from creeks and water bodies (100-foot minimum).

See Agriculture section for each soil type found within the parcel boundary and relative septic compatibility. Soils on this site had the following potential septic system constraints: steep slopes, shallow depth to bedrock, slow percolation, and flooding.

The subject property is within the Estrella Area of the Paso Robles Ground Water Basin. The Paso Robles Ground Water Basin Resource Capacity Study (RCS) has found that the Basin's demand is approaching its safe yield. The RCS has also found that groundwater levels are generally dropping throughout the basin, resulting in dry wells and causing property owners to drill deeper wells. The Board of Supervisors (The Board) has directed several actions in order to address the continuing groundwater problems. These actions would 1) allow no further creation of additional rural parcels that will raise the demand for water in the basin; 2) would require discretionary land uses to offset new pumping from the basin; 3) develop a special landscape irrigation ordinance for the basin area; and 4) establish specific growth limits in the basin. The Board determined that ministerial development such as construction of single-family residences will not require

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special attention to water use beyond what is required in the Building Ordinance and existing Land Use Ordinance requirements. The County of San Luis Obispo created the Countywide Water Conservation Program (CWWCP) in October of 2015 which requires that all new urban and rural development within the PRGWB offset new water use at a minimum 1:1 ratio through the purchase of water offset credits prior to construction permit issuance. The County's Land Use Ordinance requires that discretionary land use permits within the North County Planning Area and within the Paso Robles Groundwater Basin, offset new water use at a ratio of 2:1.

Discussion

- (b) *Would the project 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 proposes the use of an on-site well and wastewater disposal and would not require the expansion of existing community facilities. Therefore, no impacts would occur.

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

The project would be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.238), states that no grading or building permit shall be issued until either the water purveyor provides a written statement that potable water service will be provided (community systems), or an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval.

The project proposes the use of an on-site well to obtain its water. The existing well was previously approved by Environmental Health Department. The project is a single-family residence which is expected to use a relatively small amount of water each year.

Additionally, to conserve water, the project will be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240), which requires specific water-conserving fixtures for domestic use. Therefore, impacts would be less than significant.

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

The project proposes the use of an on-site wastewater treatment system. Therefore, no additional demand will be added to the community's provider's existing commitments.

- (e) *Would the project 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?*

The proposed project is a single-family residence which is expected to generate a limited amount of solid waste and will likely not result in the impairment of solid waste reduction goals. Therefore, impacts would be less than significant.

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(f) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The project is required to abide by federal, state, and local management reduction statutes and regulations related to solid waste. Therefore, the project will comply with all statutes and regulations related to solid waste, and impacts will be less than significant.

Conclusion

The proposed project would not result in the need for expanded utility and service systems and is not expected to create any solid waste in excess of state and local standards.

Mitigation

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

Sources

See Exhibit A.

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"/>

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

The project proposes fire road updates as well as the addition of a fire hydrant and water tank in order to minimize possible fire hazards. The project is located within a state responsibility area and is located approximately 10 - 15 minutes from the closest Cal Fire / County Fire station.

The project is located in an area that is considered a very high fire risk area and on-site conditions are considered prime for acceleration of wildfire. The topography of the project parcel is moderately to steeply sloping, which can accelerate the spread of wildfire. Two other factors which can affect fire spread rate are weather conditions and fuel types and conditions.

Discussion

(g) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

The project is not expected to conflict with any regional emergency response or evacuation plan because the project involves construction of one single-family residence and private access road. Therefore, impacts would be less than significant.

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

The project site is moderately to steeply sloping and is surrounded by low lying grasses and vineyards. The residence is required to provide fire sprinklers, in addition to all requirements outline in the project's Fire Safety Plan (Cal Fire/County Fire, September 16, 2019 CAL FIRE, Clint Bullard). Therefore, impacts would be less than significant.

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

The project proposes an update and expansion to its existing driveway to meet Cal Fire standards. The project also proposes the addition of a fire hydrant and water tanks within close proximity to the proposed residence to assist in fire protection. Therefore, impacts would be less than significant.

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

The project is located on a site with moderately to steeply sloping topography, is outside of an adjacent flood hazard zone and is in an area with moderate to high potential for landslide. It is not expected that the project would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be less than significant.

Conclusion

With the adoption of the required standards outlined in the project's fire safety plan (Cal Fire, September 16, 2019), the project is not expected to result in any significant issues relating to wildfire.

Mitigation

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

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 type="checkbox"/>	<input checked="" 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 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
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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?*

The proposed project would not substantially degrade or threaten the quality of the environment, habitat, or populations of any fish or wildlife species, or important examples of California history or prehistory. Potential impacts to air quality, paleontological resources, and transportation were also evaluated. Mitigation measures have been proposed to prevent or reduce all potential impacts to less than significant; therefore, potential impacts would be less than significant with mitigation. Refer to Section I. Aesthetics, Section IV. Biological Resources for additional information.

- (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)?*

When project impacts are considered along with, or in combination with other impacts, the project-related impacts may be significant. Potential cumulative impacts of the proposed project have been analyzed within the discussion of each environmental resource area above. As identified above, the project has the potential to result in potentially significant cumulative impacts related to Biology, Geology and Soils, and Hazards and Hazardous Materials. The impacts of the project do not reach out of the bounds of the project site, so these sections would not accumulate with other impacts off site. The impacts have all been mitigated to less than significant.

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

Environmental effects of the project would not directly or indirectly result in any substantial adverse effects on human beings; this impact would be less than significant.

Conclusion

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Mitigation

- a. See Exhibit B. Mitigation Measures.

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 type="checkbox"/>	County Environmental Health Services	Not Applicable
<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 type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<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 type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

** "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 checked="" 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 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 type="checkbox"/> Energy Wise Plan <input type="checkbox"/> Select Planning Area | <ul style="list-style-type: none"> <input type="checkbox"/> Design Plan <input type="checkbox"/> Specific Plan <input type="checkbox"/> Annual Resource Summary Report <input type="checkbox"/> Circulation Study Other Documents <input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook <input checked="" type="checkbox"/> Regional Transportation Plan <input type="checkbox"/> Uniform Fire Code <input type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) <input checked="" type="checkbox"/> Archaeological Resources Map <input type="checkbox"/> Area of Critical Concerns Map <input 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 type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County <input type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) <input type="checkbox"/> Other |
|---|---|

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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:

Archaeological Surface Survey for the Huffman Property, Heritage Discoveries Inc, December 7, 2018

Chimney Rock Road Visual Study, Firma Landscape Architects, July 16, 2019

Compensatory Mitigation Plan, Terra Verde Environmental Consulting, LLC, January 2020

Geotechnical Engineering Report, Mid Coast Geotech, October 30, 2018

Notification of Lake or Streambed Alteration No. 1600-2019-0001-R4, Department of Fish and Wildlife, June 28, 2019

Submittal of Section 401 Water Quality Certification Application, Terra Verde Environmental Consulting, LLC, November 9, 2018

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Exhibit B - Mitigation Summary

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

Aesthetics

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

- b. Landscape Plan. *At the time of application for construction permits*,** the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The landscape plan shall be developed and signed by a licensed landscape architect and shall include fast growing, evergreen vegetation that will help screen the water tank, walls (*sound walls, retaining, noise blocking/ highway facing house facades*) and blend the entire new development (such as the main structures, driveways, access roads, accessory structures) into the existing environment when viewed from Chimney Rock Road. Criteria for landscaping as follow:
 - iv. General landscaping should include various tree types and understory vegetation to create a more natural setting around the development. Screening plants shall cover 75% of the critical elements (retaining walls, noise blocking/ public road facing house facades, water tanks) as seen from Adelaida, upon maturity or 3 years, whichever occurs first.
 - v. Trees shall be planted from a minimum 15-gallon container size. Shrubs shall be planted among the screen trees. Shrubs shall be planted from five-gallon containers. All landscaping plants shall be native to the area and utilize plants identified in the County's Approved Plant List.
 - vi. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.
- c. Landscape Performance & Monitoring: *Prior to final inspection of subdivision improvement and/or construction permits*,** the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for 3 years. At the end of the 3 year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. If it is determined that the success criteria have not been met, then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.

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

AES-3 Wall Treatments. Retaining walls, sound walls, and noise blocking/ public road facing house facades that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Chimney Rock Road. Landscaping that will either screen from in front or grow over from above the wall shall be established. Landscape materials shall be from the County's approved plant list and be considered non-invasive and drought-tolerant.

AES-4 Nighttime lighting. Prior to issuance of construction permits, the applicant shall submit a light pollution prevention plan (LPPP) to the County Planning Department for approval that incorporates the following measures to reduce impacts related to night lighting to conform to LUO Section 22.10.060.

Biological Resources

BIO-1 Avoidance of Nesting Birds –To avoid impacts to nesting birds, including special status species and species protected by the Migratory Bird Treaty Act, any tree or shrub removal should be limited to the time period between September 1 and February 14, if feasible. If initial site disturbance, grading, and tree removal cannot be conducted during this time period, a pre-construction survey for active bird nests within the sufficient limits of the project (any area potentially affected by the project) shall be conducted by a qualified biologist and the following measures incorporated.

Surveys shall be conducted within 10-days prior to any construction activities proposed to occur between February 15 and August 31. If no active nests are located, ground disturbing/construction activities may proceed. If active nests are located, then all construction work shall be conducted outside a non-disturbance buffer zone to be developed by the project biologist based on the species (i.e., 250 feet for common species and at least 500 feet for raptors and special status species), slope aspect and surrounding vegetation. No direct disturbance to nests shall occur until the young are no longer reliant on the nest site as determined by the project biologist. The biologist shall conduct monitoring of the nest until all young have fledged.

BIO-2 Avoidance of Monterey dusky-footed Woodrat –To avoid impacts to Monterey dusky-footed woodrat, prior to any vegetation clearing, a qualified biologist shall clearly identify the

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locations of woodrat houses. Woodrat houses located outside of the disturbance areas shall be flagged for avoidance and provide a 10-foot, no disturbance buffer area. The location of woodrat houses within the disturbance areas that cannot be avoided will be identified with construction personnel. A biological monitor shall be present during initial vegetation removal and initial earth disturbance to monitor the mechanical dismantling of woodrat houses. Due to potential health hazards associated with disturbing woodrat houses, hand removal is not recommended. Dismantling will be completed by an equipment operator gently disturbing the top of the nests with heavy equipment (e.g., excavator or similar equipment that can accomplish the task) and allowing woodrats to evacuate unharmed prior to completely dismantling the nest. As necessary, the biological monitor will temporarily halt work within the immediate vicinity of any observed woodrats to allow them to evacuate the immediate area of impact on their on volition.

BIO-3 Northern California legless lizards - Pre-Construction Surveys and Avoidance Measures.

The Applicant shall retain a County- qualified biologist to conduct pre-construction surveys immediately prior to ground disturbance (i.e., the morning of the commencement of). If Northern California legless lizards are found within the area of disturbance, the biologist will relocate the animals to a pre-approved location outside the project or work area with suitable habitat. The candidate locations for species relocation will be identified prior to ground disturbance and based on the size and type of habitat present, the potential for negative interactions with resident species, and species range.

BIO-4 Sensitive Habitat Protection

- j. **At the time of construction permit submittal**, project plans, drawings, and specifications shall show the boundaries of all work areas on site, and the location of erosion and sedimentation controls, limit delineation, and final compensatory mitigation plan (Terra Verde Environmental Consulting, LLC dated January 2020).
- k. Adequate measures (e.g., highly visible temporary fencing, etc.) shall be installed **prior to any construction** to clearly delineate that this habitat will be avoided. 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.
- l. Staging of equipment and materials shall occur in designated areas with appropriate demarcation and perimeter controls. No staging areas shall be located 100 feet of sensitive habitat or jurisdictional aquatic resources.
- m. Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated staging areas. These activities will occur at a minimum of 100 feet from sensitive habitat or jurisdictional aquatic resources, including drainages and wetlands. Sandbags and/or absorbent pads and spill control kits shall always be available for use in the case of a spill or leak.
- n. Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.

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- o. Best Management Practices for sedimentation and erosion control shall be applied to prevent sediment from entering into this habitat.
- p. Any soil binders used within 50 feet of top of bank/riparian edge must be compatible with riparian/ freshwater habitats. Only soil binders/dust suppressants that have been approved for use in and adjacent to stream and lake habitats by one of the following: United States Environmental Protection Agency (EPA) under the Environmental Technology Verification (ETV) program; the United States Department of Agriculture (USDA) BioPreferredSM program; or CDFW. Approved soil binders/ dust suppressants shall be applied in such a manner as to avoid overspray outside of the target area.
- q. All temporary and permanent vegetation planting within 50 feet of habitat edge shall be compatible with existing habitat vegetation and shall not include any plants considered 'invasive' (as identified on the latest California Invasive Plant Council list).
- r. All areas temporarily disturbed as a result of the project shall be stabilized with a native erosion control seed mix and standard BMPs including, but not limited to the use of biodegradable fiber rolls. The stabilized areas will be monitored for one-year to ensure that no water quality issues are observed following the project.

BIO-5 Compensatory Mitigation

- a. **Prior to issuance of grading permit**, all applicable permits from agencies with jurisdiction over the project area (CDFW, RWQCB, Corps, and etc.) shall be obtained, as necessary. All additional mitigation measures required by these agencies shall be implemented as necessary throughout the duration of the project, including any long-term mitigation requirement.
- b. **Compensatory Mitigation Plan. Prior to issuance of grading and construction permits**, the application shall submit a formal compensatory mitigation and monitoring plan to the County and regulatory agencies to mitigate impacts to the drainages.
- c. **Establishment Monitoring and Success Criteria** -- The compensatory mitigation area shall be provided supplemental irrigation for plant establishment that could be upwards of three years depending on wet season rainfall. The area shall be maintained regularly for invasive weed removal and irrigation maintenance as needed. Monitoring and reporting would occur annually for a minimum of three-year period depending on successful plant establishment and agency requirements based on the approved Final Compensatory Mitigation Plan. Given this mitigation area would be viewed as an amenity to the proposed project, ongoing maintenance and irrigation may occur well beyond the success establishment period.
- d. **Prior to final inspection of the proposed residence (construction permit)**, applicant shall provide letter of clearance from permitting agencies that all mitigation requirements have been satisfied, and any long-term mitigation plan has been approved by permitting agencies.

BIO-6 Native Trees – Avoidance Measures. To avoid impacts to individual native (oak) trees, the following aspects will be integrated into the project design:

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- g. Locate all structures, and construction activities, outside of the tree dripline, and where possible outside of the tree's root zone;
- h. Consider siting driveway location outside of the tree dripline(s); where this is not possible, trimming to about 15 vertical feet of any encroaching limbs should be done before any construction activities begin to avoid these limbs being irreparably ripped/broken by large vehicles.
- i. When located in "high" or "very high" fire severity zones, make all efforts to locate development at least 30 feet, preferably 100 feet, from existing trees to avoid trimming or removing trees as a part of a fuel modification program to protect structures from wildland fires;
- j. Locate all non-native landscaping that requires summer watering and leach lines outside the trees' dripline and root zone;
- k. Before siting structure location, consider where utility lines will be located to avoid trenching within the tree dripline/ canopy;
- l. When the site requires substantial grading near oaks, consider surface drainage aspects (oaks rely on surface water) to retain similar drainage characteristics to oak's root zones.

BIO-7

Native Tree (Oaks) – Replacement/Planting. If any oak tree is impacted or removed on site, these are considered individual oak trees with replacement planting to be conducted on-site.

- B. The applicant will be replacing "in-kind" trees at the following ratios:
 - 1. For each tree identified as impacted, two (2) trees (minimum 5-gallon) will be planted.
 - 2. For each tree identified for removal, four (4) trees (minimum 5-gallon) will be planted.
- C. Protection of newly planted trees is needed and shall include the following measures on the Plan:
 - 10. An above-ground shelter (e.g., tube, wire caging) will be provided for each tree, and will be of sturdy material that will provide protection from browsing animals for no less than five years (for oak trees) (unless determined successfully established by monitor);
 - 11. Caging to protect roots from burrowing animals will be installed when the tree is planted and be made of material that will last no less than five years for oak trees.

Each shelter should include the following, unless manufacture instructions recommend a more successful approach:

 - 12. Shelter will be secured with stake that will last at least five years; metal stake will be used if grazing could occur on site;
 - 13. Height of shelter will be no less than three (3) feet;

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14. Base of shelter will be buried into the ground;
15. Top of shelter will be securely covered with plastic netting, or better, and last for no less than five years;
16. If required planting is located in areas frequented by deer, tube/caging heights will be increased to at least four feet or planting(s) will be protected with deer fencing.