



NEGATIVE DECLARATION & NOTICE OF DETERMINATION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

ENVIRONMENTAL DETERMINATION NO. ED Number ED21-110

DATE: June 22, 2021

PROJECT/ENTITLEMENT: Peoples' Self-Help Housing, Vesting Tentative Tract Map (Tract 3163), and Conditional Use Permit (SUB2020-00080)

APPLICANT NAME: Peoples' Self-Help Housing Corporation **Email:** sherylf@pshhc.org

ADDRESS: 3533 Empleo Street, San Luis Obispo, CA 93401

CONTACT PERSON: Sheryl Flores **Telephone:** (805) 540-2465

PROPOSED USES/INTENT: A request by Peoples' Self-Help Housing Corporation (PSHH) for a Vesting Tentative Tract Map (Tract 3163) and concurrent Conditional Use Permit (SUB2020-00080) to subdivide an existing 1.68-acre parcel (APNs 090-095-015 and 090-095-006) into 10 lots ranging from 4,151 to 12,324 gross square-feet and the construction of 10 workforce housing single-family residences. The project will result in the disturbance of the entire a 1.68-acre parcel, including 350-cubic yards of cut and 2,150-cubic yards of fill.

LOCATION: The project is within the Commercial Retail land use category and is located at the intersection of West Branch Street and North Thompson Avenue in the community of Nipomo. The site is located in the South County Inland Sub-Area of the South County Planning Area.

LEAD AGENCY: County of San Luis Obispo
Dept of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040
Website: <http://www.sloplanning.org>

STATE CLEARINGHOUSE REVIEW: YES NO

OTHER POTENTIAL PERMITTING AGENCIES:

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT4:30 p.m. (2 wks from above DATE)

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification Notice of Determination

This is to advise that the San Luis Obispo County as *Lead Agency* *Responsible Agency* approved / denied the above described project by Planning Commission, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Emi Sugiyama

County of San Luis Obispo

Signature

Name

Date

Public Agency



Project Title & No. People’s Self Help Housing – Nipomo Vesting Tentative Tract Map (TR 3163) and Conditional Use Permit (SUB2020-00080) ED21-110

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

Emi Sugiyama	_____	_____
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 Peoples' Self-Help Housing Corporation (PSHH) for a Vesting Tentative Tract Map (Tract 3163) and concurrent Conditional Use Permit (SUB2020-00080) to subdivide an existing 1.68-acre parcel (APNs 090-095-015 and 090-095-006) into 10 lots ranging from 4,151 to 12,324 gross square-feet and the construction of 10 workforce housing single-family residences. The project will result in the disturbance of the entire 1.68-acre parcel, including 350-cubic yards of cut and 2,150-cubic yards of fill. The project is within the Commercial Retail land use category and is located at the intersection of West Branch Street and North Thompson Avenue in the community of Nipomo. The site is located in the South County Inland Sub-Area of the South County Planning Area.

ASSESSOR PARCEL NUMBER(S): 090-095-015 and 090-095-006

Latitude: 35° 2' 38" N **Longitude:** 120° 28' 39" W **SUPERVISORIAL DISTRICT #** 4

B. Existing Setting

Plan Area: South County **Sub:** South County Inland **Comm:** Nipomo

Land Use Category: Commercial Retail

Combining Designation: None

Parcel Size: 1.68 acres

Topography: Nearly Level

Vegetation: Native and non-native grasses, shrubs, trees

Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

North: Residential Single-Family; Residences

East: Commercial Retail; Vacant lots

South: Commercial Retail; Commercial Development

West: Residential Single-Family; Residences

Initial Study – Environmental Checklist

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project is located within the community of Nipomo within the Nipomo Central Business District. The parcel is designated as Commercial Retail. The parcel is located on the edge of the central business district and bordered to the north and west by single-family residential development. To the south and east exist vacant lots and small retail structures. The project parcel is vacant and is nearly flat. The project would introduce a density of use which is more consistent with surrounding lots and uses. The structure would be visible from the nearest public roads (N Thompson Avenue and Branch Street). The project is subject to the Nipomo Community Plan and the Olde Towne Nipomo Design Plan.

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, and impacts would be *less than significant*.

Initial Study – Environmental Checklist

- (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, the project would not result in substantial damage to scenic resources within a state scenic highway, and 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 an urbanized area and will be required to meet all applicable zoning and other regulations governing scenic quality for the area, including the Olde Towne Nipomo design guidelines. Therefore, impacts to the visual character and quality of the area would be *less than significant*.

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

The project is an infill development and is not expected to produce a substantial amount of new source of light or glare within an established neighborhood. Therefore, it is unlikely that the project would have any substantial adverse effect on day or nighttime views through the creation of substantial light or glare. The County of San Luis Obispo's Land Use Ordinance 22.10.060 prohibits light or glare which is transmitted or reflected in a concentration or intensity that is detrimental or harmful to persons, or that interferes with the use of surrounding properties or streets. This section also requires that light shielding be used for outdoor lighting on new projects. Therefore, impacts relating to nighttime lighting and glare would be *less than significant*.

Conclusion

The project is considered an infill project and is designed to be visually consistent with the surrounding development. The project is not expected to have any adverse effects on the visual quality of the site or its surroundings, including any scenic vistas or resources. The project is subject to the Olde Towne Nipomo design guidelines which dictate the visual standards for the surrounding area. Additionally, the project would not substantially degrade the existing visual character or create a new source of substantial light or glare.

Mitigation

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

Sources

See Exhibit A.

Initial Study – Environmental Checklist

II. AGRICULTURE AND FORESTRY RESOURCES

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

Setting

The project parcel is within the Commercial Retail land use category, is within the Nipomo Valley Preserve Area, and is not under a Williamson Act contract. Additionally, the site does not support any agricultural activities and has no recent history of crop production. The project parcel is not known to contain any forest land and does not support any timberland activities.

Initial Study – Environmental Checklist

Based on the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) and the San Luis Obispo County Important Farmland Map (FMMP 2018), the project sites contain Unique Farmland and Grazing Land. The soil type(s) and characteristics on the subject property include:

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

Cropley Clay (2 - 9 % slope)

This gently sloping soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

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?*

Based on information provided by the Farmland Mapping and Monitoring Program of the California Resources Agency, the proposed development would be located atop soils which are designated as "Prime Farmland if Irrigated". However, the proposed project is to construct 10 single-family residences within the Commercial Retail land use category. The existing site is within a predominately commercial and residential area and has no record of agricultural activities on site. Therefore, no Farmland would be converted to non-agricultural uses and potential impacts would be *less than significant*.

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

The parcel is not zoned for agricultural use, nor is it under a Williamson Act contract, therefore *no impact* would occur.

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

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

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

The project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use; *no impacts would occur*.

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

The project is not located in close proximity to Farmland or forest land and the nature of the project would not conflict with existing agricultural uses. The project would not increase demand on agricultural water supplies or facilities and would not affect proximate agricultural support facilities. Therefore, the project would not result in changes in the existing environment that could result in

Initial Study – Environmental Checklist

the conversion of Farmland to non-agricultural uses or forest land to non-forest uses. *No impacts would occur.*

Conclusion

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

Mitigation

None necessary.

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 checked="" type="checkbox"/>	<input 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 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 SLOAPCD).

Initial Study – Environmental Checklist

San Luis Obispo County Clean Air Plan

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

As proposed, the project would result in the disturbance of the entire 1.68-acre parcel, which would include moving approximately 350 cubic yards of cut and 2,150 cubic yards of fill material. This would result in the creation of construction dust, as well as short- and long-term vehicle emissions. According to the United States Department of Agriculture's Wind Erodibility Index, the wind erodibility of the soils which would be disturbed by the proposed project is "moderate".

The project would be within close proximity (approx. 1,000 feet) to sensitive receptors including single-family residences that might result in nuisance complaints and be subject to limited dust and/or emission control measures during construction. 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. Additionally, there are no known faults within close proximity to the project site.

Discussion

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

The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook 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).

As proposed, the project will result in the disturbance of approximately 1.68 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. 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.

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

The County is currently designated as non-attainment for ozone and PM₁₀ under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_x) and fugitive dust emissions (PM₁₀).

Construction Impacts

The SLOAPCD CEQA Air Quality Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance.

Initial Study – Environmental Checklist

Table 1 lists the SLOAPCD's screening emission rates that would be generated based on the amount of material to be moved. The APCD's CEQA Handbook also clarifies that any project that would require grading of 4.0 acres or more can exceed the 2.5-ton PM₁₀ quarterly threshold listed above.

Table 1. Screening Emission Rates for Construction Activities

Pollutant	Grams/Cubic Yard of Material Moved	Lbs/Cubic Yard of Material Moved
Diesel Particulate Matter (DPM)	2.2	0.0049
Reactive Organic Gases (ROG)	9.2	0.0203
Oxides of Nitrogen (NO _x)	42.4	0.0935
Fugitive Particulate Matter (PM ₁₀)	0.75 tons/acre/month of construction activity (assuming 22 days of construction per month)	

Based on estimated cut and fill estimates and the construction emission rates shown in Table 1, construction-related emissions that would result from the project were calculated and are shown in Table 2 below.

Table 2. Proposed Project Estimated Construction Emissions.

Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Threshold Exceeded?
		Daily	Quarterly (Tier 1)	
ROG + NO _x (combined)	284.5 lbs	137 pounds	2.5 tons	No
Diesel Particulate Matter (DPM)	12.25 lbs	7 pounds	0.13 tons	No
Fugitive Particulate Matter (PM ₁₀)	1.26 tons		2.5 tons	No

For projects involving construction and/or grading activities, the LUO requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled to below the 20% opacity limit and to ensure dust is not emitted offsite. The LUO includes a list of primary fugitive dust control measures required for all projects involving grading or site disturbance. The LUO also includes an expanded list of fugitive dust control measures for projects requiring site disturbance of greater than four acres or which are located within 1,000 feet of any sensitive receptor location.

Initial Study – Environmental Checklist

The project will be conditioned to incorporate these standards as it is within 1,000 feet of sensitive receptors. All applicable fugitive dust control measures are required to be shown on grading and building plans and monitored by a designated monitor to minimize dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (LUO 22.52.160.C).

The California Code of Regulations (Section 2485 of Title 13) also prohibits idling in excess of 5 minutes from any diesel-fueled commercial motor vehicles with gross vehicular weight ratings of 10,000 pounds or more or that must be licensed for operation on highways.

Based on the volume of proposed grading, area of project site disturbance, estimated duration of the construction period, and the APCD's screening construction emission rates identified above, the project would not result in the emission of criteria pollutants that would exceed construction-related thresholds established by the SLOAPCD. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment, and impacts would be *less than significant*.

Operational Impacts

The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds. The project would not generate substantial new long-term traffic trips or vehicle emissions and does not propose construction of new direct (source) emissions. Therefore, potential operational emissions would be *less than significant*.

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

As described above in response to (b), the project would not generate significant construction-related or operational emissions and would, therefore, not expose sensitive receptors to substantial pollutant concentrations. Operational emissions would not substantially increase and implementation of standard LUO standards for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be *less than significant*.

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

Construction could generate odors from heavy diesel machinery and materials used for excavation and construction of the project. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with typical construction equipment and activities, and would dissipate within a short distance from the active work area. The project site is almost entirely surrounded by existing vineyards and open agricultural space and no significant long-term operational emissions or odors would be generated by the project. Therefore, impacts related to other emissions adversely affecting a substantial number of people would be *less than significant*.

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan and thresholds for construction-related and operational emissions. The project would not result in cumulatively considerable emissions of any criteria

Initial Study – Environmental Checklist

pollutant for which the County is in non-attainment and would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions adversely affecting a substantial number of people. Therefore, potential impacts to air quality would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Initial Study – Environmental Checklist

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

Sensitive Resource Area Designations

The County of San Luis Obispo Land Use Ordinance (LUO) Sensitive Resource Area (SRA) combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection. The proposed project is not within a SRA combining designation.

Federal and State Endangered Species Acts

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. 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 CDFW has the authority to review projects for their potential to impact special-status species and their habitats.

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 and are required to be evaluated under CEQA.

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 Section 404, USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a

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continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

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. Based on the U.S. Fish and Wildlife Service National Wetlands Inventory, the project site does not support wetlands, riparian or deep-water habitats (USFWS 2019).

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. The COSE identifies Critical Habitat areas for sensitive species including California condor, California red legged frog, vernal pool fairy shrimp, La Graciosa thistle, Morro Bay kangaroo rat, Morro shoulderband snail, tiger salamander, and western snowy plover. The COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines. Project site does not provide habitat for Critical Habitat species.

Oak Woodland Ordinance

The County of San Luis Obispo Oak Woodland Ordinance was adopted in April 2017 to regulate the clear-cutting of oak woodlands. This ordinance applies to sites located outside of Urban or Village areas within the inland portions of the county (not within the Coastal Zone). "Clear-cutting" is defined as the removal of one acre or more of contiguous trees within an oak woodland from a site or portion of a site for any reason, including harvesting of wood, or to enable the conversion of land to other land uses. "Oak woodland" includes the following species: Blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizeni*), valley oak (*Quercus labata*), and California black oak (*Quercus kelloggii*). The ordinance applies to clear-cutting of oak woodland only and does not apply to the removal of other species of trees, individual oak trees (except for Heritage Oaks), or the thinning, tree trimming, or removal of oak woodland trees that are diseased, dead, or creating a hazardous condition. Heritage oaks are any individual oak species, as defined in the Oak Woodland Ordinance, of 48 inches diameter at breast height (dbh) or greater, separated from all Stands and Oak Woodlands by at least 500 feet. Minor Use Permit approval is required to remove any Heritage Oak.

The project site does not support oak woodland or Heritage Oaks.

Site Setting

The project site is located in an urbanized area in community of Nipomo and is currently vacant. The project is located in a mapped area with the potential to support Pismo Clarkia. The subject site has been regularly maintained through fuel management and continual construction disturbance from development of neighboring sites. Therefore, it is unlikely that the project site currently does not support any native vegetation. The nearest waterway is Deleissigues Creek, approximately 0.3 miles west of the project site.

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The project parcel consists of a variety of native and introduced grasses, forbs and shrubs. Landscaping includes agave, pepper tree, a palm tree of undetermined species, black walnut trees, and stone fruit trees. These trees will be removed as part of the construction of the workforce housing, however additional street trees suited for the area will be planted in yards facing public streets.

Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species. However, due to continual disturbances, there is no indication of habitat suitable for sensitive aquatic animal or plant species associated with vernal pools due to soil types and existing topography that did not support pooling.

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?*

Based on existing site conditions, being regularly mowed for fuel management and located in a urbanized area, and lack of suitable habitat, the project site does not have the potential to support any candidate, sensitive, or special status species identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, the project does not have the potential to result in significant impacts to special-status species and impacts 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?*

There are no mapped blue line creeks and no riparian vegetation or other sensitive natural communities within or immediately adjacent to the proposed areas of disturbance. Therefore, the project would not result in impacts to riparian habitat or other sensitive natural communities and *no impacts would occur*.

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

The project site does not support state or federal wetlands or other jurisdictional areas. Therefore, the project would not result in an adverse effect on state or federally protected wetlands and *no impacts would occur*.

- (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?*

Based on the [California Essential Habitat Connectivity Project](#), the project site is not located in an identified Essential Connectivity Area. The project site does not support habitat features conducive to migratory wildlife species such as riparian corridors, shorelines, or ridgelines. Therefore, the project would not interfere with the movement of resident or migratory fish or wildlife species or wildlife nursery sites and *no impacts would occur*.

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

The project parcel is located in an area mapped as a potential habitat for Pismo Clarkia. Based on the historical disturbance, continual fuel management, and location within a generally urban area, it is unlikely that the site supports any Pismo Clarkia. Additionally, a number of trees currently exist on the project site. No oak trees have been identified for removal and the project is required to provide street trees suitable for the area. The project would not adversely affect sensitive habitats or resources identified in the COSE or native tree species protected under the County Oak Woodland Ordinance. The project is not located within an SRA designated for protection of unique or sensitive endangered vegetation or habitat resources. The proposed area of disturbance does not support sensitive resources that are protected by local policies and plans. Therefore, the project would not result in a conflict with local policies or ordinances protecting biological resources and impacts would be *less than significant*.

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

The project is not located within an area under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project is not within areas identified as critical habitat or within the County’s San Joaquin Kit Fox standard mitigation ratio area (County of San Luis Obispo 2007). Therefore, the project would not conflict with the provisions of an adopted plan and *no impacts would occur*.

Conclusion

The project site does not support suitable habitat for sensitive plant or wildlife species, wetlands, riparian habitat, or other sensitive biological resources. The project would not conflict with local plans or policies for protection of biological resources. Therefore, potential impacts to biological resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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, and immigrant settlers.

As defined by CEQA, a historical resource includes:

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

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

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

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

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Discussion

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

The project site does not contain a site under the Historic Site (H) combining designation. However, an Archaeological Inventory Survey was prepared for this project by Nancy Farrell and Esther Kenner of Cultural Resource Management Services in November of 2020. Based on the project's location in a historic area of Nipomo, the report recommended monitoring by an archaeologist during initial grading activities. Through the incorporation of this recommendation, potential impacts would be *less than significant with mitigation*.

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

An Archaeological Inventory Survey was prepared for this project by Nancy Farrell and Esther Kenner of Cultural Resource Management Services in November of 2020. Based on the project's location in a historic area of Nipomo, the report recommended monitoring by an archaeologist during initial grading activities.

In the unlikely event that resources are uncovered during grading activities, implementation of LUO 22.10.040 (Archaeological Resources) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, through the incorporation of the recommended monitoring, potential impacts would be *less than significant with mitigation*.

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

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

Conclusion

No archaeological or historical resources are known to occur within or adjacent to the project site. However, potential resources may exist and, per recommendation of the Archaeological Inventory Survey prepared for this project, monitoring of initial grading activities will be required. In the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to cultural resources would be less than significant with mitigation measures incorporated.

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Mitigation

- CR-1 Monitoring Plan.** Prior to authorization of any project related grading or demolition activities, the applicant shall submit a monitoring plan, prepared by a qualified archeologist for review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- List of personnel involved in the monitoring activities,
 - Description of how the monitoring shall occur,
 - Description of frequency of monitoring (e.g. full-time, part-time, spot checking),
 - Description of what resources are expected to be encountered,
 - Description of circumstances that would result in the halting of work at the project site (e.g. What are considered “significant” archaeological resources),
 - Description of procedures for halting work on the site and notification procedures, and
 - Description of monitoring reporting procedures.
 - Cultural resource awareness training for construction crew and field supervisors.
- CR-2 Monitoring Implementation.** The applicant shall retain a qualified archeologist to monitor all initial grading or over-excavating activities pursuant to the approved monitoring plan. If any significant archeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity of the resource (precise area to be determined by the archeologist in the field) until such time as the resource can be evaluated by the archeologist. Human remains will be addressed according to State law. The applicant shall implement all mitigations as required by the Environmental Coordinator.
- CR-3 Monitoring Report.** Upon completion of all monitoring/mitigation activities and prior to occupancy or final inspection (whichever occurs first), the consulting archeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities. The report shall describe all features, deposits, or cultural materials encountered, indicate provisions for curation of recovered artifacts, and confirm that all recommended mitigation measures have been met.

Sources

See Exhibit A.

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VI. ENERGY

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

Setting

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

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

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

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

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

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

Discussion

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

According to the project application materials, the proposed residential activities are expected to consume approximately 100,260 kWh of electricity per year which about the equivalent energy demand associated with 10 residences (6,684 kWh per year per dwelling). The project is not expected to result in wasteful, inefficient or unnecessary consumption of energy resources because the project will be constructed with fixtures and equipment that meets current building codes for energy efficiency and conservation; therefore, impacts will be *less than significant*.

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

In 2011, the County adopted the Energy Wise Plan to serve as the climate action plan for the County. The Plan identifies energy conservation, transportation, land use, water use, and solid waste strategies to reduce community wide GHG emissions. The project is consistent with County-wide GHG emissions reductions strategies associated with:

- Encouraging the use of energy efficient equipment in new development;
- Reducing methane emissions associated with solid waste through recycling and composting of green waste;
- The promotion of water conservation to reduce emissions associated with potable water use;
- The project will incorporate the use of Best Management Practices in the cultivation of cannabis. These BMPs address water conservation, solid waste recycling, greenwaste composting, and the use of equipment that meets current energy conservation standards.

Therefore, the project will not obstruct any energy plans, and impacts are expected to be *less than significant*.

Conclusion

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

Mitigation

None necessary.

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VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<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"/>
(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 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
(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 (Alquist-Priolo Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The Safety Element of the County of San Luis Obispo General Plan identifies three active faults that traverse through the County and that are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to 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. The project site is within one half mile of a potentially active fault.

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

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

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

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moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project is located in an area with a low landslide risk potential.

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

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

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

In the county, the Coastal Franciscan domain generally lies along the mountains and hills associated with the Santa Lucia Range. Fossils recorded from the Coastal Franciscan formation include trace fossils (preserved tracks or other signs of the behaviors of animals), mollusks, and marine reptiles. Nonmarine or continental deposits are more likely to contain vertebrate fossil sites. Occasionally vertebrate marine fossils such as whale, porpoise, seal, or sea lion can be found in marine rock units such as the Miocene Monterey Formation and the Pliocene Sisquoc Formations known to occur throughout Central and Southern California. Vertebrate fossils of continental material are usually rare, sporadic, and localized.

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

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Discussion

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

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

The project is not on or near an earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other evidence. The project would therefore not likely cause potential substantial adverse effects from the rupture of a known earthquake fault. In addition, the proposed project would be subject to professional engineering and construction standards to ensure the reservoirs are constructed in a stable manner. Therefore, the potential for impacts related to surface ground rupture to occur at the project sites is low, and potential impacts would be *less than significant*.

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

Based on the County Safety Element Fault Hazards Map, the project site is located within 1 mile of a known active or potentially active fault. Additionally, San Luis Obispo County is located in a seismically active region and there is always a potential for seismic ground shaking. The project would be required to comply with the California Building Code (CBC) and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. The project does not include unique components that would be particularly sensitive to seismic ground shaking or result in an increased risk of injury or damage as a result of ground shaking. Implementation of the project would not expose people or structures to significant increased risks associated with seismic ground shaking; therefore, impacts would be *less than significant*.

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

Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction. A Geotechnical Investigation was performed for the project site by Pacific Coast Testing, Inc. on January 31, 2020. The report will be further reviewed at time of application for construction permits and incorporation of recommendations contained within the report will be required prior to final inspection. In addition, the project would be required to comply with CBC seismic requirements to address the site's potential for seismic-related ground failure including liquefaction; therefore, the potential impacts would be *less than significant*.

(a-iv) *Landslides?*

The project site is gently sloping with a relatively flat topography. Based on the County Safety Element Landslide Hazards Map, the project is located in an area with low potential for landslide risk. Therefore, the project would not cause adverse effects involving landslides and impacts would be *less than significant*.

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

The project would result in the disturbance of approximately 1.68 acres. During grading activities there would be a potential for erosion and sedimentation to occur. 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. Implementation of the soils engineering report's recommendations shall be incorporated into the grading plan, per LUO 22.52.100. Therefore, potential impacts would be *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?*

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the County Safety Element, the project site is not located within an area with slopes susceptible to local failure. The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction risk. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse would be *less than significant*.

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

The Geotechnical Investigation (Pacific Coast Testing, Inc., January 2020) noted the presence of expansive soils and potential for settlement. The report noted that "[e]xcavation of the pad areas will be required with placement of a select non-expansive soil cap to provide uniform support for the residences." Implementation of the report's recommendations shall be incorporated into the grading plan, per LUO 22.52.100. Therefore, potential impacts would be *less than significant*.

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

The applicant provided a will-serve letter from Nipomo CSD confirming that the community service district is willing and able to provide sewer services. Therefore, the project will not involve the use of onsite waste disposal systems, and no impacts from the use of septic tanks or alternative waste water disposal systems are expected. Therefore, there would be *no impact*.

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

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

Conclusion

The project site is not within the GSA combining designation or an area of high risk of landslide, liquefaction, subsidence, or other unstable geologic conditions. The project would be required to comply with CBC and standard LUO requirements which have been developed to properly safeguard against seismic and geologic

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hazards. Therefore, potential impacts related to geology and soils would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

Sources

See Exhibit A.

VIII. GREENHOUSE GAS EMISSIONS

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

Setting

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 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.

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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:

Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,

Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,

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?*

The proposed project would involve the construction of 10 new single-family residences. The average carbon footprint of single-family residences is approximately 10 metric tons, making the total GHG emissions of the project roughly 100 metric tons. 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 significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, impacts would be *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 proposed project would not interfere with any applicable plans, policies, or regulations regarding greenhouse gas emissions including the County of San Luis Obispo’s EnergyWise Plan, which notes the emission reduction goals for the county by 2035 (San Luis Obispo County 2011). Therefore, impacts would be *less than significant*.

Conclusion

The project would not violate any regulations regarding GHG emissions, and it would not surpass any emission thresholds. Therefore, the project would result in less than significant impacts related to Greenhouse Gas Emissions.

Mitigation

None necessary.

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"/>
(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"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 project is not located in an area of known hazardous material contamination and is not on a site listed on the “Cortese List” (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5) (SWRCB 2019; California Department of Toxic Substance Control [DTSC] 2019). The project is not located within an unmapped fire hazard severity zone. The project is located within a Local Responsibility Area and based on the County’s response time map, it will take approximately 0 to 5 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts. The project is not located within an Airport Review Area.

Discussion

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

The project does not propose the routine use, transport, or disposal of hazardous materials. Therefore, the project is not likely to create a significant hazard to the public or environment through exposure to hazardous materials, and impacts will 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 of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Handling of these materials has the potential to result in an accidental release. 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. Therefore, impacts would be *less than significant*.

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

Nipomo Elementary School in Nipomo is located approximately 0.25 miles east of the project site. While a school is within one mile of the project, the project does not propose the routine use, transport, or disposal of hazardous materials, and the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials. Therefore, impacts would be *less than significant*.

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

Based on a search of the California Department of Toxic Substance Control's EnviroStar database, the State Water Resources Control Board's Geotracker database, and CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project 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 project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impacts would occur*.

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

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

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

The project is not located within or adjacent to a wildland area. Based on the County Safety Element, the project is not located within a high or very high fire hazard severity zone. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential impacts would be *less than significant*.

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Conclusion

The project does not propose the routine transport, use, handling, or disposal of hazardous substances. It is not located within proximity to any known contaminated sites and is not within close proximity to populations that could be substantially affected by upset or release of hazardous substances. Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. Therefore, potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.

Mitigation

None 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<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"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 Central Coast Regional Water Quality Control Board (RWQCB) has established Total Maximum Daily Load (TMDL) thresholds for waterbodies within the County. A TMDL establishes the allowable amount of a particular pollutant a waterbody can receive on a regular basis and still remain at levels that protect beneficial uses designated for that waterbody. A TMDL also establishes proportional responsibility for controlling the pollutant, numeric indicators of water quality, and measures to achieve the allowable amount of pollutant loading. Section 303(d) of the Clean Water Act (CWA) requires states to maintain a list of bodies of water that are designated as “impaired”. A body of water is considered impaired when a particular water quality objective or standard is not being met.

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

The U.S. Army Corps of Engineers (USACE), through Section 404 of the CWA, regulates the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. are typically identified by the presence of an ordinary high water mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. The State Water Resources Control Board (SWRCB) and nine 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, or have the potential to impact waters of the State. Waters of the State are defined by the Porter-Cologne Act

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as any surface water or groundwater, including saline waters, within the boundaries of the state. The project is located within the Nipomo Mesa subbasin of the Santa Maria Groundwater Basin and proposes to obtain its water needs from a community water system operated by the Nipomo CSD and has received an intent-to-serve letter from the CSD. The proposed project would require 10 residential service connections. The Nipomo CSD sources its water from the local groundwater and imported water from the City of Santa Maria which is a blend of groundwater and water from the State Water Project.

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 subbasin 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 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 obtain coverage under the SWRCB's Construction General Permit. The Construction General Permit requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by the San Luis Obispo County LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is 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, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding.

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The project site is not located within a Flood Hazard combining designation. The nearest watercourse is Deleissigues Creek, approximately 0.3 miles west of the project site.

Discussion

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

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

- Approximately 1.68 acres of site disturbance;
- Storm Water Pollution Prevention Plan (SWPPP) is required;
- The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- The project is on soils with low erodibility, and gentle slopes;
- The project is not within a 100-year Flood Hazard designation;
- The project is more than 0.3 miles from the closest river (Deleissigues Creek) and at least 100 feet from the nearest surface water body;
- All hazardous materials and/or wastes will be properly stored onsite, which include secondary containment should spills or leaks occur; and
- Stockpiles will be properly managed during construction to avoid material loss due to erosion.

Implementation of Land Use Ordinance Section 22.52.110 and Section 22.52.120 will help ensure less than significant impacts to water quality standards and surface and ground water quality. Therefore, impacts would be *less than significant*.

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

The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project would not interfere with sustainable management of the groundwater basin. The project proposes connections to Nipomo CSD and an intent to serve letter has been provided stating the CSD's conditions for service. Potential impacts associated with groundwater supplies would be *less than significant*.

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

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

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

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

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

The 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. The project site is not located within a 100-year flood plain and the amount of increased impervious surfaces is not expected to exceed the capacity of stormwater conveyances or increase downslope flooding. The project is not located within a flood zone and is not located within close proximity to a drainage channel. Therefore, impacts would be *less than significant*.

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

The proposed project is not located in a 100-year flood zone and is approximately 9 miles from the Pacific Ocean. Therefore, impacts would be *less than significant*.

(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 and has received an intent-to-serve letter from the Nipomo CSD, the service provider for the project site. Therefore, impacts would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

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XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, archaeological, and scenic resources within the county. The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the County General Plan.

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

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

Discussion

(f) *Physically divide an established community?*

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or

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private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts would occur*.

- (g) *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 proposed project is for the subdivision and construction of 10 residences. The project was found to be consistent with standards and policies set forth in the County General Plan, the South County Area Plan, the SLOAPCD Clean Air Plan, and other land use policies for this area. The project would be required to be consistent with standards set forth by the Public Works Department. Therefore, impacts related to inconsistency with land use and policies adopted to address environmental effects would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(c) 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"/>
(d) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The County Land Use Ordinance provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The proposed project is not located within an EX or EX1 designation. Based on the California Geological Survey (CGS) Information Warehouse for Mineral Land Classification, the project site is located within an Aggregate Materials study area which covers the majority of the county. There are no active mining operations within 1 mile of the project site.

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Discussion

- (h) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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

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

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

Conclusion

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

Mitigation

None necessary.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(e) 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"/>
(f) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) 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"/>

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Setting

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

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

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

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

The existing ambient noise environment is characterized by minor traffic on the surrounding streets, Thompson Avenue and Branch Street, as well as typical residential activities in the surrounding homes. Noise-sensitive land uses typically include residences, schools, nursing homes, and parks. The project site is surrounded by noise-sensitive residences. The project site is not located within an Airport Review Area.

The County Land Use Ordinance Section 22.10.120 establishes maximum allowed noise levels for both daytime (7 a.m. to 10 p.m.) and nighttime (10 p.m. to 7 a.m.) hours. The maximum allowed exterior hourly noise level is 50 db for the daytime hours and 45 db for the nighttime hours.

Discussion

- (j) *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 proposed project would result in ambient noise levels consistent with the surrounding area. 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.

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Project construction activities would generate short-term (temporary) construction noise. If possible, the use of pile drivers shall be minimized in construction. Alternative techniques that produce less noise, such as drilled or bored piles, shall be considered. Furthermore, compliance with County LUO Section 22.10.120 would require construction noise to be limited. Noise impacts resulting from both construction and operation of the proposed facility are expected to be *less than significant*.

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

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

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

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

Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a result of the project. Therefore, potential impacts related to noise would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(h) 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"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(i) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

The County’s Inclusionary Housing Ordinance requires the provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions. In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships (HOME) program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Discussion

- (m) *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 project will create 10 new workforce housing residences which will increase the supply of homes in the area leading to potential, small population growth. This is in line with County and local plans to increase housing availability. The proposed project would not result in new jobs in the area that would require new housing. The project does not propose new roads or infrastructure to undeveloped or underdeveloped areas that would indirectly result in population growth. Therefore, impacts would be *less than significant*.

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

The proposed project does not involve the displacement, either directly or indirectly, of existing people or housing that would necessitate the construction of replacement housing elsewhere. The project proposes the creation of 10 additional workforce housing units to increase home supply. Therefore, *no impacts* would occur.

Conclusion

The proposed project would provide 10 workforce housing units. Therefore, population and housing impacts would be less than significant, and no mitigation measures are necessary.

Mitigation

None needed.

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XV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The project would be served by County Fire Station #20 – Nipomo, located approximately 0.5 miles west of the project site. The emergency response time for the area is 0 to 5 minutes and in an unknown fire hazard severity zone.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff’s Office. The Sheriff’s Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The project would be served by the South County Sheriff Station – Oceano, located approximately 15 miles northwest of the project site.

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San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project is located within the Lucia Mar School District and San Luis Obispo Joint Community College District.

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

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

Discussion

- (o) *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 proposed project was referred to CalFire for review of consistency with the Uniform Fire Code and will be required to adhere to the requirements of Uniform Fire Code. The proposed project, along with other projects in the area, will result in a cumulative effect on fire 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*.

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 would result in the creation of new housing and may result in minor population growth. This population growth would result in a cumulative effect on existing school facilities. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property. Therefore, impacts would be *less than significant*.

Parks?

The proposed project would result in the creation of new housing and may result in minor population growth. This population growth would result in a cumulative effect on existing school facilities. The project is subject to Quimby Act. The Quimby fees shall be collected at a time of building issuance, per 21.09.010 (Parks and recreation facilities). The project's direct and cumulative impacts would be within

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the general assumptions of allowed use for the subject property. Therefore, impacts would be *less than significant*.

Other public facilities?

The proposed project would not generate a substantial long-term demand for roads, solid waste, or other public services or utilities. Electrical demands of the project would be within expected uses for the property. The proposed project site would be accessed by the existing local circulation system and would not generate substantial long-term operational trips. Therefore, potential impacts on public services or utilities would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

XVI. RECREATION

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

The County of San Luis Obispo Parks and Recreation Element (Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. The Recreation Element does not show any existing or potential future trails going through or adjacent to the project site.

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Discussion

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

The proposed project would have a cumulative effect on the use of existing parks and recreational facilities through population growth caused by the construction of new homes. The project is located within close vicinity (one-half mile) to multiple public open space areas including two schools. The project is subject to Quimby Act. The Quimby fees shall be collected at a time of building issuance, per 21.09.010 (Parks and recreation facilities). Therefore, the local area has the recreational capacity to handle the increased use caused by the project, and impacts would be *less than significant*.

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

The project is subject to Quimby Act. The Quimby fees shall be collected at a time of building issuance, per 21.09.010 (Parks and recreation facilities). The proposed project does not include recreational facilities or require construction or expansion of existing facilities. Therefore, impacts will be *less than significant*.

Conclusion

No significant impacts to recreational resources would occur.

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>				
(m) 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"/>
(n) 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"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(o) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(p) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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 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 (as detailed in Section 15064.3 [b]). 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 programs, and the approval of transportation projects using federal funds.

The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of San Luis Obispo County’s transportation system. The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County of San Luis Obispo as well as the Cities within the county in facilitating the development of the RTP.

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

The County's Framework for Planning (Inland), includes the Land Use and Circulation Elements of the County's General Plan. The Framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. There is an existing bus stop that will be maintained along the North Thompson Avenue border of the project site. A bike lane extension along North Thompson Avenue is also proposed, consistent with the Nipomo Community Circulation Plan.

Discussion

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

The project does not propose the substantial temporary or long-term alteration of any proximate transportation facilities. The project proposes the maintenance of the existing bus stop located along North Thompson Avenue and the extension of the bike lane along North Thompson Avenue. Marginal increases in traffic can be accommodated by existing local streets and the project would not result in any long-term changes in traffic or circulation. The project does not propose uses that would interfere or conflict with applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities. The project would be consistent with the County Framework for Planning (Inland) and consistent with the projected level of growth and development identified in the 2019 RTP. Therefore, potential impacts would be *less than significant*.

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

The County of San Luis Obispo has developed a model for determining potential increases in vehicle miles traveled (VMT) for proposed projects. The County model makes use of the suggested screening thresholds outlined by the Office of Planning and Research ("OPR") in their Technical Advisory on Evaluating Transportation Impacts in CEQA from December of 2018. These include screening thresholds for small projects, office and residential projects, projects near transit stations, and affordable residential development projects.

The project's potential VMT impacts have been calculated using the County's Thresholds of Significance and Sketch VMT tool – an estimation tool designed to calculate potential changes in VMT from a proposed development, based on the SLOCOG Regional Travel Demand Model. The project is in a pre-screened, low VMT area for residential development. Additionally, the project is located along a transit route and includes affordable residential development. The project falls below the County's Threshold of Significance; therefore, impacts would be *less than significant*.

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- (t) *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 would result in minimal alterations to the portion of North Thompson Avenue and West Branch Street which border the site and does not include geometric design features that would create new hazards or an incompatible use. Therefore, impacts would be *less than significant*.

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

North Thompson Avenue, West Branch Street, and the connecting roads in the area are currently able to accommodate emergency vehicles. The project would have the highest risk of emergencies during construction which would be temporary. The project would not block or alter egress routes for surrounding residents. Therefore, impacts related to emergency access would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

XVIII. TRIBAL CULTURAL RESOURCES

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

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

Setting

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

- 1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.
- 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California Public Resources Code Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

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

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alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources.

AB 52 consultation letters were sent to local tribes on October 26, 2020. No responses or requests for consultation were received.

Discussion

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

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

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and the project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Additionally, based on the recommendations of the project's Archaeological Inventory Survey, mitigation measures CR-1 through CR-3 will address the potential for objects of historical significance being found. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant with mitigation*.

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

The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO 22.10.040). Additionally, based on the recommendations of the project's Archaeological Inventory Survey, mitigation measures CR-1 through CR-3 will address the potential for objects of historical significance being found. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant with mitigation*.

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Conclusion

Implementation of the Cultural Resources mitigation measures (CR-1 to CR-3) for this project will reduce potentially significant cultural resources impacts related to project grading or construction to a less than significance level.

Mitigation

See Cultural Resource mitigation measures.

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>				
(r) 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(s) 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"/>
(t) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(u) 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"/>
(v) 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 project has received an intent-to-serve letter from the Nipomo CSD for water and sewer services. A fee program has been adopted to address impacts related to public facilities (County) and schools (State Government Code 65995 et seq.) such as parks and schools. Fees are assessed annually by the County based on the type of proposed development and proportional impact and collected at the time of building permit issuance. Fees are used for the construction as needed to finance the facilities required to the serve new development.

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must obtain coverage under the SWRCB's Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the City of San Luis Obispo, Chicago Grade Landfill, located near the community of Templeton, and Paso Robles Landfill, located east of the City of Paso Robles.

Discussion

- (w) *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 proposed project would not result in the need for new or expanded water or wastewater, facilities. The proposed project will rely on a community water system for water supply and a community sewage disposal system for sewage disposal operated by the Nipomo CSD. The project has received an intent-to-serve letter from the CSD indicating they are willing and able to serve the proposed project; therefore, impacts will be *less than significant*.

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

The project has received an intent-to-serve letter from the Nipomo CSD for water service, which indicates water availability for this project within their operational capacity and water supply projections. Therefore, impacts will be *less than significant*. Refer to the *Hydrology and Water Quality* section for a discussion of the sustainable groundwater management setting.

- (y) *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 has received an intent-to-serve letter from the Nipomo CSD for sewer service. Therefore, impacts will be *less than significant*.

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

Construction activities would result in the generation of minimal solid waste materials. The proposed project is a 10-unit residential subdivision and is not expected to exceed the capacity of local solid waste facility. Therefore, impacts will be *less than significant*.

Initial Study – Environmental Checklist

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

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

Conclusion

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

Mitigation

None necessary.

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>				
(w) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(x) 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"/>
(y) 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"/>

Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(z) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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

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

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

Initial Study – Environmental Checklist

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

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

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

Discussion

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

The proposed project would not impair any regional emergency response or evacuation plan as the existing access roads would be wide enough to accommodate emergency vehicles and project construction would be contained within the project site. Construction and operation of the project would not require road closure, and the project would not physically block the onsite residents from evacuating during an emergency. A referral was sent to the CalFire, which provides fire services for this area, for project review. CalFire commented that the Fire Marshal approves the project as submitted and requires the conditions to be incorporated as part of permit issuance. Therefore, impacts would be *less than significant*.

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

The proposed project is not within a known Fire Hazard Severity Zone and, as an infill development surrounded by similar uses and structures, which would pose less of a wildfire risk. The parcel is nearly level and contains limited vegetation which could increase wildfire risk. The project proponent would be required to adhere to the Fire Safety Plan prepared by CalFire to lessen fire risk within the project site. With this in consideration, impacts would be *less than significant*.

(dd) 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?

Existing local roads would be used for access, and the only new road construction would be a driveway for access to the residences. All other utility infrastructure for the proposed project, such as for water, sewers, cable, and power, will be underground and will not exacerbate fire risks. As the fire risk for the parcel is low, and no prominent infrastructure additions that may exacerbate fire risk will be made, impacts will be *less than significant*.

(ee) 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 not located in a potential flood hazard zone or fire hazard severity zone, so risks to people and structures from floods and wildfires is low. Additionally, the project is gently sloping, has

Initial Study – Environmental Checklist

a low landslide risk potential, and has well-drained soils. Therefore, impacts from these risks are *less than significant*.

Conclusion

With the implementation of the Fire Safety Plan prepared by CalFire for this project, impacts related to wildfire would be less than significant.

Mitigation

None necessary.

Sources

See Exhibit A.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(aa) 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"/>
(bb) 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"/>
(cc) 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"/>

Initial Study – Environmental Checklist

Discussion

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

Based on the nature and scale of proposed development, the project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of 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. Potential impacts would be *less than significant*.

- (gg) *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)?*

The proposed project does not have impacts that are individually limited, but cumulatively considerable. Therefore, potential cumulative impacts would be *less than significant*.

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

Based on the nature and scale of the project, the project would not result in a substantial adverse direct or indirect effect on human beings.

Initial Study – Environmental Checklist

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	None
<input checked="" type="checkbox"/>	County Environmental Health Services	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input 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 checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	In File**
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>County Parks Department</u>	In File**
<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 type="checkbox"/> Coastal Plan Policies <input checked="" type="checkbox"/> Framework for Planning (Inland) <input checked="" type="checkbox"/> General Plan (Inland), includes all maps/elements; more pertinent elements: <ul style="list-style-type: none"> <input type="checkbox"/> Agriculture Element <input type="checkbox"/> Conservation & Open Space Element <input type="checkbox"/> Economic Element <input checked="" type="checkbox"/> Housing Element <input checked="" type="checkbox"/> Noise Element <input checked="" type="checkbox"/> Parks & Recreation Element/Project List <input checked="" type="checkbox"/> Safety Element <input checked="" type="checkbox"/> Land Use Ordinance (Inland) <input checked="" type="checkbox"/> Building and Construction Ordinance <input type="checkbox"/> Public Facilities Fee Ordinance <input checked="" 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 checked="" type="checkbox"/> South County Area Plan/South County sub area | <ul style="list-style-type: none"> <input checked="" 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 checked="" 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 type="checkbox"/> CA Natural Species Diversity Database <input checked="" type="checkbox"/> Fire Hazard Severity Map <input checked="" type="checkbox"/> Flood Hazard Maps <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) <input type="checkbox"/> Other |
|--|--|

Initial Study – Environmental Checklist

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

Archaeological Inventory Survey at The Northwest Corner of Branch Street and Thompson Road Nipomo, San Luis Obispo County, California. Nancy Farrell and Esther Kenner of Cultural Resource Management Services. November 2020.

Geotechnical Investigation Proposed Residences (APN 090-095-006/015) W. Branch St & N. Thompson Ave. Pacific Coast Testing, Inc. January 2021.

Technical Advisory on Evaluating Transportation Impacts in CEQA. Office of Planning and Research. December 2018.

Initial Study – Environmental Checklist

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.

- CR-1 Monitoring Plan.** Prior to authorization of any project related grading or demolition, the applicant shall submit a monitoring plan, prepared by a qualified archeologist for review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- a. List of personnel involved in the monitoring activities,
 - b. Description of how the monitoring shall occur,
 - c. Description of frequency of monitoring (e.g. full-time, part-time, spot checking),
 - d. Description of what resources are expected to be encountered,
 - e. Description of circumstances that would result in the halting of work at the project site (e.g. What are considered "significant" archaeological resources),
 - f. Description of procedures for halting work on the site and notification procedures, and
 - g. Description of monitoring reporting procedures.
 - h. Cultural resource awareness training for construction crew and field supervisors.
- CR-2 Monitoring Implementation.** The applicant shall retain a qualified archeologist to monitor all initial grading or over-excavating activities pursuant to the approved monitoring plan. If any significant archeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity of the resource (precise area to be determined by the archeologist in the field) until such time as the resource can be evaluated by the archeologist. Human remains will be addressed according to State law. The applicant shall implement all mitigations as required by the Environmental Coordinator.
- CR-3 Monitoring Report.** Upon completion of all monitoring/mitigation activities and prior to occupancy or final inspection (whichever occurs first), the consulting archeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities. The report shall describe all features, deposits, or cultural materials encountered, indicate provisions for curation of recovered artifacts, and confirm that all recommended mitigation measures have been met.

**DEVELOPER'S STATEMENT FOR
Peoples' Self-Help Housing – Vesting Tentative Tract Map (Tract 3163) and Conditional
Use Permit (SUB2020-00080)**

The applicant agrees 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.

Per Public Resources Code Section 21081.6 the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, is responsible to verify compliance with these COAs.

Project Description: A request by Peoples' Self-Help Housing Corporation (PSHH) for a Vesting Tentative Tract Map (Tract 3163) and concurrent Conditional Use Permit (SUB2020-00080) to subdivide an existing 1.68-acre parcel (APNs 090-095-015 and 090-095-006) into 10 lots ranging from 4,151 to 12,324 gross square-feet and the construction of 10 workforce housing single-family residences. The project will result in the disturbance of the entire a 1.68-acre parcel, including 350-cubic yards of cut and 2,150-cubic yards of fill. The project is within the Commercial Retail land use category and is located at the intersection of West Branch Street and North Thompson Avenue in the community of Nipomo. The site is located in the South County Inland Sub-Area of the South County Planning Area.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Cultural Resources

CR-1 Monitoring Plan. Prior to authorization of any project related grading or demolition, the applicant shall submit a monitoring plan, prepared by a qualified archeologist for review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- a. List of personnel involved in the monitoring activities,
- b. Description of how the monitoring shall occur,
- c. Description of frequency of monitoring (e.g. full-time, part-time, spot checking),
- d. Description of what resources are expected to be encountered,

- e. Description of circumstances that would result in the halting of work at the project site (e.g. What are considered "significant" archaeological resources),
- f. Description of procedures for halting work on the site and notification procedures, and
- g. Description of monitoring reporting procedures.
- h. Cultural resource awareness training for construction crew and field supervisors.

CR-2 Monitoring Implementation. The applicant shall retain a qualified archeologist to monitor all initial grading or over-excavating activities pursuant to the approved monitoring plan. If any significant archeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity of the resource (precise area to be determined by the archeologist in the field) until such time as the resource can be evaluated by the archeologist. Human remains will be addressed according to State law. The applicant shall implement all mitigations as required by the Environmental Coordinator.

CR-3 Monitoring Report. Upon completion of all monitoring/mitigation activities and prior to occupancy or final inspection (whichever occurs first), the consulting archeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities. The report shall describe all features, deposits, or cultural materials encountered, indicate provisions for curation of recovered artifacts, and confirm that all recommended mitigation measures have been met.

CR-1 through CR-3 Monitoring/Compliance.
Prior to occupancy or final inspection (whichever occurs first), the consulting archeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

People's Self-Help Housing Corp

by: *Sheryl Flores*

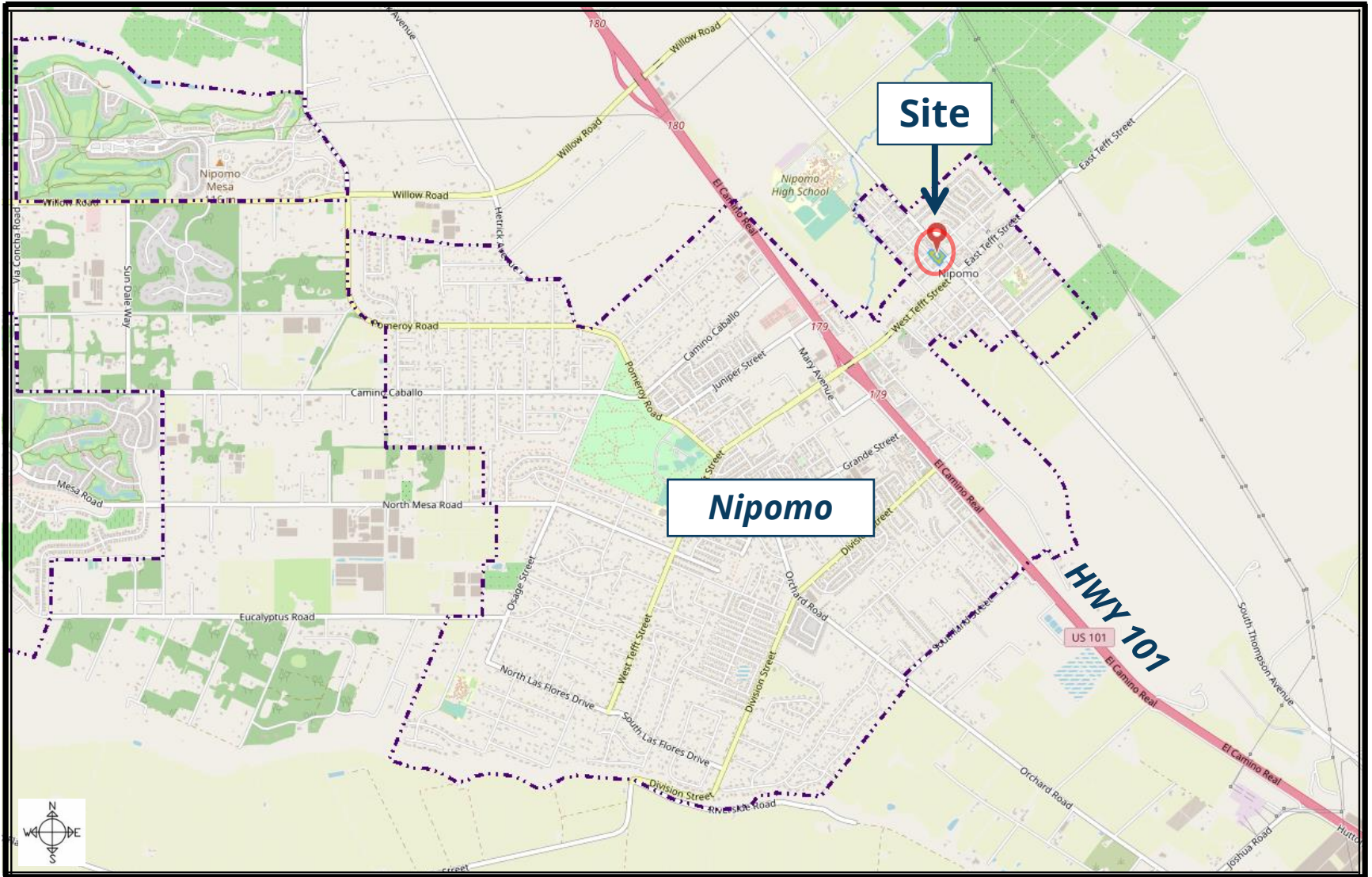
Signature of Agent(s) or Applicant(s)

6/21/21

Date

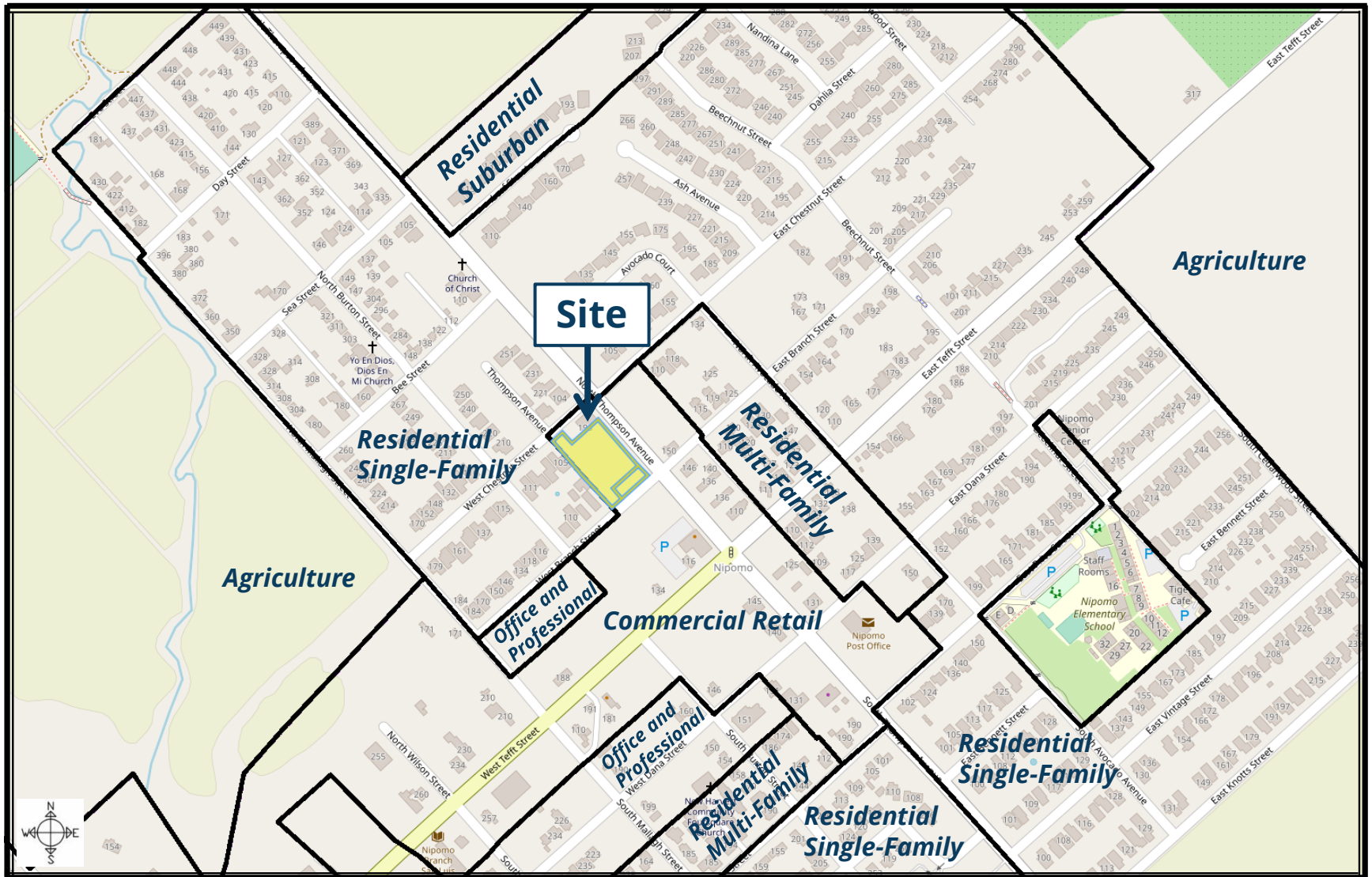
Sheryl Flores

Name (Print)



COUNTY OF SAN LUIS OBISPO

Vicinity Map
SUB2020-00080 / TR 3163



COUNTY OF SAN LUIS OBISPO

Land Use Category Map
SUB2020-00080 / TR 3163



COUNTY
OF SAN LUIS
OBISPO

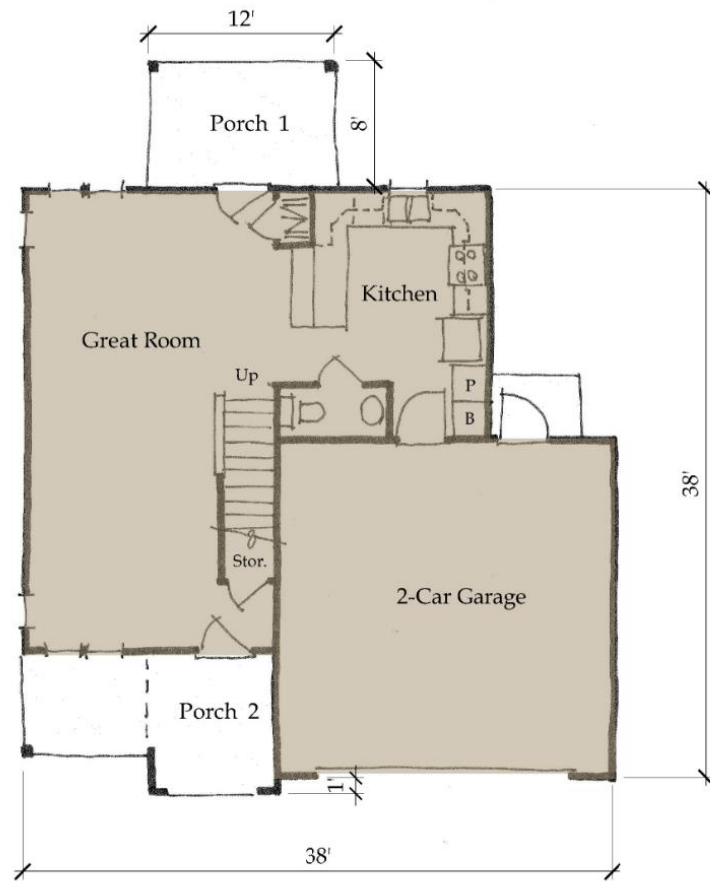
COUNTY OF SAN LUIS OBISPO

Aerial Overview
SUB2020-00080 / TR 3163



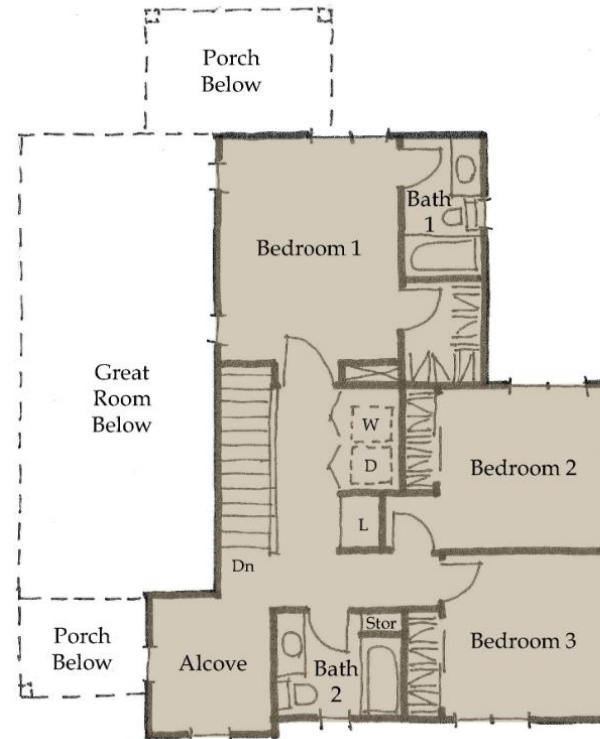
COUNTY OF SAN LUIS OBISPO

**Planned Development
SUB2020-00080 / TR 3163**



1st Floor Plan

704 SF Conditioned Living Space
 484 SF Garage
 220 SF Covered Porches



2nd Floor Plan

847 SF Conditioned Living Space



COUNTY OF SAN LUIS OBISPO

Floor Plan
SUB2020-00080 / TR 3163

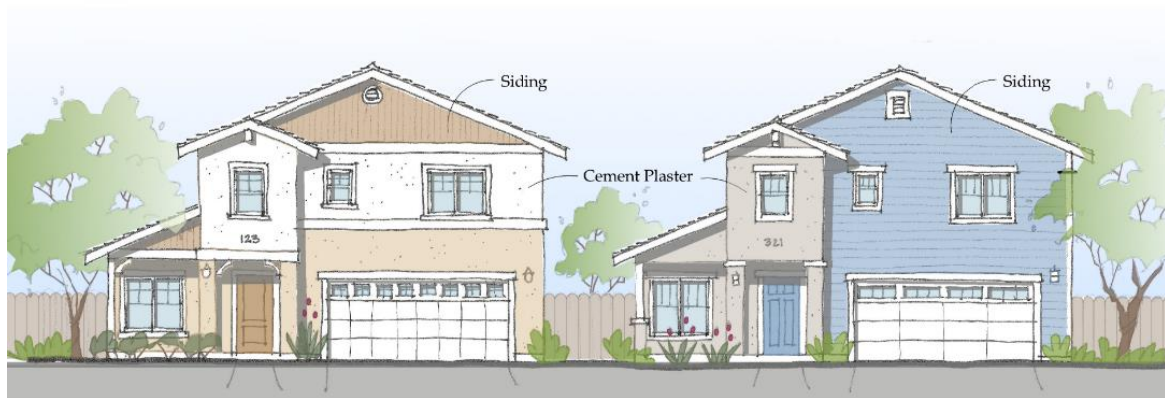


Elevation Scheme A

Elevation Scheme B

Proposed Elevations - Thompson Frontage

1/8" = 1'-0"



Elevation Scheme A

Elevation Scheme B

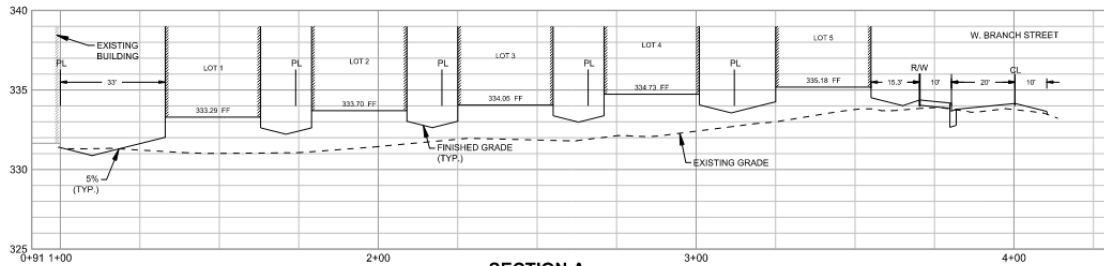
Proposed Elevations - Private Street Frontage

1/8" = 1'-0"

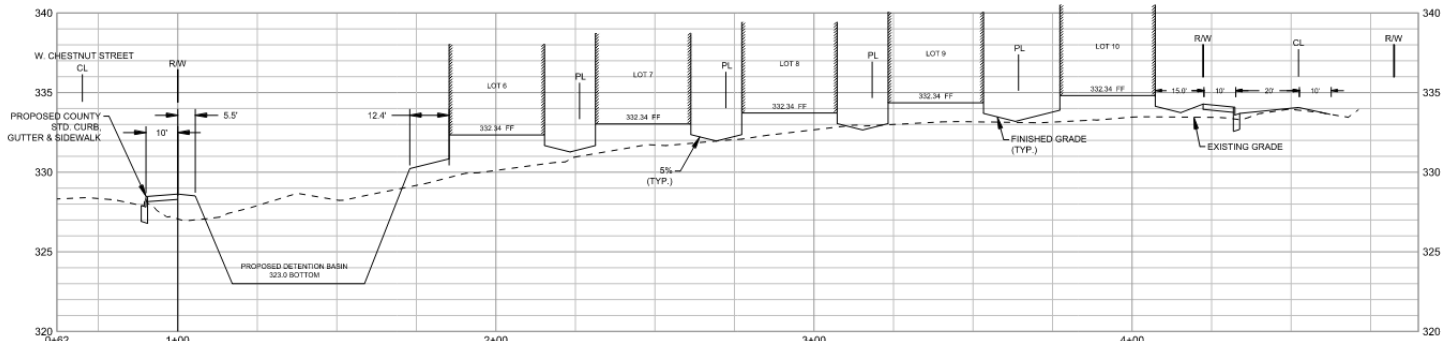


COUNTY OF SAN LUIS OBISPO

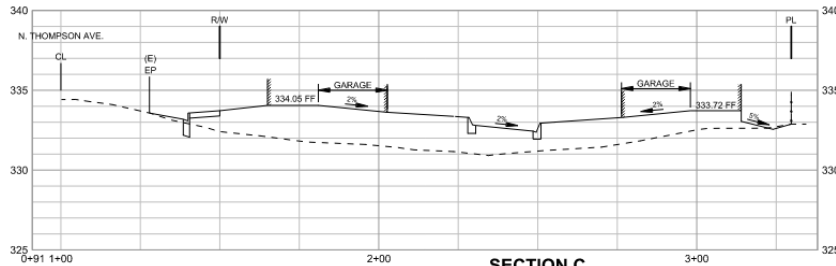
Proposed Elevations
SUB2020-00080 / TR 3163



SECTION A
 VERT. 1"=4'
 HORZ. 1"=20'



SECTION B
 VERT. 1"=4'
 HORZ. 1"=20'



SECTION C
 VERT. 1"=4'
 HORZ. 1"=20'



COUNTY OF SAN LUIS OBISPO

**Proposed Grading
 SUB2020-00080 / TR 3163**