CITY OF PISMO BEACH
Community Development Department
760 Mattie Road, Pismo Beach, California 93449
(805) 773-4658 / Fax (805) 773-4684

Project Title & No.: McNeal Subdivision / Tract Map, CDP / P21-000050

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

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

DETERMINATION:

On the basis of this initial evaluation, the City of Pismo Beach 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 pursuantto that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jeff Oliveira, Principal
Oliveira Environmental Consulting LLC — ON BEHALF OF J. OLIVEIRA — 3/6/2023
Prepared by (Print) — Signature M. GALVEZ — Date

Matthew Downing, Community Development Director — 3/6/2023
Reviewed by (Print) — Signature — Date

Project Environmental Analysis

The City'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 ofthe information in the file for the project. In addition, available background information is reviewed for eachproject. 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 City's Planning Division 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 City of Pismo Beach Community Development Department, 760 Mattie Road, Pismo Beach, CA, 93449 or call (805) 773-4658.

A. Project

DESCRIPTION: The proposed project site is located on an approximately 3.44-acre property located at the corner of South Beachcomber Drive and Shell Beach Road in the City of Pismo Beach, CA comprised of APN 010-144-025. The subject parcel is referenced as a portion of Lot 4 of the Ranchos El Pismo and San Miguelito subdivisions.

The proposed project includes a Coastal Development Permit, Conditional Use Permit, and Vesting Tentative Tract Map application to create twenty residential lots, one public park lot (Lot 21) along the oceanfront, and a public community garden on a separate lot located inland of Shell Beach Road. Lot 21 is to be to be dedicated in fee to the City as a blufftop park. The inland parcel is proposed as community garden; however, there is to be dedication of an open space/conservation easement or in fee title to the City as to be determined by the Planning Commission and City Council.

The proposed townhome lots would include residences ranging from 2 and 3 bedrooms and approximately 1,500 square feet+ in size. Lot sizes would be approximately 2,600 to 3,100 square feet. Height limits would meet the 25-foot maximum limit above existing grade, with the townhomes fronting Shell Beach Road appearing as one story from the public road and nearby Highway 101. Three guest parking spaces are included for the townhomes project.

The 6 custom home sites would range between approximately 6,000 to 6,700 square feet. The applicant also expects there will be independently designed homes for some or all of these sites and those plans would be submitted for City architectural and coastal permitting pursuant to established city zoning requirements. These lots have maximum building height elevations measured from the finished grades for lot pads at 25 feet.

The two proposed owner house plans range in living space from approximately 3,600 to 4,000 square feet in size and include one- and two- story elements. The Owner's homes are intended to be for the

applicants. These homes would include a 15-foot height limit above existing grade. The plans presented include a stepped design to allow second floors over a portion of the upper floors of the homes.

Lot 1 would include a 4,311 square foot home plus a 3-car garage. The Lot 1 home includes four bedrooms and four and one-half baths. This home would also include a 352 square-foot accessory dwelling unit (ADU).

Lot 2 would include a 4,308 square foot home plus a three-car garage. The Lot 2 home includes four bedrooms and four baths. This home also includes a 375 square-foot ADU.

Exterior use areas for all residences would include attached courtyards, patios and balconies, hardscape and landscape areas within the boundaries of each lot. A public park improvement consistent with the City of Pismo Beach LCP is planned along the oceanfront bluff.

The applicants also propose the creation of a community garden on the parcel inland of Shell Beach Road that is designated as open space under the LCP. This site would be accessed from the adjoining parking lot and can serve any tract residents that would like to pursue vegetable gardening use.

Low level pathway and landscape lighting is proposed. Exterior entry home lights will also be included similar to traditional homes in the area. No elevated or raised street-lights are proposed for the project; however small streetlights will be required as part of the public improvement plans for the final tract map.

Assessor Parcel Number(s): 010-144-025

Other Public Agencies Whose Approval is Required

Permit Type / Action	Agency
Construction (use of portable engines and equipment)	APCD

B. Existing Setting

General Plan Designation: Residential Medium Density

Neighborhood Planning Area: South Palisades Planning Area

Zoning District: Planned Residential (P-R)

Overlay Zones: Coastal Appeal Zone, Archaeological Sensitive Overlay Zone, View Considerations Overlay Zone, Noise Overlay Zone, Hazard Protection Overlay Zone and the Open Space Overlay Zone

Parcel Size: 3.44 acres

Topography: Gently sloping west, towards ocean

Vegetation: Non-native annual grassland with coyote brush scrub along the bluff top and a row of landscape pines and cypress along the Shell Beach Road frontage

Existing Uses: Vacant

Surrounding Land Use Categories and Uses:
North: Residential Single Family Medium Density Residential **East:** Open Space, Highway 101
South: Single Family Medium Density Residential **West:** Open Space, Pacific Ocean

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.

	Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:					
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c)	In nonurbanized 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?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting

CEQA establishes that it is the policy of the state to take all action necessary to provide people of the state "with… enjoyment of aesthetic, natural, scenic and historic environmental qualities" (Public Resources Code Section 21001(b)).

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A proposed project's potential effect on a scenic vista is largely dependent upon the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista.

California's Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. There are several officially designated state scenic highways and several eligible state scenic highways within the county. This includes Highway 1 which is an Officially Designated State Scenic Highway.

Pismo Beach stretches along the Pacific shoreline for approximately seven miles. Most of the city lies within the California Coastal Zone, although recent development in the southeastern sector now extends into the foothills beyond the zone boundary. The northwestern half of the city is confined on the northeast by steep hillsides. The State of California controls an approximately 1-mile stretch of beach within the city limits, as well as many of the public beach areas that stretch to the south for some 20 miles. Mobile home parks, RV parks, and camping areas extend along these beaches. North of the downtown, in the area adjacent to the project site, the shore is lined with steep cliffs above the shore. Much of this area is developed with visitor services, hotels and restaurants. The remainder of the city is residential neighborhoods: smaller beach-oriented cottages and apartments in Shell Beach and the downtown; larger, newer homes and condos east of the freeway and in the northwest part of the city.

As discussed in the project Biological Resources Assessment (David Wolff Environmental, LLC. October 27, 2021), the proposed project site is an infill parcel between residential developments to the north and south of the site. The site is bordered by Shell Beach Road on the east and the bluff above the beach and ocean on the west. The site is predominantly non-native annual grassland with coyote brush scrub along the bluff top and a row of landscape pines and cypress along the Shell Beach Road frontage. The community garden project area (inland parcel between Shell Beach Road and Highway 101 – proposed Lot 22) is ruderal non-native grassland with several small coast live oak trees and landscape trees along the toe of the Highway 101 freeway frontage

The site is generally level and gently slopes west towards the blufftop. A small remnant stormwater erosion gully runs along the southwest edge of the site with stormwater now piped to a rockpile outfall structure on the beach. Several utility pipelines (oil, water, sewer) cross the west edge of the site in the 100-foot bluff setback.

Discussion

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

The proposed project will include structures similar in size and massing as those single-family residences and townhomes located within the South Palisades Planning Area in existing tract development on Searidge Court, Beachcomber Drive, North Silver Shoals, and Peyton Court, representing a continuation of residential development consistent with the surrounding neighborhood.

Please refer to the visual renderings and project elevations for a detailed depiction of the proposed development, including a view corridor cross section showing the line of site through the project from Highway 101/Highway 1 to the Pacific Ocean (please refer to sheets A3.0 through A3.5 of the project Site Plans for a detailed Visual Corridor Analysis of the proposed project).

At present, the project site is vacant and intermittent views of the ocean through the subject property are available along Shell Beach Road and Highway 101/1. The project site is located at approximately 72 feet above mean sea level (AMSL), while Highway 101/Highway 1 is located at approximately 127.5 feet AMSL.

As discussed above under the Project Description, one public park lot (Lot 21) is proposed along the oceanfront, and an open space easement or fee title dedication will be required on a separate lot located inland of Shell Beach Road. These open space areas would not include structural development. In order to retain ocean views consistent with City requirements, the project would include public views of the ocean from Shell Beach Road and Highway 101/Highway 1 through the site along a 15-foot-wide viewing corridor through the middle of the parcel, a 10-foot-wide viewing corridor along the southern property boundary and a 36-foot wide corridor along the northern property boundary consisting of the existing half of the Beachcomber Drive right-of-way plus a 10’ setback. These corridors would add to an existing view corridor of Beachcomber Drive South for a total of 82 feet, and an existing 10’ corridor on the neighboring tract on North Silver Shoals

In addition to the viewing corridors through the proposed project, the line of sight over and through the proposed development to the ocean, as experienced from Shell Beach Road and Highway 101/Highway 1, has been depicted in detail in the View Corridor Analysis included with the project site plans. As shown, views of the ocean can be seen over the top of the proposed structural development from Highway 101/Highway 1 and Shell Beach Road.

Overall, the project view corridor analysis stipulates that the project would retain 74% of the site’s existing ocean views, while 26% of the existing views would be considered blocked by proposed development.

Although views of the ocean from Shell Beach Road will be partially obscured, the project is subject to and complies with Zoning Code Section 17.081.020 (C) specifying protection of scenic views from Highway 1, a

designated scenic highway elevated in topography from the project site. View corridors to the Pacific Ocean through the site's visual corridors will be provided consistent with the City's requirements. The provision of these view corridors will reduce impacts related to views of the ocean to less than significant levels as the project will be developed below the visible "line of sight" as specified in Zoning Code Section 17.096. (i.e., 3-feet above the freeway elevation, as depicted in the project view corridor cross section.).

The project is consistent with Design Policy D-40 which requires streets in new developments to emphasize views, and a setback of 20 feet from the street right of way to new development. In the case of the proposed project, the internal linear internal access road provides the internal site viewing corridor discussed above. In addition, the existing viewing corridor down Beachcomber Drive towards the ocean will be preserved upon site development.

The project design is subject to review by the City of Pismo Beach and project impacts related to views will be considered during the public hearing process. Specifically, the project design and public access to ocean views will be required to be consistent with the following City policies and zoning requirements:

- LUP Policy LU-B-5, Visual Access;
- LUP Policy D-3-B, Subdivision Design Criteria. Views Through the Site;
- Design Policy D-40. Street Design for Preserving Views;
- Zoning Code Section 17.081.020(C). HL-3. Height Limitations; and
- Zoning Code Section 17.096. Line of Sight Requirement.

With the project's consistency with City regulations protecting public views from Highway 101/Highway 1, visual **impacts are considered less than significant**.

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

As discussed above, the project site is vacant and intermittent views of the Pacific Ocean through the subject property are available along Shell Beach Road and Highway 101/1.

The proposed project would include public views of the ocean from Shell Beach Road and Highway 101/Highway 1 through the site along an approximately 15-wide viewing corridor through the middle of the parcel. Furthermore, an approximately 20-foot wide viewing corridor would be available along the southern property boundary and an approximately 35-foot wide viewing corridor is available along the northern property boundary consisting of the existing Beachcomber Drive, in order to retain ocean views consistent with City requirements.

In addition to the viewing corridors through the proposed project, the line of sight over and through the proposed development to the ocean, as experienced from Shell Beach Road and Highway 101/Highway 1, has been depicted in detail in the View Corridor Analysis included with the project site plans. As shown, views of the ocean can be seen over the top of the proposed structural development from Highway 101/Highway 1 and Shell Beach Road.

Overall, the project view corridor analysis stipulates that the project retains 74% of the ocean views, while 26% of the views would be considered blocked by proposed development.

The project design is subject to review by the City of Pismo Beach and project impacts related to views will be considered during the public hearing process. The applicable City design policies are listed above.

With the project's consistency with City regulations protecting public views from Highway 101/Highway 1,

visual **impacts are considered 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?*

As discussed above, the project site is vacant and intermittent views of the Pacific Ocean through the subject property are available along Shell Beach Road and Highway 101/1.

The proposed project would include public views of the ocean from Shell Beach Road and Highway 101/Highway 1 through the site along an approximately 15-wide viewing corridor through the middle of the parcel. This also includes an approximately 20-foot wide viewing corridor would be available along the southern property boundary and an approximately 35-foot wide viewing corridor is available along the northern property boundary consisting of the existing Beachcomber Drive.

The project design is subject to review by the City of Pismo Beach and project impacts related to views will be considered during the public hearing process. Specifically, the project design and public access to ocean views will be required to be consistent with the following City policies and zoning requirements:

- LUP Policy LU-B-5, Visual Access;
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- Design Policy D-40. Street Design for Preserving Views;
- Zoning Code Section 17.081.020(C). HL-3. Height Limitations; and
- Zoning Code Section 17.096. Line of Sight Requirement.

With the project's consistency with City regulations protecting public views from Highway 101/Highway 1, visual **impacts are considered 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 proposed project is located in an area of urban levels of ambient nightlight. The project site plans include a detailed Lighting Plan that outlines the proposed outdoor lighting for the project development and open space. The City will review the lighting plan as part of the Building Permit plan-check for individual buildings. Lighting for parking areas will be limited to a range of 0.3 to 1.0-foot candles and will be limited to maximum height requirements for placement of lights per 1983 Zoning Code Requirements in Section 17.105.150. This also includes requirements to shield outdoor lighting so as not to bleed over onto neighboring properties. Streetlamps will be required as part of the tract improvement plans, but are not expected to be a significant source of glare. **Impacts are considered less than significant.**

Conclusion

The project is located within view of a scenic vista (i.e., Pacific Ocean) and would be subject to the City's requirements for project design and view retention. The project would be consistent with the existing policies and standards in the City's LUE and Design Element related to the protection of scenic resources. Impacts to aesthetic resources would be less than significant and no mitigation measures are necessary.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or aWilliamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, dueto their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest landto non-forest use?	☐	☐	☐	☒

Setting

The County of San Luis Obispo supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. Wine grapes are regularly the top agricultural crop in the county. Top value agricultural products in the county also include fruit and nuts, vegetables, field crops, nursery products, and livestock.

The project site is not zoned for agricultural use nor is the site located on or adjacent to existing farmland. As discussed in the project Biological Resources Assessment (Dave Wolff Environmental, LLC. October 27, 2021), the USDA Natural Resources Conservation Service has identified one soil series mapping unit, Still gravelly sandy clay loam, 2 to 9 percent slopes is mapped over the entire site. This very deep well drained soil is formed in alluvium weathered from sedimentary rocks.

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

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

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

Discussion / Conclusion
The project site is not located within or adjacent to an agricultural area, is not zoned for agriculture, will not conflict with existing zoning for agricultural use, is not within or adjacent to land subject to Williamson Act contract, and is not within a forested area; therefore, **no impacts would occur to agricultural or forestry resources** and no mitigation measures are necessary.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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?	☐	☒	☐	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Setting
The City of Pismo Beach is part of the South Central Coast Air Basin (SCCAB) which includes San Luis Obispo, Santa Barbara, and Ventura counties. The climate of the San Luis Obispo County area and all of the SCCAB is strongly influenced by its proximity to the Pacific Ocean. The Mediterranean climate of the region produces moderate average temperatures, although slightly more extreme temperatures can be reached in the winter and summer.

Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988.

The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM10 and PM2.5), ozone (O3), nitrogen dioxide (NO2), sulfate, carbon monoxide (CO), sulfur dioxide (SO2), visibility reducing particles, lead (Pb), hydrogen sulfide (H2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO2, ozone, PM10 and PM2.5, and SO2.

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

SLOAPCD Thresholds

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

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

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

General screening criteria is used by the SLOAPCD to determine the type and scope of air quality assessment required for a particular project (Table 1-1 in the APCD's CEQA Air Quality Handbook). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within ten percent (10%) of exceeding the screening criteria.

San Luis Obispo County Clean Air Plan (CAP)

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.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an

adverse impact on local air quality and human health.

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. Therefore, the project site is not within an area identified as having the potential for Naturally Occurring Asbestos (NOA).

Sensitive Receptors
Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. The project is located within an existing residential neighborhood and is surrounded by similar residential development.

Discussion

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

The proposed project consists of a proposed vesting tentative tract map application to create twenty residential lots, one public park lot along the oceanfront, and an open space easement on a separate lot located inland of Shell Beach Road and would not result in a new or substantially different use in the project area. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The proposed project would not contribute to the generation of significant levels of any air contaminants upon implementation of the measures discussed below and would not conflict with or obstruct the implementation of the San Luis Obispo County Clean Air Plan or other applicable regional and local planning documents. Therefore, impacts would be less than significant.

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

The City is currently designated as non-attainment for ozone and PM_{10} 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 (PM_{10}).
Construction Impacts

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. The proposed project is not expected to generate construction emissions in excess of the quarterly thresholds approved by the APCD [Ozone Precursors (ROG + NOx) = 137 lbs. /day or 2.5 tons for projects lasting up to one quarter; Diesel Particulate Matter (DPM) = 7 lbs. /day or 0.13 tons for projects lasting up to one quarter; Fugitive Particulate Matter (PM10) = 2.5 tons for projects lasting up to one quarter]. However, the project has the potential to exceed the daily thresholds for construction emissions.

As proposed, the full project would result in the disturbance of approximately 3.44 acres, which would include moving a total of approximately 9,650 cubic yards of cut and 1,850 cubic yards of fill. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions.

The SLOAPCD CEQA Air Quality Handbook provides thresholds of significance for construction related emissions. Table 1 lists SLOAPCD's general thresholds for determining whether a potentially significant impact could occur as a result of a project's construction activities.

Table 1. SLOAPCD Thresholds of Significance for Construction Activities

Pollutant	Threshold (1)		
	Daily	Quarterly Tier 1	Quarterly Tier 2
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO_X)	137 lbs	2.5	6.3 tons
Fugitive Particulate Matter (PM_{10}), Dust (2)		2.5 tons (2)	

1. Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM_{10} quarterly threshold.

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. Table 2 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 2. 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 2, construction-related emissions that would result from the project were calculated and are shown in Table 3 below.

Table 3. Proposed Project Estimated Construction Emissions.

Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Daily Threshold Exceeded?	Quarterly Threshold Exceeded?
		Daily	Quarterly (Tier 1)		
ROG + NO_X (combined)	11,500 c.y. x .0203 + 11,500 c.y. x .0935 = 1,308.70 lbs.	137 pounds	2.5 tons	Yes	Yes
Diesel Particulate Matter (DPM)	11,500 c.y. x .0049 = 56.35 lbs.	7 pounds	0.13 tons	Yes	Yes
Fugitive Particulate Matter (PM_{10})	3.44 acres x 0.75 = 2.58 tons		2.5 tons	Yes	Yes

For projects involving construction and/or grading activities, the City General Plan/Local Coastal Plan (GP/LCP) requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled and to ensure dust is not emitted offsite. The GP/LCP includes a list of Best Management Practices required for all projects involving grading or site disturbance.

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.

As shown above, the project would exceed APCD's construction emissions thresholds for DPM, PM_{10}, and ROG + NO_x. As such, the project's construction activities would result in daily short-term emissions from heavy equipment and motor vehicles, as well as fugitive dust (PM_{10}) emissions that could affect localized air quality. As such, **impacts related to construction emissions are considered significant but mitigable**.

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 the updated 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 (no operational screening criteria is offered for agricultural uses). 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 has the potential to generate daily emissions resulting in a significant mitigable impact but would not generate significant operational emissions. Operational emissions would not substantially increase and implementation of standard GP/LCP Best Management Practices for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions. With the implementation of the mitigation measures required for item (b) 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, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. No long-term operational odors would be generated by the project. **Impacts are considered less than significant.**

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan and thresholds for construction-related and operational emissions. However, the project has the potential to result in daily construction related emissions requiring mitigation. The project would not result in cumulatively considerable emissions of any criteria pollutant for which the City 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 with the implementation of the measures listed below.**

Mitigation

AQ-1. To mitigate fugitive dust emissions related to project construction, the following shall be implemented:

a) Reduce the amount of the disturbed area where possible;

b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;

c) All dirt stock pile areas should be sprayed daily as needed;

d) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;

e) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

f) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;

g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

i) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;

l) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2. The required mitigation measures for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle
- diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
- Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernalpool,	☐	☐	☒	☐

	coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with establishednative resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, orother approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Setting

Pismo Beach is located in a special environment setting on a narrow marine terrace bordered by the beach and ocean on one side and the hills on the other. It is the only community in Central California where Highway 101, the ocean, and the community converge in proximity. The major physical factors and resources affecting the community's development include soil and landforms, such as sandy beaches, coastal bluffs and surrounding hills, the surface and ground-water resources, climate, air quality, unique biological habitats, and the Pacific Ocean. These resources make up the special essence of Pismo Beach's environment.

Federal Endangered Species Act

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 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 City of Pismo Beach adopted a Conservation and Open Space Element (COSE) with conservation issues focusing on the natural resources of Pismo Beach including air, water, biology, archaeology, and physical geography. The intent of these policies is to guide the management of these resources to enhance the quality of life of residents and visitors and to prevent waste, haphazard exploitation, destruction, or neglect.

The natural resource areas discussed in the COSE host a large number of diverse plant and animal species, from tidepool organisms to shore birds and terrestrial mammals. The COSE discusses the most important habitat areas and state policies for the protection of the unique ecosystems in Pismo Beach and the animal and plant species dependent on the protection of the habitat.

As discussed in the project Biological Resources Assessment (BRA: David Wolff Environmental, LLC. October 27, 2021), the project site is an infill parcel between residential developments to the north and south of the site. The site is bordered by Shell Beach Road on the east and the bluff above the beach and ocean on the west. The site is predominantly non-native annual grassland with coyote brush scrub along the bluff top and a row of landscape pines and cypress along the Shell Beach Road frontage. The community garden project area (inland parcel between Shell Beach Road and Highway 101, listed as Lot 22) is ruderal non-native grassland with several small coast live oak trees and landscape trees along the toe of the Highway 101 freeway frontage. The site is mostly flat gently sloping downwards towards the blufftop. A small remnant stormwater erosion gully runs along the southwest edge of the site with stormwater now piped to an outfall structure on the beach.

The following is a discussion of the biological resources observed on the project site, as provided in the BRA prepared for the proposed project.

Habitat Types and Plant Communities

Plant communities are generally described by the types of plant species that occur together in the same area forming habitat types. The proposed project site supports two plant communities, wild oats non-native grassland over the majority of the site, and coyote brush dominated coastal scrub along the blufftop.

- Wild Oats Non-Native Grassland.
  The disturbed annual grassland habitat or Avena (*barbata, fatua*) Semi-Natural Herbaceous Stands (CDFW: 44.150.02), covers most of the project site. It is dominated by non-native annual grasses and herbaceous broadleaf plant species, likely with few native forbs and wildflowers. Dominant plant species observed in the mowed thatch in the disturbed annual grassland habitat appears to be wild oats (*Avena fatua and A. barbata*). Other likely associated grasses include ripgut brome (*Bromus diandrus*), soft chess (*B. hordeaceus*), a filaree species (*Erodium botrys and E. cicutarium*), thistles and mustards. A small clump of leather oak (*Quercus durata*) mixed with coast morning glory (*Calystegia marcostegia ssp. Cyclostegia*) and landscape plants is growing in the center of the south edge of the site.

- Coastal Scrub – Coyote Brush Scrub.
  The coyote brush scrub, or *Baccharis pilularis – Artemesia californica Shrubland Alliance* (CDFW: 32.060.05), is considered a sub-type of central Lucian coastal scrub. It differs primarily by the dominance of coyote brush. This scrub type habitat consists of low coyote brush and California sagebrush shrubs up to six feet tall with little understory herbaceous species. The coyote brush scrub occurs along the blufftop onsite is dominated by coyote brush with occurrences of California sagebrush.

Wildlife

The project site oats-dominated non-native grassland habitat is mowed annually for fire/weed suppression. The project site provides minimal quality habitat for locally common wildlife species that have become adapted to the urban/residential environment. The habitat on the project area does not support a significant amount of habitat in the context of the greater expanse of the interconnected and diverse habitat available on the hillsides above the developments to the east of Highway 101. Further, given the project is bookended by development and the blufftop,

it does not represent a substantial migratory or movement corridor for wildlife. Evidence of gophers was observed in the mowed grassland thatch. Prior to mowing, the site could provide habitat for ground/grassland nesting species such as sparrows and finches. Songbird use of the small patch of coyote brush scrub is likely.

Waters of the US, Wetlands, and Waters of the State

No wetlands or other waters of the U.S./State or riparian habitat occurs on the project site. A small remnant stormwater erosion gully runs along the southwest edge of the site no longer receives stormwater that is now piped to a rockpile outfall structure on the beach. As such, it is not a waters of the U.S./State under any regulatory jurisdictions.

Environmentally Sensitive Habitat Areas (ESHA)

The California Coastal Act defines Environmentally Sensitive Habitat Areas (ESHA) as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Coastal Act Sections 30107.5 and 30240). ESHAs include among other criteria, habitats supporting rare, threatened, and/or endangered species, and riparian and wetland habitats. The project site development areas are entirely in non-native annual grassland habitat lacking suitability for any special-status plant or wildlife species. As such, this upland non-native grassland habitat does not meet ESHA criteria.

Special-Status Species and Natural Communities of Special Concern

Special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the United States Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) under the federal Endangered Species Act (FESA); those considered "species of concern" by the USFWS; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the California Endangered Species Act (CESA); animals designated as "Species of Special Concern" by the CDFW; and plants occurring as a rank 1B, 2, and 4 of the California Native Plant Society (CNPS) *Inventory of Rare and Endangered Vascular Plants of California.* Natural Communities of Special Concern are habitat types considered rare and worthy of tracking in the California Natural Diversity Database (CNDDB) by the CNPS and CDFW because of their limited distribution or historic loss over time.

The search and review of the CNDDB as provided in the project BRA revealed 57 special-status species composed of 38 special-status plants 19 special-status wildlife species, along with three natural communities of special concern with recorded occurrences in the region of the proposed project site. The following briefly describes the special-status species issues and observed or potential for occurrence on the project site. Please refer to the project BRA for a list of special-status species recorded in the CNDDB including scientific and common name, listing status, habitat requirements, and potential to occur on the project site.

- Special-Status Botanical Resources.
  The CNDDB revealed the recorded occurrences of 38 special-status plant species and three natural communities of special concern within a five-mile radius of the project site, four of which are formally listed under the Federal or State Endangered Species Acts with the remainder being noted as a CNPS rank suggesting rarity. The three natural communities of special concern Central Foredunes, Coastal and Valley Freshwater Marsh, and Central Maritime Chaparral do not occur on the project site that is dominated by non-native annual grassland with a small patch of coyote brush scrub on the blufftop.

  The special-status plant species occurrences recorded in the CNDDB are commonly associated with a specific soil type, moisture regime (wetlands), habitat, and/or elevation range that dictates the range or microhabitat of the species. No special special-status plant species were observed on the project site and are not expected to occur based habitat suitability and localized range. Please refer to the project BRA for a suitability analysis for special-status plant species with CNDDB recorded occurrences in the region. The project site does not support suitable habitat for any of the species identified.

- Special-Status Wildlife.
  The CNDDB search prepared for the project BRA revealed the recorded occurrences of 19 special-status wildlife species within the five-mile search radius of the project site. The special-status wildlife species known from the region are discussed below. The project site does not provide suitable habitat for any special-status wildlife species.

  - *Aquatic Species* – The CNDDB has recorded occurrences for the vernal pool fairy shrimp (*Branchinecta lynchi*), tidewater goby (*Eucyclogobius newberryi*), steelhead (*Oncorhynchus mykiss irideus*), foothill yellow-legged frog (*Rana boylii*), California red-legged frog (*Rana draytonii*), western pond turtle (*Emys marmorata*), and tricolored blackbird (*Agelaius tricolor*) within a five-mile radius of the project site. None of the occurrences are on the project site and as documented above, there are no aquatic, wetland, marsh, or riparian habitats on the project site.

  - *Upland Invertebrates* – The sandy beach tiger beetle (*Cicindela hirticollis gravida)* and globose dune beetle (*Coelus globosus*) require coastal dune habitat that does not occur on the project site. The monarch butterfly (*Danaus plexippus*) uses coastal forests and tree stands for fall and winter roosts, none of which occur on the project site.

  - *Reptiles* – The northern legless lizard *(Anniela pulchra)* is closely associated with sandy or very friable loamy soils under coastal scrub or woodland vegetation with soil moisture and vegetative cover being essential. No suitable sandy/friable soils occur on the rocky soil project site that also lack tree/shrub cover for temperature and moisture control required for this species. Therefore, there is no silvery legless lizard habitat. The Blainvilles's (coast) horned lizard *(Phrynosoma blainvillii)* occurs in a wide variety of habitats with sandy soils, with abundant ant colonies, open areas for sunning, and shrubs for cover needed. No suitable sandy/friable soils occur on the rocky soil project site that also lacks shrub cover for temperature and moisture control required for this species. Therefore, there is no Blainville's horned lizard habitat.

  - *Birds* – The western burrowing owl *(Athene cunicularia)* use grasslands and areas with low or sparse vegetation for foraging and burrow sites typically associated with ground squirrel burrows. They may be nomadic winter migrants in coastal regions but typically breed further inland. No western burrowing owls or potential nest sites (ground squirrel colonies) were observed on the project site and are not expected to occur. The western snowy plover (*Charadrius nivosus nivosus*) occurs along beaches and coastal strand habitat, and along estuarine shores on the central coast. The project site beyond the blufftop does not support any habitat for the western snowy plover. The white-tailed kite (*Elanus leucurus*) is a wide- ranging winter and nesting species on the central coast using open country and oak savannah for foraging on small mammals and nesting in trees. The treeless annual grassland habitat does not support habitat for this species except for possible brief foraging during nomadic or migratory movements through the region.

  - *Mammals* – The Townsend's big eared bat *(Corynorhinus townsendii)* known to forage along the edge oak woodlands along streams and roost in colonies or individually in caves, mines, large old trees, and large undisturbed spaces in buildings and other structures. There is no "structure" habitat to support the Townsend's big eared bat roosts on the project site. The American badger *(Taxidea taxus)* is a grassland species needing abundant small mammal prey and are easily detected by their distinctive half-moon shaped burrows. There is no evidence of badger den observed on the project site that is bordered by residential development, roads, and the Highway 101 corridor.

Discussion

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

The proposed project would develop 2.89 acres of non-native annual grassland habitat into a residential neighborhood that would include tree and shrub landscaping around the buildings. The community garden lot would convert 0.119 acre of non-native grassland to a garden/landscape type use with the oak trees retained. The 0.341 acre of coyote brush scrub would remain as part of the 100-foot bluff setback along with the addition of native plants. No natural communities of special concern or ESHA occur on the project site so none would be impacted. No special-status plant species are expected to occur. Therefore, impacts related to loss of habitat and/or natural communities would be **considered a less than significant impact on botanical resources.**

Construction of the proposed project and conversion to residential development could result in the mortality and/or displacement of locally common wildlife such as gophers. No special-status wildlife species were observed or expected to occur on the project site. The project site is surrounded by existing residential development within the mostly developed/natural lands mosaic around the City of Pismo Beach. The site does not represent a movement corridor for wildlife. Given the small infill nature of the project size, residential development surrounding the site, and no special-status wildlife species impacts, conversion of the small amount of non-native annual grassland habitat to residential development would be **considered a less than significant impact on wildlife resources.**

However, vegetation removal (clearing and grubbing) during the nesting season for birds could result in the destruction of active bird's nests such as ground nesting songbirds. Destruction of active nests is prohibited by the Fish and Game Code of California Sections 3503 and 3503.1 (raptors specifically). As such**, impacts to nesting birds are considered to be potentially significant unless mitigated.**

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?

No wetlands or other waters of the U.S./State or riparian habitat occurs on the project site. A small remnant stormwater erosion gully runs along the southwest edge of the site no longer receives stormwater that is now piped to a rockpile outfall structure on the beach. As such, it is not a waters of the U.S./State under any regulatory jurisdictions. As discussed above, the site does not support a sensitive natural community. Therefore, the project would not result in impacts to riparian habitat or other sensitive natural communities and **less than significant 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?

No wetlands or other waters of the U.S./State or riparian habitat occurs on the project site. A small remnant stormwater erosion gully runs along the southwest edge of the site no longer receives stormwater that is now piped to a rockpile outfall structure on the beach. As such, it is not a waters of the U.S./State under any regulatory jurisdictions. With the lack of jurisdictional waters located on the project site, **less than significant 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?

As discussed above, the migratory species of concern related to the project site are limited to nesting birds.

The western burrowing owl *(Athene cunicularia)* use grasslands and areas with low or sparse vegetation for foraging and burrow sites typically associated with ground squirrel burrows. They may be nomadic winter migrants in coastal regions but typically breed further inland. No western burrowing owls or potential nest sites (ground squirrel colonies) were observed on the project site and are not expected to occur. The western snowy plover (*Charadrius nivosus nivosus*) occurs along beaches and coastal strand habitat, and along estuarine shores on the central coast. The project site beyond the blufftop does not support any habitat for the western snowy plover. The white-tailed kite (*Elanus leucurus*) is a wide- ranging winter and nesting species on the central coast using open country and oak savannah for foraging on small mammals and nesting in trees. The treeless annual grassland habitat does not support habitat for this species except for possible brief foraging during nomadic or migratory movements through the region.

Vegetation removal (clearing and grubbing) associated with project development during the nesting season for birds could result in the destruction of active bird's nests such as ground nesting songbirds. Destruction of active nests is prohibited by the Fish and Game Code of California Sections 3503 and 3503.1 (raptors specifically). As discussed above**, impacts to nesting birds are considered to be potentially significant unless mitigated.**

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

The proposed project would not adversely affect sensitive habitats or resources identified in the project BRA or native tree species. The proposed project would permanently develop approximately 3.44 acres that is dominated by non-native annual grassland with a small patch of coyote brush scrub on the blufftop. No special-status botanical species are expected to occur on the project site and no trees are proposed for removal. Impacts related to special-status wildlife resources (i.e., nesting birds) are discussed above. The project would not conflict with any local policies or ordinances and **impacts are considered 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. As discussed above, the project site development areas are entirely in non-native annual grassland habitat lacking suitability for any special-status plant or wildlife species. As such, this upland non-native grassland habitat does not meet ESHA criteria and **impacts related to an approved local, reginal or state habitat conservation plans are considered less than significant.**

Conclusion

Upon implementation of the mitigation measure listed below, impacts to biological resources would be less than significant.

Mitigation

BR-1. Vegetation removal and initial site disturbance shall be conducted between September 1 and January 31 outside of the nesting season for birds. If vegetation and/or tree removal is planned for the bird nesting season (February 1 to August 31), then preconstruction nesting bird surveys shall be conducted by a qualified biologist to determine if any active nests would be impacted by project construction. If no active nests are found, then no further mitigation shall be required.

If any active nests are found that would be impacted by construction, the nest sites shall be avoided with

the establishment of a non-disturbance buffer zone around active nests as determined by a qualified biologist. Nest sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the nest site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active nest would reduce potential impacts on nesting birds to a less-than-significant level.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outsideof dedicated cemeteries?	☐	☐	☒	☐

Setting
The City of Pismo Beach 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 City's Archaeological Overlay Zone is applied to areas of the City to recognize the importance of archaeological and historic sites and/or structures important to local, state, or national history. The Central Coast area, including Pismo Beach, was the home of the Chumash people at the time of early explorations and settlements by Europeans. Evidence of the culture and occupations by the Chumash may be found at numerous sites in the vicinity of Pismo Beach. Most of the City's archaeological data comes from studies conducted as part of the CEQA process. Additionally, a general map showing the status of archaeology within the city has been prepared and is used in the processing of development proposals.

In order to determine the nature of the project site cultural resources, a Phase I Archaeological Study was prepared for the project site (Padre Associates, Inc. December 2020). The following discussion provides a summary of the survey findings.

The proposed project is located within the ethnographic territory of the Chumash, who inhabited the Coast Ranges between San Simeon and Malibu (Kroeber, 1925). The Chumash have been divided into several geographic groups, each associated with a distinct language dialect (Hoover, 1986). The Chumash living in San Luis Obispo County formed the northern or *Obispeño* dialect group of the Chumash language family (Golla, 2007). This group was named for their association with the Spanish mission of *San Luis Obispo de Tolosa*, founded in 1772 (Greenwood, 1978). Pismo Beach gets its name from the Chumash word "pismu" meaning tar (Gudde, 1998).

The *Obispeño* Chumash occupied the area from the Pacific coast east to the Coast Range and from the Santa Maria River north to approximately Point Estero (Greenwood, 1978; Kroeber, 1925). The prehistory of the Obispeño (or Northern) Chumash follows the same chronological outline of four basic periods sub-divided into numerous phases established for the Santa Barbara region. The main periods (Millingstone, Early, Middle and Late) cover over 9,000 years of social, economic and technological adaptations to central and southern California's climate and resources. By the end of the Mission era, the Chumash continued to live on their ancestral lands, but their former culture was largely changed forever. Many contemporary Chumash maintain spiritual and cultural links to their heritage to this day.

Six prehistoric sites are known to exist within proximity to the project site. All but one of these sites are situated along the shore-either along the edges of the bluff or along the beach. These sites represent a mix of large permanent villages, small seasonally used villages and campsites, and workshop areas used to process foodstuffs and make tools.

According to the project site archaeological survey, the records search indicates that the project site was previously surveyed in 1979 (Hoover), the subject of a general archaeological studies review in 1982 (Gibson), and was included in an area monitored during the excavation of water and sewer lines for the Spyglass Assessment District Improvements Project in 1983 (Gibson). These studies did not identify any cultural resources within the project site. Two studies have been completed on adjoining parcels and both were negative for cultural resources. Six additional studies were completed within the 1/8-mile search radius.

Additionally, the records search identified existing archaeological site CA-SLO-1128 located off-site, northwest of the subject property. Based on the records search and pedestrian survey, no cultural resources were identified within the project site.

Many important cultural resources, such as Tribal Cultural Resources, do not necessarily leave an archaeological footprint or have physically identifiable manifestations. It is therefore vital to seek out the possibility of these important resources and their locations through consultation with tribal members. Under the authority of AB 52, the City of Pismo Beach has contacted the Native American Heritage Commission (NAHC) to obtain a list of regional tribal representatives. The City sent out invitations to consult on the proposed project to the identified tribal representatives on March 1, 2022. As a result of the required tribal consultation invitations, one response was received from the Santa Ynez Band of Chumash Indians (March 15, 2022) which stipulated that no further consultation is requested.

In the unlikely event that buried cultural materials are encountered during construction, the City requires that all ground disturbances will cease until a qualified archaeologist is contacted to evaluate the nature, integrity, and significance of the deposit.

Discussion

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

   Based on the results of the project archaeological survey, the project site does not contain any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain any structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of a historical resources and **no impacts would occur.**

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

   The records search, Native American Heritage Commission (NAHC) coordination, and field survey associated with the project archaeological survey did not identify the presence of archaeological resources within or

adjacent to the project area. As defined by CEQA, no historical resources or unique archaeological resources were identified within the project area and no further archaeological study is recommended at this time.

In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and General Plan Conservation and Open Space Element Policies CO-5 and CO-6 (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 City's Zoning Code, 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.**

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

Based on existing conditions, buried human remains are not expected to be resent in the project 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 General Plan Conservation and Open Space Element Policies CO-5 and CO-6 (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 City's Zoning Code, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, **potential impacts would be less than significant.**

Conclusion

No archaeological or historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with City General Plan 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 and no mitigation measures are necessary**.

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

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 2017).

The City's Climate Action Plan (CAP) is a policy document that sets forth policies, programs, and implementation actions that can help reduce greenhouse gas (GHG) emissions from community-wide activities and City government operations in support of the State's efforts. The CAP summarizes the results of the City's GHG Emissions Inventory Update, which identifies the major sources and quantities of GHG emissions produced within Pismo Beach and forecasts how these emissions may change over time. It identifies the quantity of GHG emissions that Pismo Beach

will need to reduce to meet its target of 10 percent below 2005 levels by the year 2020, consistent with AB 32. The CAP sets forth City government and community-wide GHG reduction measures, including performance standards which, if implemented, would collectively achieve the specified emission reduction target; and, the CAP identifies proactive adaptation strategies that can be implemented to help Pismo Beach prepare for anticipated climate change impacts. Overall, the CAP sets forth procedures to implement, monitor, and verify the effectiveness of the climate action measures and adapt efforts moving forward.

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 nonresidential lighting requirements.

Discussion

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

Project implementation would require minimal consumption of energy resources. During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. Energy demands during project operation would be provided through existing infrastructure and would not substantially increase over existing demands. Operational energy use would be consistent with that of similar residential developments and would not be wasteful or inefficient. There are no unique project characteristics that would result in a significant increase in energy usage, or an inefficient, wasteful use, or unnecessary consumption of energy resources. Potential **impacts would be less than significant.**

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

Implementation of the project would not result in a significant new energy demand and there are no project components or operations that would conflict with the City's CAP, or any other state or local plan for renewable energy or energy efficiency. Compliance with State laws and regulations, including the most recent Building Code requirements, will ensure the project continues to reduce energy demands and greenhouse gas emissions, accomplished through, for example, increasing state-wide requirements that energy be sourced from renewable resources. Therefore, ***no impact would occur*.**

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**.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

	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 basedon other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii) Strong seismic ground shaking?	☐	☒	☐	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv) Landslides?	☐	☐	☒	☐
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
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?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial director indirect risks to life or property?	☐	☒	☐	☐
e)	Have soils incapable of adequately supporting the use ofseptic tanks or alternative waste water disposal systemswhere sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f)	Directly or indirectly destroy a unique paleontological resourceor site or unique geologic feature?	☐	☐	☒	☐

Setting

The project site is located in the vicinity of the San Luis Range of the Coast Range Geomorphic Province of California. The Coast Ranges lie between the Pacific Ocean and the Sacramento-San Joaquin Valley and trend northwesterly along the California Coast for approximately 600 miles between Santa Maria and the Oregon border.

The Site lies within a geologic terrain known as the Edna Subblock of the larger San Luis/Pismo Structural Block of the San Luis Range (Lettis, 1994). The block is characterized by a basement of Jurassic-Cretaceous age (205 to 96 million years before present) Franciscan Complex. The block is bounded by the Los Osos Fault to the northeast and the Oceano Fault to the south.

Locally, the site is located within Marine Terrace Deposits and Pismo Formation claystone as depicted on Plate 1A, Site Engineering Geology Map. Hall, 1973, Dibblee, 2006 and Wiegers, 2011 mapped the Site as underlain by Pleistocene age Marine Terrace Deposits (Qt/Qoa/ and Pliocene to Miocene age Edna Member of the Pismo Formation (Tmpe/Tpe) units.

The Alquist-Priolo Earthquake Fault Zoning Act (Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. The City of Pismo Beach is located in a seismically active area. However, no active faults are known to be present within or in the near vicinity of Pismo Beach and surface rupture resulting from fault movement is not considered a significant problem within the City. Additionally, the potential for significant landslides is considered to be negligible in rocks that underlie most of the City and its surrounding hills.

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Groundshaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The California Building Code (CBC) currently requires structures to be designed to resist a minimum seismic force resulting from ground motion. Ground shaking could occur in Pismo Beach, primarily from the San Andreas Fault, which runs generally north-south from the Bay Area to southern California. The closest portion of which is roughly 60 miles to the east of the City. The Nacimiento Fault is considered a secondary source of strong ground shaking but would have a negligible effect on Pismo Beach.

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 will be developed on an existing residential lot that is generally level. Risk of liquefaction due to groundshaking is not anticipated.

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. The City's Safety Element and Conservation and Open Space Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope and structural stability evaluations for development in areas of slopes >20% - 30%, and restrictions on new development in areas with slopes >30% unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project is not located in an area with high potential for landslides.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads, and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. According to the NRCS, Still gravelly sandy clay load, 2 – 9 percent slopes, underlying the site is characterized as having well drained soils, with slow to medium runoff and moderately slow permeability.

The City's Conservation and Open Space Element (COSE) identifies policies (CO-10 and CO-11) for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils.

The following discussion is based on the Soils Engineering Report prepared for the proposed project (GeoSolutions, Inc., February 17, 2021) as well as the Coastal Bluff Evaluation prepared for the proposed development project (GeoSolutions, Inc., February 12, 2021).

As provided in the project Soils Engineering Report, data gathered during the field investigation suggest that the soil materials at the project site consist of layers of alluvial soil overlying competent formational material. The soils at the site generally consisted of varying shades of brown sandy lean CLAY (CL)s with gravels encountered in a dry and stiff to hard condition. Sandstone was encountered at 17 feet below land surface in boring B-3 and 30 feet below land surface in boring B-1 (Pismo Formation). The majority of all underlying material at the Site was interpreted as older alluvium. Groundwater was not encountered in the any of the borings. It should be expected that groundwater elevations may vary seasonally.

Seismic Design Considerations

Estimating the design ground motions at the site depends on many factors including the distance from the Site to known active faults; the expected magnitude and rate of recurrence of seismic events produced on such faults; the source-to-site ground motion attenuation characteristics; and the Site soil profile characteristics. According to section 1613 of the 2019 CBC (CBSC, 2019), all structures and portions of structures should be designed to resist the effects of seismic loadings caused by earthquake ground motions in accordance with the ASCE 7: Minimum Design Loads for Buildings and Other Structures. The Site soil profile classification (Site Class) can be determined by the average soil of the Site profile and the criteria provided in Table 20.3-1 of ASCE 7-16.

Based on the results from the in-situ tests performed during the field investigation, the site was defined as Site Class D, "Stiff Soil" profile per ASCE7-16, Chapter 20. Seismic Design Category D corresponds to buildings and structures in areas expected to experience severe and destructive ground shaking but not located close to a major fault.

Liquefaction

Liquefaction occurs when saturated soils lose shear strength due to earthquake shaking. Lateral and vertical movement of the soil mass combined with the loss of bearing strength can result from this phenomenon. Liquefaction potential of soil deposits during earthquake activity depends on soil type, void ratio, groundwater conditions, the duration of shaking, and confining pressures on the potentially liquefiable soil unit. Fine, poorly graded loose sand, shallow groundwater, high intensity earthquakes, and long duration of ground shaking are the principal factors leading to liquefaction. Based on the consistency and relative density of the in-situ soils the potential for seismic liquefaction of soils at the project site is not likely.

Coastal Bluff Evaluation

The project site is characterized by the existing bluff defining the western site boundary, above the beach and Pacific Ocean. As discussed in the project Coastal Bluff Evaluation, the purpose of the evaluation is to determine the geologic coastal bluff hazard for the property and determine the rate of bluff erosion or retreat for a 100-year period. A previous Bluff Erosion Study was previously performed at the Site by Earth Systems Pacific (Earth Systems Pacific, 2015).

The bluff portion of the site is located within the 500- Federal Emergency Management Agency flood zone maps (FEMA, 2017). The surficial and formational deposits are subject to erosion where not covered with vegetation or hardscape. Erosion has occurred within the Marine Terrace Deposits along the bluff face and within the historical drainage channel.

Bluff erosion and sea cliff retreat along the central coast of California is generally controlled by a combination of factors including: rock type, geologic structure, soil type, bluff height, direction and magnitude of wave attack, coastline configuration, surf zone profile, amount of surface runoff over bluff tops, degree of water seepage, and other adverse man-made conditions. The effects of erosive agents acting on the bluff are greater on weaker rock types or soils.

The principal causes of sea cliff erosion and retreat along the bluff-top include the forces of natural erosion and weathering of the Terrace Deposits and wave attack concentrated at the base of the bluff. Static and Intrinsic sea cliff erosion are on-going active processes that act upon sea cliff bluffs. Static erosion is a process whereby a loss of soil strength is exacerbated through increased pore water within the soil. This is seen as surficial instability and rock falls within a sea cliff. This process is controlled by the availability of surface and subsurface water to the face of the sea cliff.

Soil deposits tend to fail by slumping when they become over-weighted by precipitation during winter seasons and when there is no support from underlying sediments. Less significant erosional agents involved in bluff erosion include direct impact of precipitation on the cliff face, runoff down the cliff face, and sapping and winnowing of soils in areas of ground-water seepage.

Bluff erosion at the project site is also based upon the ability of the soil deposits to resist wave attack. Storm surge coupled with large wave activity acts to weaken, dislodge, or even remove sections of the soil deposits. Wave energy, especially winter storm wave activity, exacerbates erosion.

Intrinsic erosion is a process of rock and soil weathering due to chemical reaction with available water. This is the process that accounts for loosening, spalling, flaking, granulation, and pulverization of the Terrace Deposits due to cycles of wet-dry, alkali-acid, and heat-cold conditions. Intrinsic weathering is the cause of soil breakdown, resulting in accumulation of slope wash debris along bluff faces.

Other parameters involving erosion include geologic units, bluff geometry, wave action, coastal configuration, and surface drainage. The following is a brief discussion of the bluff erosion factors and how they relate to the subject site:

- Surface Drainage: In the current state, surficial drainage is directed toward the bluff top and acts as one of the primary mechanisms for bluff erosion. Accelerated rates of cliff erosion will occur along the bluff top as long as surficial drainage is unchecked. Surface drainage from the top of bluff should be directed to surface drainage inlets via onsite drains. Development usually reduces the amount of erosion of the bluff.

- Wave Action: The predominant wave direction along the Central California coastline is from the northwest during the spring, summer, and fall months. During the winter months, wave direction can either be from the northwest or southwest, depending upon the source of the current offshore storm. As the project area faces south, it would be expected to receive wave action from southern storms.

- Bluff Retreat: The bluff within the study area is actively eroding and is expected to continue to retreat. A historic bluff retreat rate for the project site based upon a reliable aerial photograph evaluation was completed for the proposed project. Based on the historic aerial photograph evaluation, the historic bluff retreat rate was determined to be a retreat rate of 2.43 inches per year (21 feet in 100 years). As such, a 100-year bluff top setback has been recommended at 31 feet (21 feet plus an additional 10 feet to allow for uncertainty in the analysis). A setback of 25 feet is recommended along the fluvial erosion channel along the bluff face. These setbacks are shown in the project site plans and are incorporated into the project design.

- Tsunami Inundation: Based on the latitude of the site, the estimated tsunami runup for the 100-year and 500-year events would be approximately elevation 5 and 7 feet above mean sea level. Based on a bluff height of 45 feet elevation, the potential for a 100-year and 500-year seismic water wave event to affect the proposed development is still considered low. There is a low potential for seismically induced flooding due to the location of the property from a reservoir.

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 basedon other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Ground shaking could occur in Pismo Beach, primarily from the San Andreas Fault, which runs generally north-south from the Bay Area to southern California. The closest portion of which is roughly 60 miles to the east of the City. The Nacimiento Fault is considered a secondary source of strong ground shaking but would have a negligible effect on Pismo Beach. Although the City of Pismo Beach is located in a seismically active area, no active faults are known to be present within or in the near vicinity of Pismo Beach and surface rupture resulting from fault movement is not considered a significant problem within the City**. Impacts related to fault rupture are less than significant.**

a-ii) *Strong seismic ground shaking?*

The City of Pismo Beach is located in a seismically active area, no active faults are known to be present within or in the near vicinity of Pismo Beach However, based on the results from the in-situ tests performed during the project geotechnical field investigation, the site was defined as Site Class D, “Stiff Soil” profile per ASCE7-16, Chapter 20. Seismic Design Category D corresponds to buildings and structures in areas expected to experience severe and destructive ground shaking but not located close to a major fault. Although 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 geotechnical studies identifies design recommendations for the proposed residential development intended to address seismic ground shaking. As such, **impacts related to seismic ground shaking are considered significant unless mitigated.**

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

The project site is located in an area with primarily low potential for liquefaction. 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 City's Safety Element and Conservation and Open Space Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope and structural stability evaluations for development in areas of slopes >20% - 30%, and restrictions on new development in areas with slopes >30% unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project is not located in an area with high potential for landslides. **Impacts are considered less than significant.**

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

Bluff erosion and sea cliff retreat along the central coast of California is generally controlled by a combination of factors including: rock type, geologic structure, soil type, bluff height, direction and magnitude of wave attack, coastline configuration, surf zone profile, amount of surface runoff over bluff tops, degree of water seepage, and other adverse man-made conditions.

The principal causes of sea cliff erosion and retreat along the project site bluff-top include the forces of natural erosion and weathering of the Terrace Deposits and wave attack concentrated at the base of the bluff. Static and Intrinsic sea cliff erosion are on-going active processes that act upon sea cliff bluffs. Static erosion is a process whereby a loss of soil strength is exacerbated through increased pore water within the soil. This is seen as surficial instability and rock falls within a sea cliff. This process is controlled by the availability of surface and subsurface water to the face of the sea cliff.

Bluff erosion at the project site is also based upon the ability of the soil deposits to resist wave attack. Storm surge coupled with large wave activity acts to weaken, dislodge, or even remove sections of the soil deposits. Wave energy, especially winter storm wave activity, exacerbates erosion.

The bluff within the study area is actively eroding and is expected to continue to retreat. A historic bluff retreat rate for the project site based upon a reliable aerial photograph evaluation was completed for the proposed project. Based on the historic aerial photograph evaluation, the historic bluff retreat rate was determined to be a retreat rate of 2.43 inches per year (21 feet in 100 years). **As such, bluff erosion is considered to be a significant but mitigable impact.**

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

Impacts related to landslides and liquefaction are addressed above and considered less than significant. The project geotechnical evaluation states that the potential for hydro collapse of subsurface materials is

considered low due to the absence of alluvial fan material at the site. As such, **impacts are considered less than significant.**

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

The project geotechnical studies indicate that a portion of the project site soils (i.e., Very Dark Brown Sandy Lean Clay) exhibit expansive soils. Influx of water from irrigation, leakage from residences, or natural seepage could cause expansive soil impacts related to building foundations. **Impacts are considered significant but mitigable.**

e) *Have soils incapable of adequately supporting the use ofseptic tanks or alternative wastewater disposal systemswhere sewers are not available for the disposal of wastewater?*

The proposed project does not involve the use of septic tanks or alternative waste water disposal systems. **No impacts are anticipated.**

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

No paleontological resources are known to exist in the project area and the project site does not contain any unique geologic features outside of the bluff discussed above. 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 an area of high risk of landslide or liquefaction. However, geologic conditions related to high erosion and shrink swell potential exist and impacts will be reduced to less than significant levels with the incorporation of the required mitigation measures and compliance with CBC requirements which have been developed to properly safeguard against seismic and geologic hazards. Potential impacts related to geology and soils would be **less than significant with the implementation of the required measures listed below**.

Mitigation

GEO-1. As discussed in the project geotechnical reports (Soils Engineering Report and Coastal Bluff Analysis), the primary concerns at the site include the potential of groundwater seepage, the presence of soft surface soils, and the presence of potentially expansive material. In addition to the structural development considerations, the Coastal Bluff Analysis identified recommendations to address the identified bluff retreat through required setbacks, seepage and drainage control, grading recommendations, and site design. Please refer to the project geotechnical reports for a discussion of all applicable recommendations.

The applicant shall be required to implement all recommendations listed in both the Soils Engineering Report and the Coastal Bluff Analysis. The recommendations shall be listed on project site plans prior to issuance of building permits and the applicant shall be required to confirm the incorporation of all recommendations into the project plans with the City Planning Department prior to construction activities.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				

a)	Generate greenhouse gas emissions, either directly orindirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with an applicable plan, policy or regulation adoptedfor the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

Carbon dioxide is the most abundant GHG and is estimated to represent approximately 80-90% of the principal GHGs that are currently affecting the earth's climate. According to the ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In October 2008, the CARB published its Climate Change Proposed Scoping Plan, which is the state's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32, which codifies the Statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels) and the adoption of regulations to require reporting and verification of statewide GHG emissions. The Scoping Plan included CARB-recommended GHG reductions for each sector of the state's GHG emissions inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extend the state's GHG reduction goals to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40% below 1990 levels by 2030, and 80% below 1990 levels by 2050. Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year, a reasonable SB 32-based working threshold would be 40 percent below the 1,150 MTCO2e Bright Line threshold, or 1,150 x 0.6 = 690 MTCO2e. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, a project estimated to generate 690 MTCO2e or more GHG is assumed to have a significant adverse impact that is cumulatively considerable.

According to a 2018 Community-wide Greenhouse Gas Inventory Report, Pismo Beach emitted approximately 34,849 metric tons of carbon dioxide-equivalent (CO2e). Based on adjusted numbers of the 2005 Baseline Community Greenhouse Inventory, an approximately 20% reduction is represented in the 2018 Inventory. Emissions were reduced in the residential, commercial, and transportation sectors, and slight increases in both the Wastewater and Solid Waste Sectors were also noted.

The City of Pismo Beach Climate Action Plan (CAP) includes goals and policies for implementing reductions in GHG emissions. The CAP includes the City's emissions inventory, and identifies GHG reductions, including implementation measures and monitoring procedures. The CAP is consistent with CEQA Guidelines Section 15183.5(b) for mitigating emissions and climate change impacts and serves as a Qualified GHG Reduction Strategy through the APCD. As such, project-specific analysis of GHG emissions is only required if GHG emissions from a project would be cumulatively significant regardless of CAP implementation.

Discussion

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

The California Energy Emissions Model (CalEEMod) was used to determine the approximate GHG emissions per square foot associated with construction and operation of a single-family residence and accessory dwelling unit based on an energy use factors for construction and operation. These emission factors were then multiplied by the total area for the proposed project to estimate the project's construction-related and annual operational carbon dioxide equivalent emissions in metric tons (MTCO2e; Table 4).

Table 4. GHG Emission Estimates

Project Component	Quantity	Emissions Rate (Annual MTCO2e/sf)		Estimated Projected Annual CO2 Emissions (MT/year)
		Construction	Operation	
Existing / Baseline GHG Emissions				
Single-family residence	20 dwellings	N/A	4.2	84
Net Change (Increase)				**84**

Notes: 1. Based on 18,000 kWhr/household/year
Source: City of Pismo Beach, 2021, CalEEMod version 2020.4.0

As shown in Table 4, project related GHG emissions will be well below the threshold of 690 MTCO2e. **Therefore, potential impacts associated with GHG emissions for the proposed single-family residence and applicable plans and policies adopted for the purpose of reducing GHG emissions would be less than significant.**

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

The proposed project would be required to comply with existing state regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion, and other actions adopted to achieve the overall GHG emissions reduction goals identified in SB 32. The project would not conflict with the control measures identified in the CAP or other state and local regulations related to GHG emissions and renewable energy. The project would be generally consistent with the property's existing land use and would be designed to comply with the California Green Building Code standards. Therefore, the project would be consistent with applicable plans and programs designed to reduce GHG emissions and **potential impacts would be less than significant.**

Conclusion

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

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous	☐	☐	☐	☒

	materials?				
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?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazardto the public or the environment?	☐	☐	☒	☐
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?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/. The project site is not located within close proximity to any site included on the Cortese List, EnviroStor database, or GeoTracker database.

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The Multi-Jurisdictional Local Hazard Mitigation Plan provides a Fire Hazard Zones Map that indicates urban and rural areas throughout the County within moderate, high, and very high fire hazard severity zones The project is not located within a high fire hazard severity zone, and, based on the San Luis Obispo County's response time map and proximity to the nearest fire station (Station #63), it will take approximately 1 minute (< 5 minutes) to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XXI. Wildfire.

The City has also adopted general emergency plans for multiple potential natural disasters, including the County of San Luis Obispo's Multi-Jurisdictional Local Hazard Mitigation Plan (2019), County of San Luis Obispo Tsunami Plan (August, 2016), Tsunami Inundation Map, City of Pismo Beach Multi-hazard Emergency Response Plan (2004), Pismo Beach Pre-Attack Plan.

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 transport, use or disposal of hazardous substances. Any commonly-used hazardous substances within the project site (e.g., cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. **No impacts associated with the routine transport of hazardous materials would occur.**

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?*

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. 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. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, **potential impacts would be less than significant**.

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

The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, **no impacts would occur.**

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

In order to determine the nature of the project site hazards and hazardous material risks associated with the proposed development of the site, a Phase I Environmental Site Assessment (ESA) Report (Earth Systems Pacific. April 7, 2022) was prepared for the subject property. The purpose of an ESA is to evaluate the potential for the presence of soil or groundwater contamination that may be present as a result of the use, handling, storage, or disposal of hazardous materials or petroleum products on or near the subject property.

As discussed in the project Phase I ESA, the hazardous materials assessment has identified the following information:

- The site was part of a larger property that was used for agriculture from the at least the late 1930's to the 1960's. The site has remained fallow and undeveloped since that time, and is now covered by vegetation that is mowed annually for fire prevention.

- The subject site is not listed in regulatory agency databases of hazardous substance sites. Seven hazardous substance sites are listed within a one-mile radius of the subject property. Based on the nature of the listings, their regulatory status or distance/direction from the site, none of these listings constitutes a Recognized Environmental Condition (REC) for the

property.

- Environmental conditions on-site appeared good during the Phase I ESA site visit, and no indications of the improper use or disposal of hazardous materials/wastes were noted. Conditions on adjacent properties also appeared good, and no conditions likely to adversely affect the subject site were observed.

- Two idle petroleum pipelines cross the lower part of the site, roughly parallel to the coastal blufftop. The lines were installed between 1939 and 1949, and were used to convey crude and semi-refined petroleum products. The pipelines have been out of service since at least 1997, and are maintained in a mothball status with periodic inspections by their current owner, Phillips 66 Corporation. The presence of the idle pipelines on the site comprises an REC.

Based on the conclusions from the project Phase I ESA report, one REC (the two petroleum pipelines) was identified for the site. Although classified as an REC, no visible evidence of leakage was noted at the ground surface along the pipelines' alignment, or in the gully walls or bluff face immediately below the lines. The lines have been idle for at least 25 years and are maintained in an empty state by their current owner. If contamination from the lines were to be discovered, Phillips 66 Corporation (or the current pipeline owner at the time of discovery) would be identified by regulators as the responsible party for addressing the release, and not the property owner. For this reason, the Phase I ESA report does not recommend a Phase II subsurface assessment and **impacts related to hazards and hazardous materials are considered less than significant.**

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. As such, **no impacts would result.**

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 proposed project site is not located adjacent to or in the vicinity of wildlands; therefore, **no wildland fire safety hazards would occur as a result of project implementation.**

Conclusion

The construction of the proposed project will not require the use or generation of any hazardous materials. Additionally, the project is not located on a site known to contain, use, or generate any hazardous materials. The project is not located within an airport land use plan or in proximity to a public or private airstrip and it is unlikely

that the project result in any safety hazard or excessive noise exposure. The project is not expected to interfere with any adopted emergency response or evacuation plan. The project is not located in proximity to wildlands and wildland fire impacts are not anticipated. Therefore, **potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a streamor river or through the addition of impervious surfaces, in a manner which would:				
i) result in a substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
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	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

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 particularwater 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, andother 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 as any surface water or groundwater, including saline waters, within the boundaries of the state. The project is not located within a groundwater basin.

The City's municipal code 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, alters natural drainage courses, for properties whose slopes are greater than 10%, and for development requiring grading plans by the Grading and Erosion Control Ordinance (Title 18 of the Municipal Code).

Per the City's Stormwater Program, the Public Work's 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.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The City's Safety Element and the Multi-jurisdictional Local Hazard Mitigation Plan establishes policies to reduce flood hazards and flood damage, including but not limited to prohibition of development in areas of high flood hazard potential. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The City designates flood hazard areas within areas shown on the Flood Insurance Rate Map (FIRM) provided by FEMA. Development within these areas are required to comply with all applicable provisions of Chapter 15.44 of the Municipal Code (Flood Hazard Area Use Control).

A report was created by GeoSolutions, Inc. dated February 12, 2021, to evaluate the project site coastal bluff and anticipated erosion. The erosion rate was calculated to be 21 feet in 10 years plus a 10 buffer. The analysis also stated that introducing any water into the subsurface will eventually create an instability in the bluffs as the water would follow the sloping bedrock contact to the bluff face.

As outlined in the project Stormwater Control Plan, the project is anticipated to result in the creation of 74,003 square feet of impervious development. The project approach is to allow minor surface infiltration from pervious areas and avoid systems that promote concentrated subsurface infiltration, therefore non-retaining biofiltration BMPs are proposed to be used. The proposed stormwater treatment systems consist of biofiltration systems with an internal by-pass for large storm events. Filtered stormwater would be directed to existing drainage infrastructure leading to the beach below the bluff.

Discussion

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

The project site is not located within a 100-year flood zone. Stormwater would be collected in a series of storm drains, filtered and redirected to the existing drainage infrastructure for eventual disposal into the Pacific Ocean. Based on the current project, existing drainage patterns would be substantially altered. Grading for the project would remove the existing drainage feature on-site. As a result it would no longer transmit water from the site to the bluffs. Instead, water would be collected in storm drains and connected to the existing storm drain system. Based on preliminary review by the City of Pismo Beach, there is adequate capacity to accommodate additional runoff. Project review by the City Engineering Division will ensure conformance to City standards for

drainage and wastewater utilities.

The proposed project would increase the amount of stormwater discharged into the existing storm water system. It is anticipated that the existing storm drain system, including the outfall structure, has adequate capacity to handle the project runoff. Because the project involves the disturbance of more than one acre, preparation of a Stormwater Pollution Prevention Plan (SWPPP) would be required by the State Water Resources Control Board (SWRCB). Based on the information discussed above, and regulatory requirements of the SWRCB, **less than significant impacts are expected.**

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

The City of Pismo Beach currently has three sources of water to meet the water demands of the community. These sources include groundwater from water wells located in Grover Beach, Lopez Project water, and State Water from northern California [a result of the City participating in the State Water Project (SWP)]. Diversification of water resources allows the City to respond to temporary water shortages in one source with enhancements from another source.

The City's water supply sources include surface water from the SWP and Lopez Project, groundwater from the Tri-Cities Mesa Sub-basin of the Santa Maria Valley Groundwater Basin, and in the future, recycled water. The City's surface water supply is contractually allocated to the City through the County, from the SWP and the Lopez Project. Though there are other primary users of the SWP and Lopez Project supply sources, the amount of water available to these users is also limited by contract. Project development would not adversely impact City water resources.

Similarly, the City's groundwater resources are fully adjudicated and managed through a court judgment. The Northern Cities Management Area (NCMA), of which the City is a member, implements ongoing monitoring and management activities to ensure the long-term integrity of the local groundwater resources. While the City's actual groundwater use may vary, it holds a firm and secure quantified right to its local groundwater pumping.

In addition, the City General Plan Policy F-36 requires water management program review, including water conservation requirements, for new development. Sufficient water supply under the City's current water use agreements and allowable use of groundwater exists to accommodate the proposed project. Based on the existing water supply and conservation requirements for new development, **impacts are considered less than significant.**

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

(c-i) *Result in substantial erosion or siltation on- or off-site?*
The project will result in approximately 3.44 acres of site disturbance, including a total cut volume of 9,650 cubic yards and a total fill volume of 1,850 cubic yards. A sedimentation and erosion control plan is required to minimize the potential for soil erosion, which would be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120 to minimize potential impacts related to erosion, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation.

The project will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. Based on required compliance with applicable state and County drainage and stormwater control regulations, the **project's impacts associated with increased surface runoff resulting in flooding on- or off-site would be less than significant**.

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

The project is on a generally level site and will be subject to the standard City requirements for drainage, sedimentation and erosion control for construction and permanent use. Project grading will create exposed soil, however, adherence with the City's standards will adequately address these impacts. Additionally, landscaping and stockpiles will be properly managed during construction to avoid material loss. Existing regulations within the City's municipal code and building code will adequately address surface water quality impacts during construction and permanent use of the project site. No additional measures above what are required or proposed are needed to protect water quality; **impacts are considered less than significant.**

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

The project would be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. Based on required compliance with applicable state and City drainage and stormwater control regulations, the project's **impacts associated with increased surface runoff resulting in exceedance of the capacity of existing or planned drainage systems or provide substantial additional sources of polluted runoff would be less than significant**.

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

Based on the County of San Luis Obispo Flood Hazard Maps, the City's Safety Element, and Multi-jurisdictional Hazard Mitigation Plan, the project site is not located within a 100-year flood zone. The project would be subject to standard requirements for drainage, sedimentation, and erosion control for construction and operation; **therefore, no impacts would occur.**

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

Based on the San Luis Obispo County Tsunami Inundation Maps, and as stipulated in the project bluff retreat analysis, the project site is not located in an area with potential for inundation by a tsunami based on elevation above sea level. The project site is not located within close proximity to a standing body of water with potential for seiche to occur; therefore, the project site has no potential to release pollutants due to project inundation and **less than significant impacts would occur.**

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

Development such as construction of single-family residences will not exceed what is stipulated in the City's Building Ordinance and Zoning Code requirements. The project will not conflict with or obstruct implementation of a water quality control plan or sustainable management plan. **No impacts are anticipated to occur.**

Conclusion

Compliance with existing regulations and/or required plans would adequately reduce potential impacts associated with hydrology and water quality to be **less than significant.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Setting
The City's Zoning Code was established to guide and manage the future growth in the City 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 City.

The City's Municipal Code Chapter 17.127 establishes the procedures for amendment procedures for the City's Local Coastal Program (LCP). The LCP may be amended (general plan amendment, GPA) by the Planning Commission and City Council and is considered effected once certified by the California Coastal Commission (Section 17.127.070). The review authority is responsible for taking action on a GPA when it first determines that the GPA satisfies the following:

- Internally consistent with the adopted General Plan and LCP;
- Would not be detrimental to the public interest, health, safety, convenience, or welfare of the city;
- Physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested/anticipated land use development(s); and,
- In compliance with the provisions of the California Environmental Quality Act (CEQA).

The City's Land Use Element of the General Plan contains planning areas that establish policies and programs for the general distribution, location, and extent of the uses of the land for housing, business, industry, open space, recreation, natural resources and other uses of public and private lands. The project site is located within the Planning Area 'B' – South Palisades. The South Palisades Planning Area includes clustered multi-family and single-family residential development. Each parcel in this area includes 60 percent of open space, preservation of views from Highway 101 to the ocean, and a 100-foot-wide lateral access dedication to the City for public parks and open space along the entire cliff. The ocean bluffs range in height from 40-50 feet at the north end to 80 feet at the south end of the planning area.

The proposed project is located in an area designated Medium Density Residential by the City of Pismo Beach. The project site is surrounded by similarly developed residential tract development to the north and south, with the Pacific Ocean to the west and Shell Beach Road to the east. Surrounding uses are identified on Page 4 of this Initial Study and the proposed project is considered compatible with these surrounding uses. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g., City General Plan/LCP, Zoning Code, South Palisades Planning Area, etc.). The project was found to be

consistent with these documents.

Discussion

a) *Physically divide an established community?*

The proposed project is considered an infill project, consistent with other residential projects in the South Palisades area and would include residential and recreational development between two previously developed residential lots. The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and **no impacts would occur.**

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

The proposed project was reviewed for consistency with the City of Pismo Beach General Plan and Local Coastal Plan and the City of Pismo Beach Zoning Code. No inconsistencies were identified. Bluff retreat due to erosion by wave action is common in the project site area. As such, the City of Pismo Beach requires all proposed developments located on parcels with bluffs to submit a Geology Report (PBMC 17.32.040 B). Reports are required to establish a bluff retreat rate for the subject parcel and identify a setback that would allow the bluff to retreat at its natural rate for 100 years without endangering new developments. Please refer to the bluff retreat discussion under Section 6, Geology and Soils, for a detailed review of the bluff retreat analysis prepared by the applicant team. The final line representing the top of bluff, the 100-year bluff retreat (based on an estimated 2.43 inches per year), and the required 100-foot setback from the bluff retreat are depicted in Sheet C1.3 of the project site plan set. As currently proposed, only a proposed blufftop park (an extension of the existing blufftop park north of and adjacent to the project site) is located within the setback area, consistent with City policy. **Impacts are considered 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.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resourcethat would be a value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Setting

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

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

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

There are no known mineral resources that fall into the three MRZ categories as defined by the SMARA classification at or within the vicinity of the project site.

Discussion

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

The project is not located within a designated mineral resource zone. There are no known mineral resources in the project area; therefore, **no impacts would occur.**

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general 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.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project:				
a) Generation of a substantial temporary or permanent increasein 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?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration orgroundborne noise levels?	☐	☒	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working inthe project area to excessive noise levels?	☐	☐	☐	☒

Setting

The City of Pismo Beach 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 City (highways, primary 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.

In order to determine the existing noise environment in Pismo Beach, a community noise survey was conducted during August 1990 by Brown-Buntin Associates, Inc. under contract to the County of San Luis Obispo. Maximum noise levels ranged from 63-70 dB and generally were due to traffic. Minimum levels were from traffic and wind and ranged from 25 to 40 dB. Based on these measurements, background noise levels in terms of Ldn were estimated to range from 41 to 57 dB. Noise sensitive uses that have been identified by the City include the following: residences, churches, and schools. Uses that are noise-producing have been identified as well and include the following: highways, and certain forms of industry.

Brown-Buntin Associates developed existing and projected noise contour data for the major transportation routes in the county. Traffic data was provided by CALTRANS, the county and the cities. Estimates for future traffic volumes for certain county and city roadway segments are based on growth rates of comparable roadways since these data were not available from the jurisdictions. The noise contours affecting Pismo Beach are presented on Table N-1 and are displayed in Figures N-1 and N-2 of the Noise Element.

The measurement of noise, and particularly the measurement of potential noise from, or affecting, a proposed project requires the use of sophisticated equipment and considerable technical expertise. To assist the City in making preliminary assessments of potential problems as well as potential solutions, the County of San Luis Obispo has provided all cities in the county with a Technical Reference Manual that supplies specific technical information for individual jurisdictions and an Acoustical Design Manual that can be used as an aid to site design review.

The existing ambient noise environment of the project site (residential neighborhood and transportation sources) is characterized by light traffic along Shell Beach Road, Beachcomber Drive and Highway 101, as well as wave noise from the cliffs below the subject site. The nearest sensitive receptors to the project site are those residences in the immediate vicinity and adjacent to the project site. The project site is not within close proximity to an Airport or subject to airport operational noise.

In order to determine the nature of project-related noise impacts, specifically those related to the introduction of new residences in proximity to Highway 101 traffic noise source, an Acoustical Analysis (45dB Acoustics. December 10, 2020) was prepared for the proposed project. The following topics are presented in the acoustic analysis in response to City of Pismo Beach requirements for projects identified by the Land Use Element and the Noise Element of the City's General Plan. The following factors are considered:

- The topographical relationship of potential noise sources and the dwelling site
- Identification of noise sources and their characteristics, including predicted sound levels at the exterior of the proposed dwelling, considering present and future land usage
- Basis for the sound level prediction (i.e., acoustically modeled from published data), noise attenuation measures to be applied, and an analysis of the noise insulation effectiveness of the proposed construction showing that the prescribed interior noise level requirements are met
- If interior allowable noise levels are met by requiring that windows be non-openable or closed, the design for the structure must also specify the means that will be employed for ventilation to provide a habitable interior environment
- Information on fundamentals of noise and vibration to aid in interpreting the report

The location of the proposed project is on the southeast corner of the intersection of Beachcomber and Shell Beach Road, approximately 200 feet away from, and sloping down from, Highway 101. Twelve townhomes are proposed to be arranged at the north end of the project site, then six single family homes, and two owner's custom homes at

the west end of the site.

Discussion

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

The project acoustic analysis confirms that the primary potential noise issue at the project site is the transportation source of Highway 101 and Shell Beach Road to the northeast of the site. To accurately model and predict noise levels, noise propagation software was utilized, based on traffic counts from the Caltrans database. This analysis shows the sound levels at the first two proposed rows of townhomes where levels are above 60dBA. Levels are predicted to reach 71 dBA CNEL at these homes. The rest of the proposed homes further back on the site remain under 60dBA CNEL.

The Pismo Beach Noise Element and State Building Code requires that residential habitable spaces where the exterior CNEL is 60 dBA or higher be designed so that interior noise level attributable to exterior sources does not exceed 45 dBA CNEL when doors and windows are closed. The worst-case exterior noise level of 71 dBA CNEL was calculated for the residences closest to Highway 101.

That level typically falls into the Unacceptable range for Residential projects within the City Noise Element. As such, future residential development has the potential to expose residents to noise at or above 60 dBA. Based on the City Noise Element, exterior noise levels at or above 60 dBA would result in **significant but mitigable impacts.**

With respect to the project's potential to increase ambient noise levels upon development, the project is considered to be an in-fill development in a residential area where ambient noise levels are consistent with the residential environment. With incorporation of the City's noise regulations found in Municipal Code Section 9.24, **noise impacts related to future residential development in a residential area are considered less than significant.**

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

Construction activities will create a temporary increase in noise and groundbourne vibration. Construction activities would result in substantial, short-term increases in existing ambient noise levels over 65 dBA CNEL within the project vicinity during the following activities:

- construction vehicles entering and leaving the site, including workers, building materials, or construction equipment;
- activities in the construction staging areas;
- operation of temporary on-site generators and compressors;
- grading and earth-moving activities; and
- building construction.

Impacts related construction noise generation are considered temporary in nature, but given the level of proposed development, they have the potential to result in **significant impacts unless mitigated.**

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

As discussed in the project acoustic analysis, the nearest airport (Oceano Regional) is approximately 6 miles

to the southeast and is not a significant noise factor. The San Luis Obispo County Regional Airport is approximately 12 miles away and is also not a noise factor here. The nearest railroad line is approximately 0.5 mile to the east and is not a significant noise source either. **No impacts are expected.**

Conclusion

The project includes the proposed development of residential units in an area subject to transportation noise sources in excess of the thresholds established by the City based on its proximity to Highway 101/Highway 1 and Shell Beach Road. **With the incorporation of the mitigation measures below, impacts would be reduced to less than significant levels.**

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per City Noise Element standards, however, construction activities have the potential to increase temporary noise levels**. Construction phase mitigation will reduce this impact to less than significant levels**. No long-term operational noise or ground vibration would occur as a result of the project.

Mitigation

N-1. As specified in the project acoustic analysis, in addition to compliance with the Title 24 State Building Code requirement of 45dBA CNEL or less for habitable spaces, mitigation for the eight town homes closest to Highway 101 will be required. As such, the applicant shall utilize exterior walls of STC 37 / OITC 28 and windows with STC 33 / OITC 27 minimum in order to maintain the interior noise levels of not more than 45 dBA CNEL. In addition, balconies facing Highway 101 shall be prohibited. The applicant shall list this requirement on project building plans and confirm implementation of this construction standard with the City Planning Department prior to issuance of construction permits.

For the proposed eight town homes in proximity to Highway 101, units shall be designed such that no windows with the ability to open shall be permitted on walls or doors facing the highway. The applicant shall show this requirement clearly on project site plans, including design elements and methods showing the means that will be employed for ventilation to provide a habitable interior environment. Air-conditioning or air-handling units in these residences must be provided such that the interior noise level requirement can be met (i.e., the residences must not rely on natural ventilation through open windows).

N-2. Stationary construction equipment that generates noise that exceeds 65 dBA at the project boundaries shall be shielded with the most modern and effective noise control devices (i.e., mufflers, lagging, and/or motor enclosures to City's satisfaction). Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used. All equipment shall be properly maintained to ensure that no additional noise, due to worn or improperly maintained parts, is generated. Stockpiling and vehicle staging areas shall be located as far as practical from sensitive noise receptors. Every effort shall be made to create the greatest distance between noise sources and sensitive receptors during construction activities.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area,either	☐	☐	☒	☐

	directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension ofroads or other infrastructure)?				
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

The City of Pismo Beach General Plan 2020-2028 Housing Element addresses the city's plans to meet its housing needs, particularly the availability, affordability, and adequacy of housing supply. The Housing Element defines strategies and programs that will serve all socioeconomic groups.

The City faces many challenges related to establishing housing within the community: balancing employment and housing opportunities, matching the supply and demand for housing, enhancing the affordability of housing for all segments of the population, ensuring that adequate water and public services are available, and conserving natural resources that distinguish Pismo Beach. The 2020-2028 Housing Element sets forth strategies to address these issues and provide guidance for local government decision making.

The City's inclusionary housing requirements are in Chapter 17.26 of the municipal code and require 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 City currently participates in the Community Development Block Grant (CDBG) program, administered by the County of San Luis Obispo, which provides limited financial assistance to projects relating to affordable housing throughout the community.

The project site is located within the Planning Area 'B' – South Palisades. The South Palisades Planning Area includes clustered multi-family and single-family residential development. The proposed project is located in an area designated Residential Medium Density by the City of Pismo Beach. The project site is surrounded by similar residential development to the north and south, with the Pacific Ocean to the west and Shell Beach Road to the east. Surrounding uses are identified on Page 4 of this Initial Study and the proposed project is considered compatible with these surrounding uses. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g., City General Plan/LCP, Zoning Code, South Palisades Planning Area, etc.). The project was found to be consistent with these documents.

Discussion

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

   The proposed project is considered an infill project, consistent with other residential projects in the South Palisades area and would include residential and recreational development between two previously developed residential lots. Development of this site as proposed would be consistent with the City's General Plan land use designation for the site and would be consistent with the community buildout projections. The project does not include any elements that would have the potential to indirectly result in substantial population growth. **Impacts are considered less than significant.**

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

   The project would not displace existing housing or necessitate the construction of replacement housing elsewhere; therefore, **no impacts would occur.**

Conclusion

No significant impacts to population and housing would occur upon project implementation and no mitigation measures are necessary.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilties, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Setting

Fire protection services in the City of Pismo Beach (City) are provided by the California Department of Forestry and Fire Protection (CAL Fire), which has been under contract with the City to provide full-service fire protection. The City Fire Station is located at 760 Mattie Road and employs a full-time staff including a Battalion Chief, 6 Fire Captains, 6 Fire Apparatus Engineers and an Administrative Assistant. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates citywide and regional response efforts, and provides public education and training in the community. The project site is located approximately 1.8 miles north of the fire station, however, Cal Fire Station #63, located at 2555 Shell Beach Road, is only approximately 0.8 miles from the project site providing a 1 minute response time.

Police protection and emergency services in the City are provided by the City Police Department. The Police Department responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from the City's Police Station located at 1000 Bello Street in Pismo Beach.

Pismo Beach is within the Lucia Mar School District and includes one elementary school and one middle school. Senate Bill 50 (SB 50) implemented school impact fee reforms in 1998 by amending the laws governing developer fees and school mitigation. Pursuant to SB 50, future development projects would be required to pay school impact fees established to offset potential impacts on school facilities.

Discussion

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

Fire protection?

The project would be required to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits. Based on the limited nature of development proposed, the project would not result in a significant increase in demand for fire protection services. The project would be served by existing fire protection services and would not result in the need for new or altered fire protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand for fire protection services. Therefore, **impacts would be less than significant.**

Police protection?

The project does not propose a new use or activity that would require additional police services above what is normally provided for similar surrounding land uses. The project would not result in a significant increase in demand for police protection services and would not result in the need for new or altered police protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand on law enforcement services. Therefore, **impacts related to police services would be less than significant.**

Schools?

As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional school services or facilities to serve new student populations. Therefore, **potential impacts would be less than significant.**

Parks?

As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational services or facilities to serve new populations. In addition, the proposed project includes establishment of a blufftop park and dedicated open space consisting of "Lot 21" on the property east of Shell Beach Road. Therefore, **potential impacts would be less than significant.**

Other public facilities?

As discussed above, the proposed project would be subject to applicable fees to offset negligible increased demands on public facilities; therefore, **impacts related to other public facilities 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.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION Would the project:				

a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur orbe accelerated?	☐	☐	☒	☐
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Setting
The City of Pismo Beach Parks, Recreation, and Access Element of the General Plan is viewed in the context of the background, principles, and policies found in the Conservation and Open Space Element, much of which is integral to recreation and access concerns.

Pismo Beach has always relied on the Pacific Ocean and the beach to be its chief recreational resource. In addition to this natural resource, the city contains both state and local parks and recreational areas. Pismo State Beach, under the direction of the State Department of Parks and Recreation, comprises 1.5 miles of the city's only major sandy beach (approximately 60 acres) and is the major recreational area of the city. The city has approximately 315 acres of additional public park area either developed or proposed. Forty percent of the park area is within the Coastal Zone.

The project site is located within an existing residential neighborhood adjacent to ocean frontage. The ocean frontage consists of single-family residences along the blufftop within the South Palisades area, leading down to the beach and ocean. These homes are adjacent to highly erodible cliffs, with rocky shoreline and small pocket beaches below. During low tide there are small beaches accessible to the public. There is also bluff top access and a staircase to the beach from Beachcomber Drive dedicated to the City and connected to a city easement in the South Silver Shoals subdivision in the South Palisades Planning Area. To the south, there is additional public access to the blufftop from North Silver Shoals Drive. The proposed project includes one public park lot (Lot 21) along the oceanfront, which would provide a connection between the two existing blufftop open spaces. The project also includes an open space easement (separate lot, not a part of the subdivision map) located inland of Shell Beach Road. Lot 21 is to be to be dedicated in fee to the City. The inland parcel is to be an open space/conservation easement dedicated to the City.

Discussion

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

   The proposed project has the potential to increase the amount of residents in the vicinity, potentially increasing demands on local parks facilities and increasing visitation of the beach directly adjacent to the project site. However, the project includes the dedication of Lot 21 consisting of a public park/open space between the proposed development and the adjacent blufftop to the City for public access and recreation. The project also includes an open space easement (separate lot, not a part of the subdivision map) located inland of Shell Beach Road. Lot 21 is to be to be dedicated in fee to the City. Dedication of these areas to the City for recreation will result in an overall **less than significant impact to City parks and recreation facilities**.

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

   The project includes the proposed dedication of two areas for public access and open space, which would be considered an addition to regional recreational opportunities. As such, the proposed project would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, **less than significant impacts would occur.**

Conclusion

The proposed project has the potential to increase the amount of residents in the vicinity, potentially increasing demands on local parks facilities and increasing visitation of the beach directly adjacent to the project site. However, the project includes the dedication of the lot between the proposed development and Highway 101 to the east. Dedication of this lot to the City for recreation/open space will result in an overall less than significant impact to City parks and recreation facilities. In addition, the project includes establishment of a blufftop park as an extension of the existing blufftop park adjacent to and north of the project site. The proposed blufftop park would be located in an area identified as native habitat. Impacts related to project development in native habitat have been discussed in detail under Section IV, Biological Resources. **Implementation of the proposed project would result in less than significant impacts related to recreation.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION Would the project:				
a) Conflict with a program, plan, ordinance or policy addressingthe circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric designfeature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Setting

The City of Pismo Beach maintains traffic data for all City-maintained roadways. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county and urban areas. The project site is located within an existing residential neighborhood, accessed from Shell Beach Road, a minor arterial (Circulation Element).

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 City's Land Use and Circulation Elements of the City's General Plan 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 and zoning districts.

The project includes the subdivision of the currently vacant subject property for the construction of 12 residential townhomes in attached duplex configurations, six custom single-family home lots, and two oceanfront single-family lots facing Palisades Park. Access to the lot will be from Beachcomber Drive, which was developed as part of the

neighboring South Silver Shoals subdivision to the north. The project includes the proposed widening of Beachcomber Drive, including a new sidewalk, as part of the circulation improvements. As proposed, the project would include a total of 24 resident parking spaces and seven guest spots (two spaces per unit, plus one guest space per four units), consistent with the City's requirements. The proposed dedicated recreational/open space parcel site would be accessed from an existing adjoining parking lot. There is a bus stop located approximately 0.8 miles from the project site (Shell Beach Road and Seacliff Drive); there are bicycle and pedestrian facilities along Shell Beach Road, within 1 mile of the project site.

Based on the Institute of Transportation Engineers (ITE) trip generation calculations (Table 5, below), the proposed project is expected to generate approximately 155 new vehicle trips (Average Daily Trips; ADT) on the adjacent street system with approximately 12 AM trips and 14 PM trips occurring.

Table 5. Estimated Trip Generation

	Units	ITE Code	ADT Rate	ADT	AM Rate	AM Trips	PM Rate	PM Trips
Townhome Residences	12	220	6.65	79.80	0.51	6.12	0.56	6.72
Single Family Residential	8	210	9.44	75.52	0.74	5.92	0.99	7.92

Source: Institute of Transportation Engineers, Trip Generation Manual, 10th Edition.

Discussion

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

Several regionally- and locally-adopted land use plans, policies, and regulations apply to development under the GP/LCP Update. These include the SLOCOG 2019 RTP for San Luis Obispo County, the Pismo Beach 2010 Bicycle and Pedestrian Master Plan, and the Pismo Beach 2013 Complete Street Master Plan.

The SLOCOG 2019 RTP is a long-range land use and transportation plan for the San Luis Obispo region. The 2019 RTP includes nine goals, with respective objectives and policies to meet these goals, which are expected to result in significant benefits to the region not only with respect to transportation and mobility, but also economic activity, safety, and social equity.

The current City GP/LCP Update includes several goals and policies to ensure acceptable access and performance for all modes of travel. These goals and policies would enhance the City's alternative transportation modes while continuing to accommodate automobile travel. The Pismo Beach 2010 Bicycle and Pedestrian Master Plan is intended to amplify policies in the City's General Plan and Local Coastal Plan that address bicycle and pedestrian opportunities by providing the implementation tools for many GP/LCP directives. Section 4 of the Bicycle and Pedestrian Master Plan includes policies that describe actions Pismo Beach can take to ensure safety and accessibility for pedestrians and bicyclists. The GP/LCP Update Circulation Element includes specific goals and policies that implement of Bicycle and Pedestrian Master Plan policies and actions.

The 2013 Complete Streets Master Plan describes specific plans and projects that would enhance bicycle and pedestrian safety and connectivity in Pismo Beach. The Complete Streets Master Plan also provides a more general overview of concepts and goals to help guide future project planning.

The proposed project site would be accessed from Beachcomber Drive. According to the GP/LCP, this area is generally operating at a Level of Service A or B, although it can become busier during summer tourist season as people look for places to park and access the beach. This site was considered part of the buildout of the GP/LCP, as evaluated in the current General Plan EIR and no significant impacts to transportation

were identified on Shell Beach Road.

GP/LCP Policy P-1(b) of the Circulation Element requires local streets to be designed to operate at Level C or better during peak hours (a lower standard may be used for the downtown area). The proposed project is not expected to generate traffic in sufficient amounts to violate the General Plan standards. The project is consistent with the anticipated buildout under the current GP/LCP update and City staff review will ensure consistency with the City's Circulation Element, the Bicycle and Pedestrian Master Plan and the Complete Street Master Plan. **As such, impacts are considered less than significant.**

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

As discussed above, the proposed project is expected to generate approximately 155 new vehicle trips (Average Daily Trips; ADT) on the adjacent street system with approximately 12 AM trips and 14 PM trips occurring. Based on the nature and location of the project, the estimated trip generation does not represent a significant increase in construction-related or operational traffic trips or vehicle miles traveled. Consistent with GP/LCP Update Circulation Element Policy 4.1.5, future development that is projected to exceed the average regional VMT would be required to implement VMT-reducing mitigations or modify the proposed development to reduce VMT to the maximum extent feasible.

The project would not change existing land uses and would not result in the need for additional new or expanded transportation facilities and is below the trip threshold identified by the State and would not be considered significant. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. Therefore, **potential impacts would be less than significant.**

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

The project proposes the construction of a 12 townhome units and a total of 8 proposed single-family units. There are no identified hazards (e.g. sharp curves, dangerous intersections) or incompatible uses at the site or within the immediate area. The residences and driveways will be constructed to meet all standards of the City's Zoning Codes, including the California Building Code. Therefore, **impacts are considered less than significant.**

d) *Result in inadequate emergency access?*

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, **the project would not adversely affect existing emergency access and less than significant impacts would occur.**

Conclusion

The project would not alter existing transportation facilities or result in the generation of additional trips or vehicle miles traveled. Payment of standard development fees, if applicable, 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.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES Would the project:				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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 objectwith cultural value to a California Native American tribe, andthat is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to besignificant pursuant to criteria set forth in subdivision (c)of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Setting
AB 52 was approved in 2014, adding 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 alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources.

Many important cultural resources, such as Tribal Cultural Resources, do not necessarily leave an archaeological footprint or have physically identifiable manifestations. It is therefore vital to seek out the possibility of these important resources and their locations through consultation with tribal members. Under the authority of AB 52, the City of Pismo Beach has contacted the Native American Heritage Commission (NAHC) to obtain a list of regional tribal representatives. The City sent out invitations to consult on the proposed project to the identified tribal representatives on March 1, 2022. As a result of the required tribal consultation invitations, one response was received from the Santa Ynez Band of Chumash Indians (March 15, 2022) which stipulated that no further

consultation is requested.

Discussion

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

   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 City has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52. Correspondence requesting consultation was received from a representative from the Santa Ynez Band of Chumash Indians. No further action was requested. The project will be conditioned that in the event unanticipated sensitive resources are discovered during project activities, adherence with City standards and State Health and Safety Code procedures would any reduce potential impacts to less than significant. 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 Public Resources Code Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to the City's Municipal Code and General Plan Policies related to protection of Archaeological Resources, which requires that in the event resources are encountered during project construction, construction activities shall cease, and the City 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. **Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be less than significant.**

   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 City to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations as discussed above. **Therefore, potential impacts would be less than significant.**

Conclusion

No tribal cultural resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, **potential impacts to tribal cultural resources would be less than significant and no mitigation measures are necessary.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS Would the project:				

a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b)	Have sufficient water supplies available to serve the projectand reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c)	Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand inaddition to the provider's existing commitments?	☐	☐	☒	☐
d)	Generate solid waste in excess of state or local standards, orin excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

The proposed project includes development of 12 townhome units and 8 single-family units on an existing vacant residential lot within an established residential neighborhood. The neighborhood, and its residences, are served by the City's Public Works Department related to water and wastewater. Regulations for City services is provided for in Chapter 13 of the City's Municipal Code. The project's solid waste needs would continue to be served by South County Sanitation.

The City of Pismo Beach currently has three sources of water to meet the water demands of the community. These sources include groundwater from water wells located in Grover Beach, Lopez Project water, and State Water from northern California [a result of the City participating in the State Water Project (SWP)]. Diversification of water resources allows the City to respond to temporary water shortages in one source with enhancements from another source.

The City's surface water supply is contractually allocated to the City through the County, from the SWP and the Lopez Project. Though there are other primary users of the SWP and Lopez Project supply sources, the amount of water available to these users is also limited by contract.

Similarly, the City's groundwater resources are fully adjudicated and managed through a court judgment. The Northern Cities Management Area (NCMA), of which the City is a member, implements ongoing monitoring and management activities to ensure the long-term integrity of the local groundwater resources. While the City's actual groundwater use may vary, it holds a firm and secure quantified right to its local groundwater pumping.

In addition, the City General Plan Policy F-36 requires water management program review, including water conservation requirements, for new development. Sufficient water supply under the City's current water use agreements and allowable use of groundwater exists to accommodate the proposed project.

The projected growth envisioned in the GP/LCP would require an increase in wastewater capacity to meet the collection and treatment demand from new development. According to the current City GP/LCP update, the City's Wastewater Treatment Plant (WWTP) has a design capacity of 1.9 million gallons per day (mgd) with a peak flow up to 6 mgd. The Pismo Beach WWTP currently treats and discharges an average of 0.9 mgd and is permitted to discharge up to 1.9 mgd to the Pacific Ocean via the existing ocean outfall under its existing Waste Discharge Requirements (WDR) Order No. R3-2015-0016 as of February 2016 (City of Pismo Beach 2015). Because approximately 53% of the WWTP capacity currently remains, the expected population growth under the proposed project would not exceed the Pismo Beach WWTP capacity. Existing flows as well as future additional wastewater flows in the City as a result of population growth under the GP/LCP Update would be met by the exiting capacity of the Pismo Beach WWTP.

The Cold Canyon Landfill (CCL) facility located on 2268 Carpenter Canyon Road is the nearest site for solid waste disposal with an average daily capacity of 1,200 tons. The facility is currently a 121-acre permitted Class III solid waste disposal site (solid waste disposal permit no. 40-AA-0004). CCL is a sorting facility, which has historically recycled construction and demolition materials at a rate of 72.4%. CCL's solid waste disposal permit allows 1,200 tons of solid waste per day. CCL completed expansion plans to increase the site to 209 acres according to the Draft EIR for the expansion project. The CCL Expansion Draft EIR indicates that with the expansion of CCL the site would potentially accommodate regional waste disposal needs until the year 2040.

Discussion

a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?*

The proposed residential development would be located in an existing residential area. The new residences will connect to the existing infrastructure and will not require the expansion of existing community facilities. As such, **less than significant impacts would occur.**

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

The project site is currently served by City services related to water and wastewater. Compliance with applicable GP/LCP Facilities Element goals and policies to encourage the sustainable use and management of water supplies in the City, completion of the Central Coast Blue (recycled water) project, and compliance with water conservation measures would ensure that **impacts associated with water demand would be less than significant.**

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

On-going upgrades to the sewer system within the City under the Capital Improvement Plan and GP/LCP Update to ensure adequate wastewater systems and infrastructure would be available to meet future demands would generally occur in previously disturbed or developed areas. Because approximately 53% of the WWTP capacity currently remains, the expected population growth under the proposed project would not exceed the Pismo Beach WWTP capacity. Existing flows as well as future additional wastewater flows in the City as a result of population growth under the GP/LCP Update would be met by the exiting capacity of the Pismo Beach WWTP. **Therefore, impacts are considered less than significant.**

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

With the expansion of CCL the site would potentially accommodate regional waste disposal needs until the year 2040. Construction would result in the generation of minimal solid waste materials. The proposed project is is expected to generate a limited amount of solid waste and will likely not result in the impairment of solid waste reduction goals. Therefore, **potential impacts would be less than significant.**

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

The project is required to abide by federal, state, and local management reduction statutes and regulations

related to solid waste. Therefore, the project will comply with all statutes and regulations related to solid waste, and **impacts will be less than significant.**

Conclusion

The subject property will be connected to the City's utilities and service systems related to water, wastewater and solid waste services. The project includes the development of new multi and single-family residences and will utilize existing services. Therefore, there are **less than significant impacts** to the utilities and service systems and no mitigation measures are necessary.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE Would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

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 (CALFIRE 2007). FHSZs throughout the County have been designated as "Very High," "High," or "Moderate."

The project site is located in an established residential neighborhood on a vacant residential lot and is not in proximity to areas at high risk of wildfire events and not within a designated FHSZs. Fire protection services, as mentioned in the 'Public Services' resource in the City of Pismo Beach (City) are provided by CALFIRE, which has been under contract with the City to provide full-service fire protection. Based on the project's location and the County of San Luis Obispo response time maps, it will take CALFIRE less than 5 minutes to respond to a call regarding fire or life safety.

The City's Safety Element and County of San Luis Obispo Multi-Jurisdictional Hazard Mitigation Plan establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-2 identifies that new development should be designed to withstand natural and manmade hazards to acceptable levels of risk. Implementation strategies include adoption of the most recent safety requirements in the California Building and Fire Codes, using the planning and technical criteria presented in the Safety Element, and avoiding portions of sites with high hazard areas.

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

Discussion

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

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. **Potential impacts would be less than significant.**

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

The project site is located within an established residential neighborhood adjacent to the ocean. It is not in close proximity to areas subject to wildfire risks, is generally level, and therefore would not expose project occupants to pollutant concentrations from a wildfire or an uncontrolled spread of a wildfire. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. **Potential impacts would be less than significant.**

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

The project would not require the installation or maintenance of utility or wildfire protection infrastructure and would not exacerbate fire risk or result in temporary or ongoing impacts to the environment as a result of the development of wildfire prevention, protection, and/or management techniques. **Potential impacts would be less than significant.**

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

The project site has gentle slopes and would not be located near a hillslope or in an area subject to downstream flooding or landslides. The applicant will be required to submit complete drainage plans and report prepared by a licensed civil engineer for review and approval by the City. The project does not include any design elements that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, **impacts would be less than significant.**

Conclusion

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

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitatof 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 orrestrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion

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

The proposed project has the potential to have significant impacts related to Air Quality, Biological Resources, Geology and Soils, and Noise. However, **with the inclusion of mitigation measures, impacts would be mitigated to *less than significant.***

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

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

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

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

Conclusion

Potential impacts would be **less than significant and no mitigation measures are necessary**.

References

LIST REFERENCES HERE

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(4) CAL FIRE. 2007. "Draft Fire Hazard Severity Zones in Local Responsibility Areas." Available at http://frap.fire.ca.gov/webdata/maps/san_luis_obispo/fhszl06_1_map.40.pdf
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(8) City of Pismo Beach, Draft Climate Action Plan. November 2013.
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(11) Earth Systems Pacific. Phase I Environmental Site Assessment for Tentative Tract 3181, APN 010-144-025, Shell Beach Road at Beachcomber Drive Pismo Beach, California. April 7, 2022.
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United States Geological Survey (USGS). 2019. Areas of Land Subsidence in California. Available at: <https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html>
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Initial Study – Environmental Checklist

Project Number: P21-000050

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 City of Pismo Beach Community Development Department.

☒ Project File for the Subject Application
☒ General Plan, includes all maps/elements, more pertinent elements
- ☒ Circulation
- ☒ Conservation & Open Space
- ☒ Design
- ☐ Facilities
- ☐ Growth Management
- ☒ Housing
- ☒ Land Use
- ☒ Noise
- ☒ Parks, Recreation, and Access
- ☒ Safety

☒ 1983 Zoning Code
☒ 1998 Zoning Code
☒ Building and Construction Ordinance
☒ Public Facilities Fee Ordinance
☒ Climate Action Plan
☒ Multi-Jurisdictional Local Hazard Mitigation Plan
☒ Clean Air Plan / APCD Handbook
☒ Uniform Fire Code
☐ Natural Resources Conservation Service Soil Survey for San Luis Obispo County
☐ Stormwater Management Program
☒ Water Quality Control Plan (Region 3)
☒ Fire Hazard Severity Map
☒ Flood Hazard Maps