COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

Initial Study – Environmental Checklist

PLN-2039
04/2019

Project Title & No. Tacconi Variance N-DRC2022-00034 / ED23-013

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 Environmental Coordinator finds that:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

David Moran			6/16/2023
Prepared by (Print)	Signature		Date
Mason Denning		For Airlin Singewald, Environmental Coordinator	05/01/2024
Reviewed by (Print)	Signature		Date

Initial Study – Environmental Checklist

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. Project

DESCRIPTION: Hearing to consider a request by Michael Tacconi and Shauna Bryan for a Variance (N-DRC2022-00034) to allow for grading on slopes exceeding 30 percent for the purpose of widening and constructing an all-weather access road, an approximately 2,400 square-foot single family dwelling with a 983 square-foot detached garage/workshop, and other site improvements that include a water tank and septic leach field. The project would result in approximately an area of disturbance of approximately 50,670 square-feet (1.16 acres) with 1,870 cubic yards (cy) of cut and 985 cy of fill on an approximately 18-acre parcel; excess fill material will be spread on a southern portion of the project site. The project is located on Santa Rosa Creek Road approximately 9.5 miles west of the community of Templeton, within the Agriculture land use category in the Adelaida sub area of the North County planning area.

The regional location of the project site is shown in Figure 1; an aerial view of the project site and vicinity is provided in Figure 2. Table 1 provides a summary of project components.

Table 1 – Project Components

Components		Quantities
Single Family Residence		2,400 sf
Detached Garage and Workshop	Garage	568 sf
	Workshop	415 sf
Grade and construct a new 16 foot wide all weather access road. Extend utilities to building site.		48,107 sf
5,000 gal. water storage tank and septic leach field		650 sf
Area for Disposal of Excess Excavated Dirt		13,000 sf
Total Area of Disturbance:		**65,340 sf/ 1.5 acre ***
1,870 cy of cut, 985 cy of fill; 885 cy of excess to be spread on site		--

*** Total Area of Disturbance increase relative to the submitted preliminary Civil Plans accounts for deposition of excess fill material to be placed on parcel and additional buffer.**

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Baseline Conditions

The project site consists of a rectangular-shaped parcel of 17.9 acres located on a south facing slope of the Coast Range at an elevation of about 1,900 feet. The site is vacant; however, an unimproved access road was graded on the project site in the late 1970s (Permit No. 77-802) and a well was completed in 2018. Surrounding parcels range in size from 20 acres to over 160 acres; several have been developed with residences and accessory buildings. There is no evidence of crop production on the project site.

One unnamed ephemeral drainage flows northeast to southwest through the middle of the area of disturbance and crosses the existing access road in one location. There is an existing 12- inch metal culvert at the road crossing. Within the area of disturbance, the drainage lacks a well-defined bed and bank and there was no evidence of recent flows or evidence of an ordinary high-water mark (OHWM).

The project site is accessed by Santa Rosa Creek Road, a county maintained rural collector that connects State Route 46 with the community of Cambria to the west. Santa Rosa Creek Road crosses the project site in a northwest to southeast direction; the proposed residence and access road will be located on the northerly 17 acres which is characterized by steep slopes supporting dense stands of oak trees and annual grasses. The 0.9-acre portion on the south side of Santa Rosa Creek Road contains scattered oak trees and open grasslands with relatively gentle slopes that have been used for livestock grazing. No new structures are proposed for the southerly 0.9 acres; however, excess excavated dirt will be spread on a portion of this site.

Ordinance Modification. No ordinance modifications have been requested for this project.

ASSESSOR PARCEL NUMBER(S): 014-152-042

Latitude: 35º 34' 1.2" N **Longitude:** 120.º 54'' 53.7"W **SUPERVISORIAL DISTRICT #** 2

B. Existing Setting

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

Land Use Category: Agriculture

Combining Designation: None

Parcel Size: 17.9 acres

Topography: Moderately sloping to steeply sloping

Vegetation: Scattered Oaks Grasses

Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

North: Agriculture; agricultural uses ***East:*** Agriculture; agricultural uses

South: Agriculture; agricultural uses ***West:*** Agriculture; agricultural uses

Initial Study – Environmental Checklist

Figure 1 -- Project Location

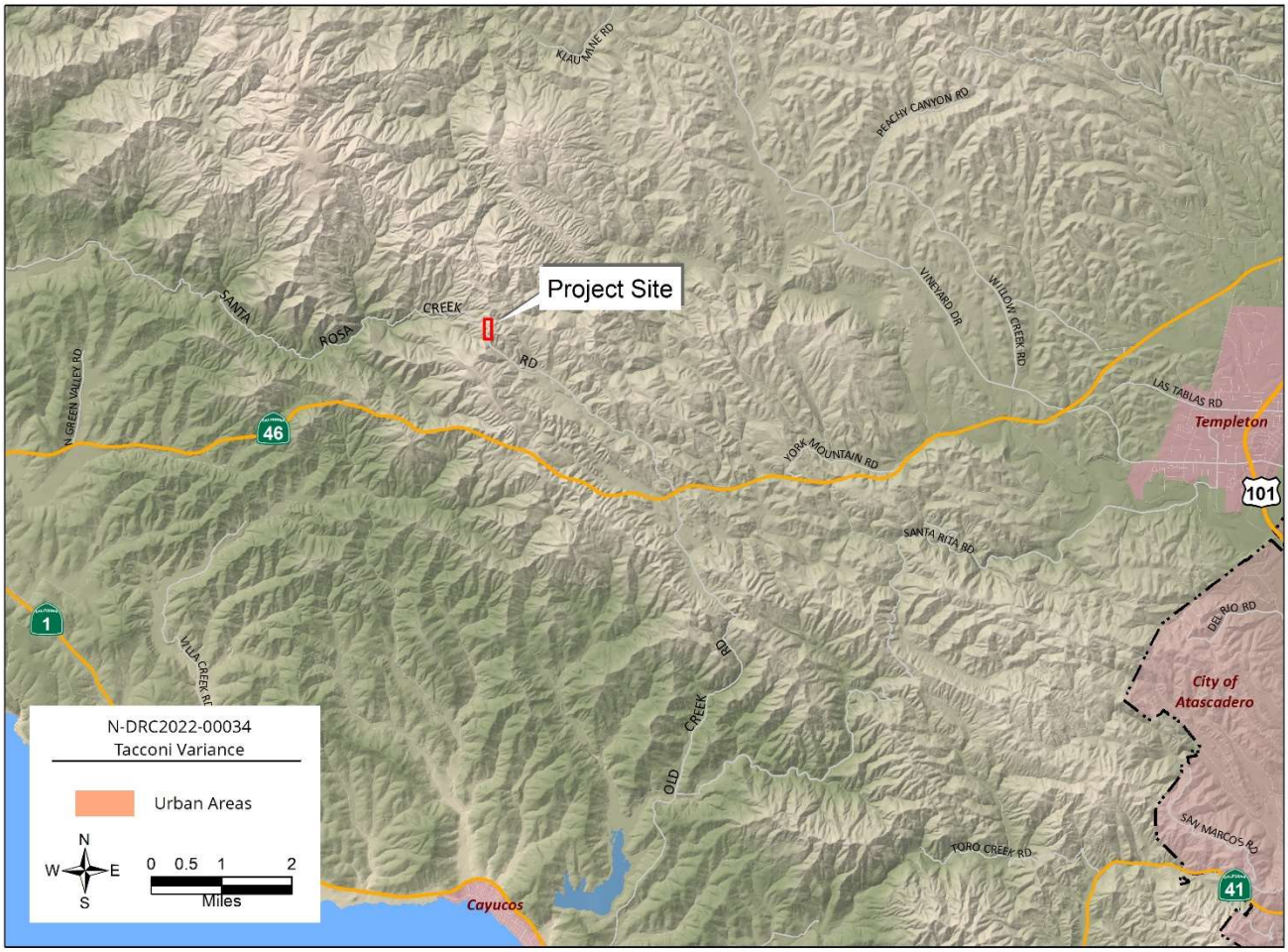

Figure 2 – Existing Conditions

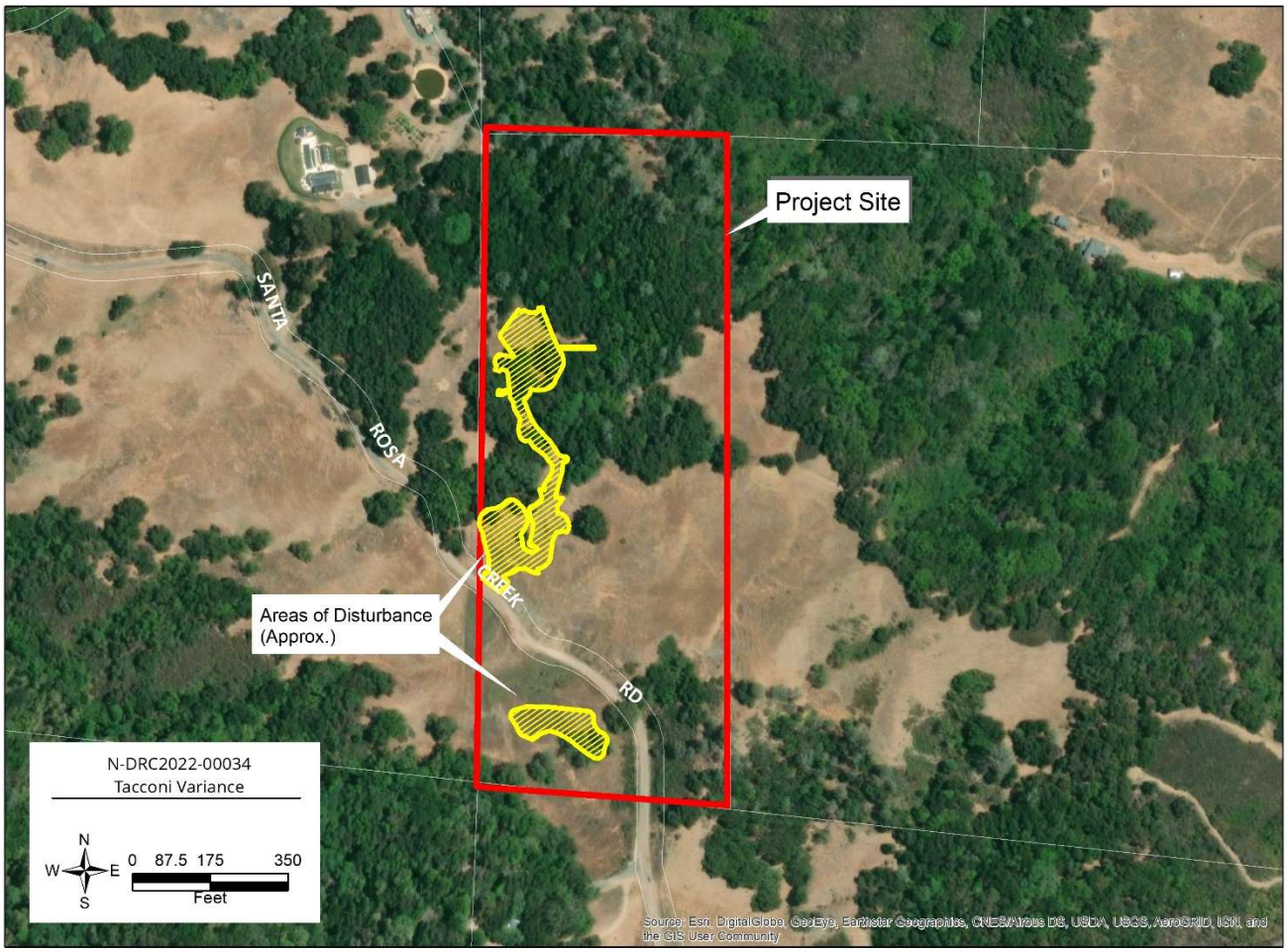

Figure 3 – Overall Site Plan

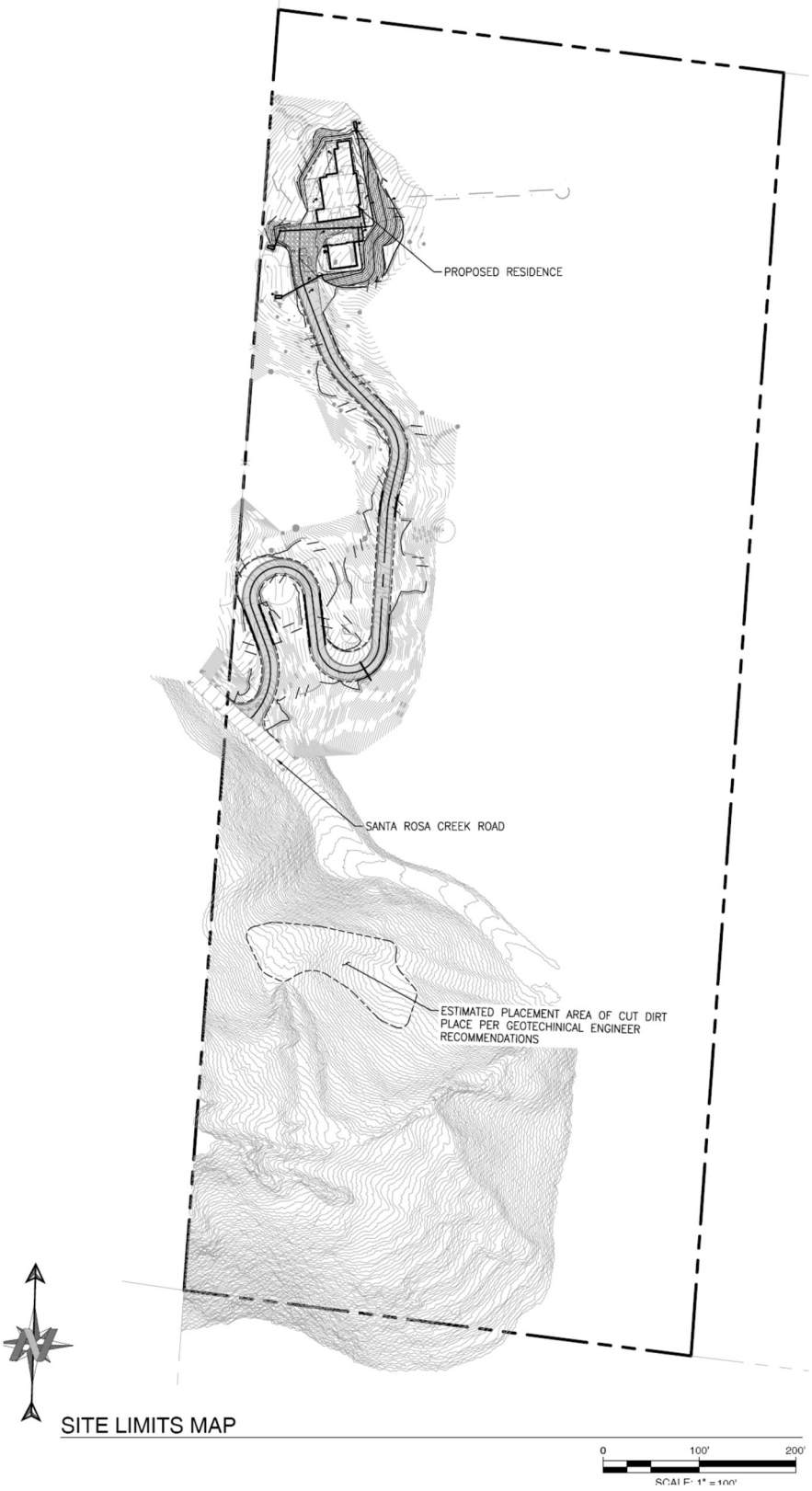

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Figure 4 – Site Plan Details

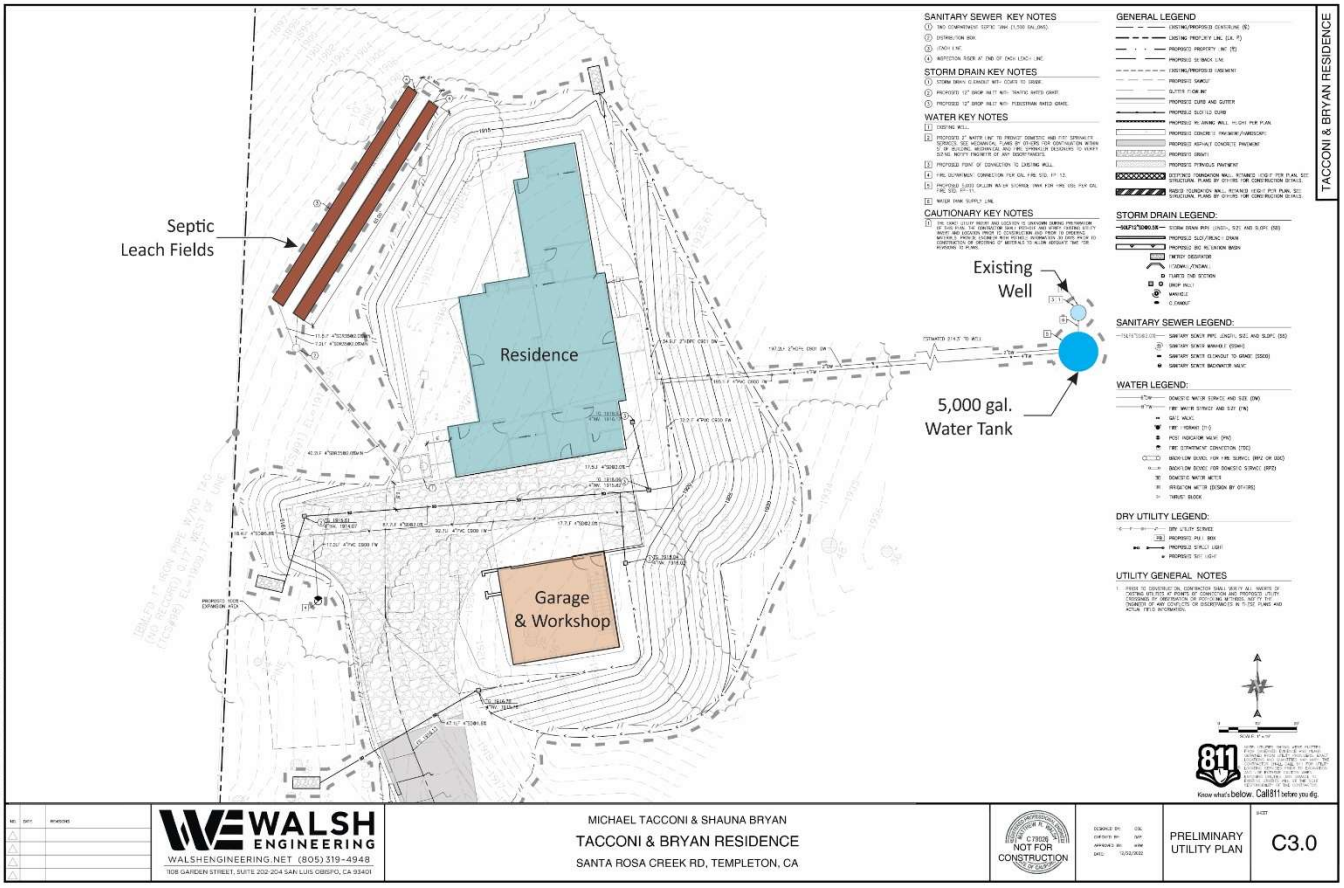

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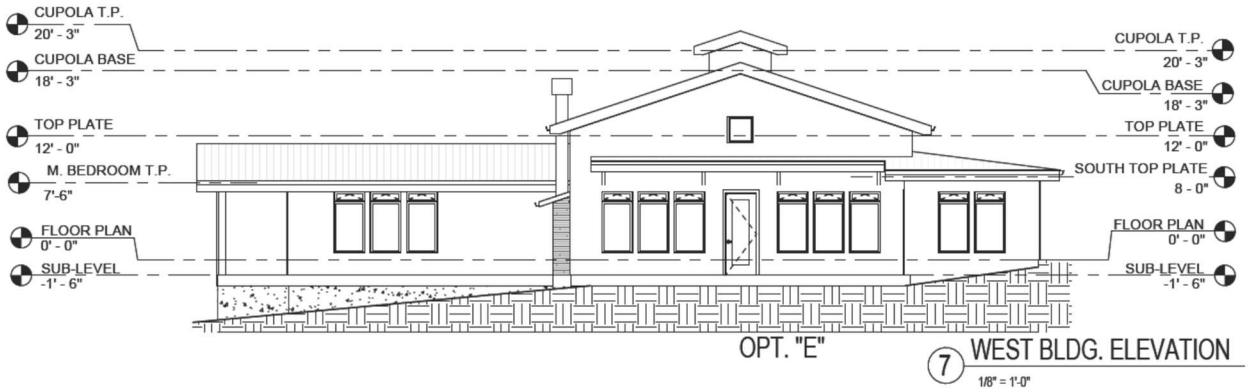
Figure 5 – Elevations – Single Family Residence



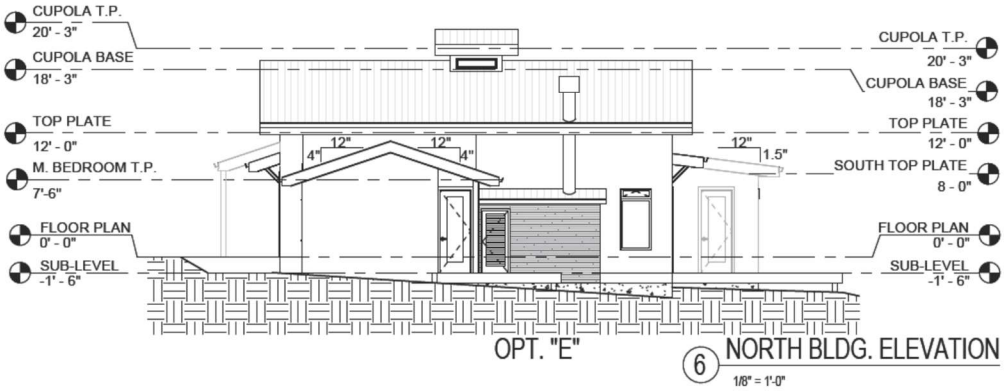
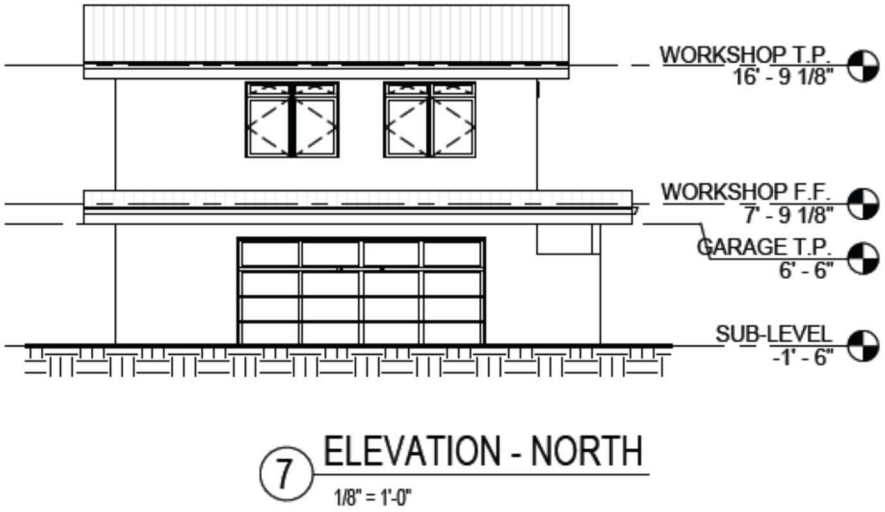
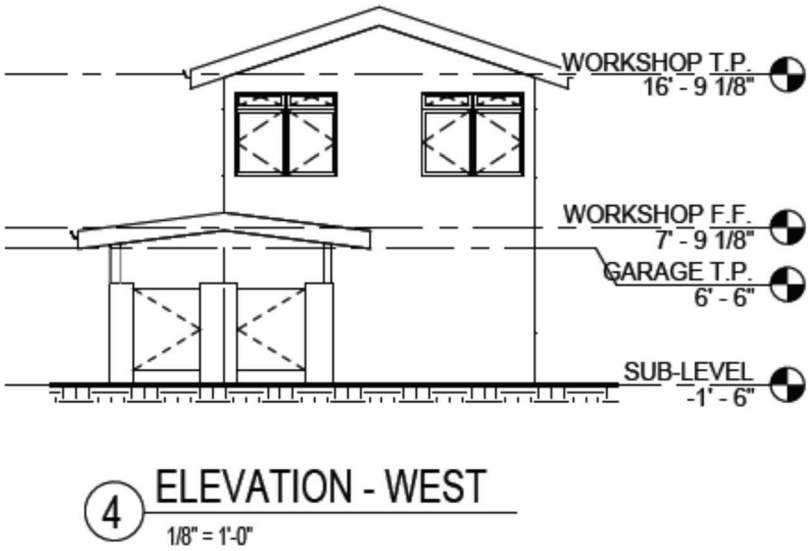


Figure 6 – Elevations – Garage/Workshop





C. Environmental Analysis

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

I. AESTHETICS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 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?	☐	☐	☒	☐
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting

The project site is located in a rural area of the County where the dominant land use is ranching on parcels ranging in size from 20 acres to over 160 acres. As discussed in the Baseline Conditions, there are no buildings or other improvements on the project site. The visual qualities of the project site and surrounding area are considered moderately high.

The primary vantage for public views in the area is provided by Santa Rosa Creek Road, a county-maintained rural roadway that extends north from State Route 46 through gently-to-steeply sloping hills to the community of Cambria to the west. The road follows a meandering course through dense stands of oak trees and annual grasses; views from the roadway are intermittently expansive to the south and west. Traffic counts for Santa Rosa Creek Road taken north of SR 46 in 2012 revealed a PM peak hour volume of 37 and an average daily traffic count of 135.

Conservation and Open Space Element. The Conservation and Open Space Element (COSE) identifies several goals for visual resources in rural parts of the county:

- Goal VR 1: The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.
- Goal VR 2: The natural and historic character and identity of rural areas will be preserved.
- Goal VR 3: The visual identities of communities will be preserved by maintaining rural separation between them.
- Goal VR 7**:** Views of the night sky and its constellation of stars will be maintained.

Some of the strategies identified to accomplish the goals listed above include encouraging project designs that emphasize native vegetation and conforming grading to existing natural forms, as well as ensuring that new development follows the Countywide Design Guidelines to protect rural visual and historical character.

Countywide Design Guidelines. The Countywide Design Guidelines identify objectives for both urban and rural development. Rural area guidelines applicable to the project include the following:

- Objective RU-5: Fences and screening should reflect an area's rural quality.
- Objective RU-7: Landscaping should be consistent with the type of plants naturally occurring in the County and should limit the need for irrigation.

Inland Land Use Ordinance. The Land Use Ordinance sets forth standards for exterior lighting (LUO Section 22.10.060). In accordance with these standards, exterior lighting must be shielded and directed onto the source parcel and away from roadways and adjacent parcels.

The only Officially Designated State Scenic Highway in San Luis Obispo County is Highway 1. The project site is not visible from Highway 1.

Discussion

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

For the purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. If the project would substantially degrade the scenic landscape as viewed from public roads, designated scenic routes, or from other public or recreation areas, this would be considered a potentially significant impact on the scenic vista.

While the project vicinity has a moderate-to-high scenic value and an appealing rural and agricultural character, it is not considered a scenic vista as it is not officially or unofficially designated as a scenic vista. Therefore, the project would not result in a substantial adverse effect on a scenic vista, and *no impacts would occur.*

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

The project site is not located along, nor visible from, a designated state scenic highway or eligible state scenic highway (Caltrans 2022). Therefore, the project would not result in substantial damage to scenic resources within a state scenic highway, and *no impacts would occur.*

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

The northerly portion of the project site, where the access road and residence will be constructed, contains steep slopes with dense stands of oak trees. The access road will extend northward from Santa Rosa Creek Road generally following the alignment of an unimproved roadway that was partially graded in 1977. The roadway will extend to a clearing surrounded by dense stands of oak trees located toward the northern and western portion of the site (Figure 2). As discussed in the setting above, Santa Rosa Creek Road carries an average daily traffic volume of 136 and a peak hour volume of 37. Therefore, public views of the project site from Santa Rosa Creek Road are currently very low.

Figure 7 -- View of the Project Site Looking Northwest From Santa Rosa Creek Road

Figure 8 -- View of the Project Site Looking Southeast From Santa Rosa Creek Road

Construction of the access road, residence, and garage, along with the placement of a 5,000-gallon water tank will change the visual and aesthetic character of the northerly portion of the project site. The site plan (Figures 3 and 4) shows the two new buildings (residence and garage) located on a moderately sloping area located in the northwest portion of the parcel in a clearing surrounded by dense stands of oak trees. Preliminary exterior colors and materials were not provided for the buildings; however, the residence will be a single-story structure with gable roof and cupola (Figure 5) that will extend about 21 feet above the graded building site. The garage/workshop building (Figure

6) will be two-stories with a maximum height of about 20 feet with exterior features to match the residence. Construction of the garage/workshop will require the removal of at least one mature coast live oak tree.

According to the plans, the access road will extend north from Santa Rosa Creek Road generally following the alignment of the unimproved access road graded in 1977. No mature oak trees will be removed as part of the proposed roadway improvements. However, construction of the road will require grading on slopes in excess of 30 percent.

Figure 9 provides an illustration of areas (shown in green) with a line-of-sight view of the residence and garage, assuming both structures are about 23 feet at the highest point above the existing grade *and assuming no intervening visual obstructions such as terrain or vegetation*. As shown in Figure 9, absent the intervening dense stands of oak trees, the residence and garage/workshop may be partially visible from a small section of Santa Rosa Creek Road north of the project site.

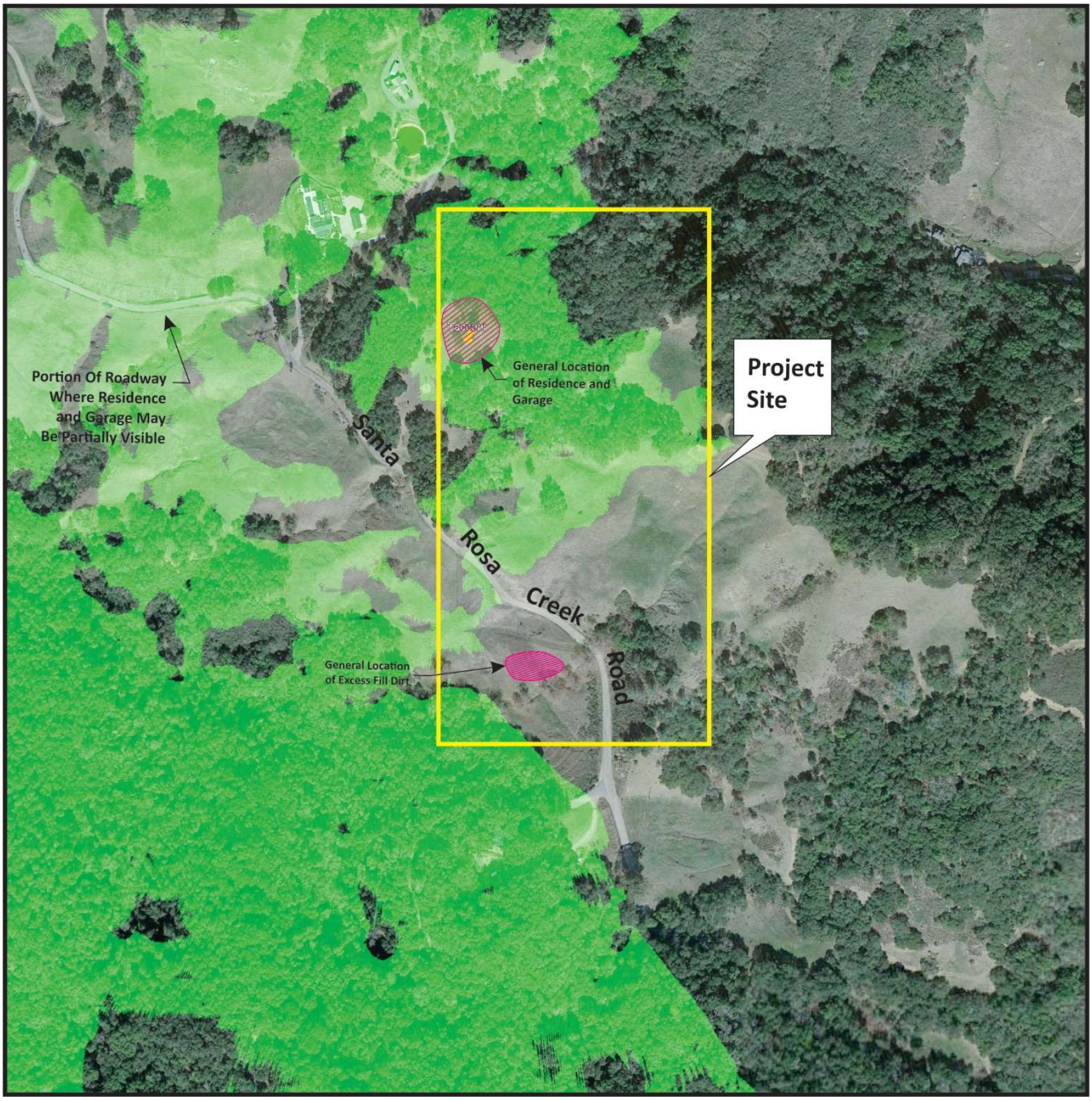
In addition, 885 cy of excess fill dirt deposited on the portion of the project site south of Santa Rosa Creek Road will be visible to travelers on the public roadway.

As conditioned, the project is not expected to substantially degrade the existing visual character or quality of public views because:

- The existing visual character of public views in the vicinity consist of rolling hills with scattered to dense stands of oak trees, rural residences, and grasslands. The size, scale, and character of development associated with the project are consistent with the visual character of existing surrounding development.
- The primary opportunity for the public to view the project site is associated with motorists travelling on Santa Rosa Creek Road. As shown in Figure 9, the residence, garage, water tank and access roadway may be partially in view to passing motorists from a 0.2 mile stretch of the roadway north and west of the project site. However, these components of the project will be screened from view by the intervening dense stands of oak trees, while existing expansive views to the south and west will be maintained.
- The excess fill dirt deposited on the southerly portion of the project site will be visible to passing motorists. Assuming an average speed of 30 miles per hour, the fill dirt will be in view for about 25 seconds. Assuming 37 peak hour trips, one vehicle will pass within view of the project site every two minutes during the afternoon peak hour. Therefore, although the fill dirt will be visible from the public roadway, views will be brief, viewed by a small number of people and will have no impact on the expansive views to the south and west. In addition, the placement of fill dirt will be subject to the provisions of LUO Section 22.51.120 which requires Best Management Practices (BMPs) to be employed to control sedimentation and erosion. These mandatory BMPs are set forth in LUO Section 22.52.150 B. and C. and may include the planting of grasses on the exposed soil to prevent erosion. Once the grasses have matured (usually after one winter), the newly deposited soil will be visually indistinguishable from the surrounding terrain.

Based on the preceding analysis, project impacts associated with the potential degradation of the existing visual character or quality of public views are expected to be *less than significant*.

Figure 9 -- Areas With A Line of Sight View of Project Components (shown in green)



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

The project would result in a significant impact if it subjects public viewing locations to a substantial amount of point-source lighting visible at night, or if project illumination results in a noticeable spillover effect into the nighttime sky, increasing the ambient light over the region. The placement of lighting, source of illumination, and fixture types combined with viewer locations, adjacent reflective elements, and atmospheric conditions can affect the degree of change to nighttime views. If the project results in direct visibility of a substantial number of lighting sources, or allows a substantial amount of light to project toward the sky, significant impacts on nighttime views and aesthetic character would result.

The project is located in an area with low existing levels of light pollution (Darksitefinder.com 2019). The dwelling and garage/workshop will introduce new sources of light to the project site that is comparable to a single-family residence and surrounding development. The project will be conditioned to comply with county standards for exterior lighting which require light to be confined to the site of the source. Therefore, potential impacts associated with the creation of a new source of substantial light would be *less than significant.*

Conclusion

The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. New sources of light will be subject to compliance with the County's exterior lighting standards as prescribed in LUO Section 22.10.060. Impacts to aesthetic resources would be *less than significant*.

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

II. AGRICULTURE AND FORESTRY RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 a Williamson 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, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

Setting

The California Department of Conservation (CDOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts to California's agricultural resources. Agricultural land is rated according to soil quality as well as current and previous land use. For purposes of CEQA compliance, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique

Farmland, Farmland of Local Importance, and Grazing Land as "agricultural land." Non-agricultural designations include Urban and Built-up Land, Other Land, and Water.

Chapter 6 of the County Conservation and Open Space Element (COSE) identifies resource management goals, policies, and strategies to protect agricultural soils from conversion to urban and residential uses. Important Agricultural Soils within the County are identified in Table SL-2 of the COSE, and Policy SL 3.1 states that proposed conversion of agricultural lands to non-agricultural uses shall be evaluated using the applicable policies in the COSE and Agricultural Element.

The soil of the project site is described in detail below. The acreage and corresponding farmland classifications are provided in Tables 2 and 3.

Map Unit: 154—Lompico-McMullin loams, 30 to 75 percent slopes.

Lompico: 45 percent

The Lompico component makes up 45 percent of the map unit. Slopes are 30 to 75 percent. This component is on hills. The parent material consists of residuum weathered from sandstone and shale. Depth to a root restrictive layer, bedrock, paralithic, is 20 to 40 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 7e. Irrigated land capability classification is 7e. This soil does not meet hydric criteria.

Mcmullin: 20 percent

The McMullin component makes up 20 percent of the map unit. Slopes are 30 to 75 percent. This component is on hills. The parent material consists of residuum weathered from sandstone and shale. Depth to a root restrictive layer, bedrock, lithic, is 12 to 20 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches (or restricted depth) is very low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the R015XD093CA Shallow Loamy ecological site. Nonirrigated land capability classification is 7e. Irrigated land capability classification is 7e. This soil does not meet hydric criteria.

Map Unit: 162—Lompico-McMullin complex, 50 to 75 percent slopes

Lompico: 30 percent

The Lompico component makes up 30 percent of the map unit. Slopes are 50 to 75 percent. This component is on mountains. The parent material consists of residuum weathered from shale and/or sandstone. Depth to a root restrictive layer, bedrock, paralithic, is 20 to 40 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. Nonirrigated land capability classification is 7e. Irrigated land capability classification is 7e. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface.

Mcmullin: 20 percent

The McMullin component makes up 20 percent of the map unit. Slopes are 50 to 75 percent. This component is on mountains. The parent material consists of residuum weathered from shale. Depth to a root restrictive layer, bedrock, lithic, is 10 to 20 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is very low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the R015XE101CA Shallow Gravelly Loamy ecological site. Nonirrigated land capability classification is 7e. Irrigated land capability classification is 7e. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface.

Rock outcrop: 10 percent

Generated brief soil descriptions are created for major components. The Rock outcrop soil is a minor component.

Map Unit: 163—Los Osos-Lodo complex, 50 to 75 percent slopes.

Los osos: 40 percent

The Los Osos component makes up 40 percent of the map unit. Slopes are 50 to 75 percent. This component is on mountains. The parent material consists of residuum weathered from shale and/or sandstone. Depth to a root restrictive layer, bedrock, paralithic, is 20 to 40 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. This component is in the R015XE020CA Fine Loamy 9-13 ecological site. Nonirrigated land capability classification is 7e. Irrigated land capability classification is 7e. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface.

Lodo: 30 percent

The Lodo component makes up 30 percent of the map unit. Slopes are 50 to 75 percent. This component is on mountains. The parent material consists of residuum weathered from sandstone and/or shale. Depth to a root restrictive layer, bedrock, lithic, is 10 to 20 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is very low. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 4 percent. This component is in the R015XE104CA Shallow Gravelly Fine Loamy ecological site. Nonirrigated land capability classification is 7e. Irrigated land capability classification is 7e. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface.

Map Unit: 165—McMullin-Rock outcrop complex, 50 to 75 percent slopes.

Mcmullin: 45 percent

The McMullin component makes up 45 percent of the map unit. Slopes are 50 to 75 percent. This component is on mountains. The parent material consists of residuum weathered from shale. Depth to a root restrictive layer, bedrock, lithic, is 10 to 20 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is very low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the R015XE101CA Shallow Gravelly Loamy ecological site. Non-irrigated land capability classification is 7e. Irrigated land capability classification is 7e. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface.

Rock outcrop: 20 percent

Generated brief soil descriptions are created for major soil components. The rock outcrop is a miscellaneous area.

As shown in Table 2, none of the soils present on the project site are considered prime farmland by the COSE.

Table 2 – Farmland Classifications of the COSE and Corresponding Acreages

Soil	COES Classification	Acres
Lompico-McMullin complex, 50 to 75 percent slopes	Not Prime	0.8
Los Osos-Lodo complex, 50 to 75 percent slopes	Not Prime	16.9
McMullin-Rock outcrop complex, 50 to 75 percent slopes	Not Prime	0.2
	Total:	**17.9**

Source: Classifications based on Table SL-2 of the County General Plan's Conservation/Open Space Element

Table 3 provides a summary of farmland classifications for soils on the project site as determined by the FMMP. As shown in Table 3, none of the soils are considered important farmland for crop production by the FMMP.

Table 3 – Farmland Classifications of the FMMP and Corresponding Acreages

FMMP Classification	Acres
Grazing	11.9
Other	5.0
Total:	**17.9**

Source: Department of Conservation Farmland Mapping and Monitoring Program, 2023

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 that are much lower because they are based upon farming and open space uses as opposed to full market value. The project site is within the Templeton Agricultural Preserve but is not subject to an active Williamson Act contract.

According to California Public Resources Code (PRC) Section 12220(g), forest land is defined as land that can support 10% 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 State Board of Forestry and Fire Protection 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.

(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?

As shown in Table 3, according to the FMMP, the project site does not contain any soil mapped as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Therefore, *no impacts would occur*. In addition, owing to the steep slopes and lack of irrigation water, the project site is not suitable for crop production.

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

The subject property is located within the *Agriculture* land use category and is not subject to a Williamson Act Contract; a single family dwelling and garage/workshop building are allowable uses. Therefore, as conditioned, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur.*

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

The project site does not include land use designations or zoning for forest land or timberland as defined by the Public Resources Code; *no impacts would occur.*

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

The project site contains dense stands of mixed oak woodlands that meet the definition of "forest land" as prescribed in Public Resources Code Section 12220(g).

According to the project plans, a total of one mature live oak tree will be removed to construct the detached garage/workshop. The application materials include an assessment of the overall condition of the tree prepared by a certified arborist (Koker Demo and Tree Service, July 2022) based on the size, health and apparent age of the tree. By applying these factors, the arborist assigned a condition rating of 5 on a scale of 0-10, where 0 refers to a deceased tree and 10 refers to a healthy tree with excellent structure and foliage and no signs of problems. A rating of 5 is assigned to a tree that is relatively healthy with little structural and pest defects.

The application materials also include a tree protection plan prepared by a certified arborist (Koker Demo and Tree Service, July 2022). The protection plan sets forth Best Management Practices aimed at protecting the remaining oak trees from potential impacts associated with construction activities including (but not limited to) the following:

- Limitations on activities that may conducted within the Critical Root Zone of mature oak trees;
- Ongoing monitoring of construction activities;

- The installation of protective fencing around trees within 50 feet of construction activities;
- Limitations on the use and storage of fuels and gas powered equipment;
- Strategies to be employed for grading, paving and the placement of utilities;
- Limitations on tree pruning and treatments;

The removal of this single tree will not result in the loss of forest land or the conversion of forest land to a non-forest use within the definition prescribed by the Public Resources Code because the remaining oak trees on site, numbering over one hundred, will be preserved. Therefore, the project will result in a *less than significant impact* relating to the conversion of forest land to a non-forest use.

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

The project site is generally surrounded by large parcels some of which are used for livestock grazing and limited crop production. As discussed in the project description, there is no evidence of crop production associated with the project site, owing to the steepness of the terrain and the absence of suitable soils and irrigation water.

Surrounding agricultural uses may be temporarily affected by noise and dust generated during the construction of the project. These impacts would be temporary in nature and would not result in the direct impairment or conversion of agricultural land to other uses. Therefore, potential impacts would be *less than significant.*

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

III. AIR QUALITY

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

San Luis Obispo County Clean Air Plan

The San Luis Obispo County Air Pollution Control District (SLOAPCD) San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document that provides guidance to the SLOAPCD and other local agencies on how to attain and maintain the state air quality standards. The CAP presents a detailed description of the sources and pollutants that impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing emissions, thereby improving air quality. Project consistency with the CAP is determined by considering whether the project incorporates the relevant land use planning and transportation control measures and strategies outlined in the CAP.

The County is currently designated as a non-attainment area for ozone and PM_{10} under state ambient air quality standards. Construction and operation of the project would result in emissions of ozone precursors, including reactive organic gasses (ROG) and nitrous oxides (NO_X), as well as fugitive dust emissions (PM_{10}) and exhaust particulates.

SLOAPCD Criteria Pollutant Thresholds

The SLOAPCD has developed a CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies determine the significance of project-specific air quality impacts and to determine whether mitigation measures are needed. To assist in this task, the Handbook includes screening criteria to determine the significance of project impacts. According to the Handbook, a project with grading in excess of 4.0 acres and results in the movement of 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM_{10}).

The 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. 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. The SLOAPCD has established thresholds of significance for each of these contaminants.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (referred to as stationary source emissions). Table 1-1 of the APCD's CEQA Handbook provides screening criteria based on the size of different types of projects that would normally generate sufficient motor vehicle trips that would cause an exceedance of the operational thresholds for ozone precursors. A project consisting of 99 single family residences generating 970 average daily vehicle trips would be expected to exceed the 25 lbs/day operational threshold for ozone precursors.

The APCD has also estimated the number of vehicular round trips on an unpaved roadway necessary to exceed the 25 lbs/day threshold of significance for the emission of particulate matter (PM_{10}). According to the APCD estimates, an unpaved roadway of one mile in length carrying 6.0 round trips would likely exceed the 25 lbs/day PM_{10} threshold.

The prevailing winds in the project vicinity are from the north and west.

Sensitive Receptors

Sensitive receptors are people with 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 activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. The nearest sensitive receptor to the site is single-family residences located about 500 feet northwest of the proposed residence and garage.

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 San Luis Obispo County and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. Based on SLOAPCD's NOA Screening Map, the project site is located in an area identified as having potential for soils containing NOA.

Developmental Burning

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

Discussion

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

To be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with CAP's land use planning and transportation control measures and strategies (SLOAPCD 2012). These strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing.

The project does not include development of retail or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project would result in the construction of a single-family residence that would typically be occupied by three full-time residents. Therefore, the project would not generate a significant number of employees and would not significantly affect the local area's jobs/housing balance.

Adopted transportation control measures include, but are not limited to, a voluntary commute options program, local and regional transit system improvements, bikeway enhancements, and telecommuting programs. The voluntary commute options program targets employers in the county with more than 20 full time employees; the project consists of a single-family residence and would have no employees. The project would not conflict with regional plans for transit system or bikeway improvements.

Overall, the project would not conflict with or obstruct implementation of the CAP; therefore, impacts would be *less than significant.*

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

The County is currently designated as a non-attainment area for ozone and PM_{10} under state ambient air quality standards. Construction and operation of the project would result in emissions of ozone precursors including reactive organic gases (ROG) and nitrous oxides (NO_X) as well as fugitive dust emissions (PM_{10}).

Construction Emissions

Based on the project description, the project will have an area of disturbance of about 1.16 acres and will involve 1,870 cubic yards (cy) of cut, 985 cy of fill and 885 cy of export that will be spread on a portion of the site south of Santa Rosa Creek Road. Construction activities will result in the generation of dust, as well as short-term construction vehicle emissions. Using the SLOAPCD's CEQA Air Quality Handbook (2012) and Clarification Memorandum (2017), construction-related emissions were calculated for the project and are shown in Table 4 below.

Table 4 -- Estimated Construction-Related Emissions

Pollutant	Total Estimated Emissions	APCD Emissions Threshold	Mitigation Required?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO_x) (combined)	32.26 lbs./day[1]	137 lbs./day	No
	0.161 tons/quarter[1]	2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	1.40 lbs. /day[2]	7 lbs./day	No
	0.0069 tons/quarter[2]	0.13 tons/quarter	No
Fugitive Particulate Matter (PM_{10})	1.12 tons[3]/quarter	2.5 tons/quarter	No

Notes:

1. Based on 2,855 cubic yards of material moved and 0.113 pounds of combined ROG and NOx emissions per cubic yard of material moved and 10 construction days.
2. Based on 2,855 cubic yards of material moved and 0.0049 pounds of diesel particulate emissions per cubic yard of material moved.
3. Based on 1.16 total acres of disturbance and 0.75 tons of PM_{10} generated per acre of disturbance per month and 10 days of construction.

As shown in Table 4, project construction related emissions are not expected to exceed the daily and quarterly emissions thresholds for ozone precursors, diesel particulates or fugitive dust. Therefore, project impacts associated with the exceedance of SLOAPCD daily and quarterly emissions thresholds will be considered *less than significant*.

Operation-Related Emissions. The project consists of a single-family residence that will likely generate about 9.0 average daily trips. Accordingly, project specific and cumulative operational impacts are considered *less than significant* and *less than cumulatively considerable*.

The project site does not require travel on an unpaved roadway.

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

(c) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity to exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. The nearest sensitive receptor is a residence located about 500 feet northwest of the proposed residence that is within 1,000 feet of potential construction activities. This residence may be occupied by sensitive receptors, and the close proximity, combined with the prevailing winds could result in exposure to diesel particulates and fugitive dust from construction activities. Therefore, potential impacts to sensitive receptors would be *less than significant with mitigation.*

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

Construction activities have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Any odors generated by construction activities would be intermittent and temporary, and generally would not extend beyond the construction area. Following construction of site improvements and the residence, the project site would be limited to residential uses and would not include any components or operational activities that would generate substantial long-term adverse odors. Therefore, odors generated by the project would be short-term, intermittent, and *less than significant*.

The project site is located in an area identified as containing NOA which may mobilized during ground disturbance activities. This impact is considered less *than significant with mitigation*. Mitigation Measures AQ-3 and AQ-4 are recommended that require implementation of SLOACPD testing, notification, and disposal protocol to reduce the potential to release NOA during proposed ground disturbance activities and to mitigate health risks if NOA is detected.

The project does not propose to burn any onsite vegetative materials and would be subject to SLOAPCD restrictions on developmental burning of vegetative material; therefore, the project would have *no impact* relating to substantial air pollutant emissions from such activities.

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan, but diesel emissions associated with construction activities could adversely impact surrounding sensitive receptors. In addition, the project site may contain NOA. Therefore, potential impacts to air quality would be *less than significant with mitigation*.

Mitigation

AQ-1 **Fugitive Dust Construction Control Measures. Prior to issuance of construction permits**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

1. Reduce the amount of the disturbed area where possible;
2. Use 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 miles per hour. Reclaimed (non-potable) water should be used whenever possible;
3. All dirt stock-pile areas shall be sprayed daily as needed;
4. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
5. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
6. 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.

AQ-2 **ROG, NO_x, DPM Emissions. Prior to issuance of construction permits**, the following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

a. Implement Mitigation Measure AQ-1, as identified above.

b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:

   i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,

   ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

c. Maintain all construction equipment in proper tune according to manufacturer's specifications.

d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).

e. 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.

f. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.

g. Electrify equipment when possible.

h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,

i. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-3 **Naturally Occurring Asbestos Survey. Prior to issuance of grading or construction permits**, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the County Department of Planning and Building upon completion. If the geologic evaluation determines that the project would not have the potential to disturb NOA, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 Naturally Occurring Asbestos Remediation. If NOA are determined to be present on-site per AQ-3, proposed earthwork, demolition, and construction activities for initial site improvements and future residential development shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and Implementation of applicable removal and disposal protocol and requirements for identified NOA.

Sources

Provided in Exhibit A.

IV. BIOLOGICAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Game 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 Game or US Fish and Wildlife Service?	☐	☐	☐	☒
(c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
(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?	☐	☒	☐	☐
(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, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Regulatory Setting

Federal Laws and Regulations

Bald and Golden Eagle Protection Act. The Bald and Golden Eagle Protection Act (BGEPA)prohibits anyone, without a permit issued by the Secretary of the Interior, from taking (pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb) bald or golden eagles, including their parts, nests, or eggs. This includes substantially interfering with normal breeding, feeding, or sheltering behavior. Activities that may result in the take of a bald or golden eagle require permits; the three activities eligible for permits include to remove or relocate an eagle nest; to transport, exhibit, collect, or control eagles or eagle parts, and for incidental take of eagles.

Clean Water Act. The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The purpose of the CWA is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. Permitting is required for filling waters of the U.S. (including wetlands). Permits may be issued on an individual basis or may be covered under approved nationwide permits.

Endangered Species Act. The federal Endangered Species Act (FESA) provides the legal framework for the listing and protection of species (and their habitats) identified as being endangered or threatened with extinction. "Critical Habitat" is a term within the FESA designed to guide actions by federal agencies and is defined as "an area occupied by a species listed as threatened or endangered within which are found physical or geographical features essential to the conservation of the species, or an area not currently occupied by the species which is itself essential to the conservation of the species." Actions that jeopardize endangered or threatened species and/or critical habitat are considered a 'take' under the FESA. "Take" under federal definition means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

Projects that would result in "take" of any federally listed threatened or endangered species, or critical habitats, are required to obtain permits from the USFWS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. Through Section 10, it is required to prepare a Habitat Conservation Plan (HCP) to be approved by the United States Fish and Wildlife Service (USFWS), which results in the issuance of an Incidental Take Permit (ITP). Through Section 7, which can only occur when a separate federal nexus in a project exists (prompting interagency consultation), a consultation by the various federal agencies involved can take place to determine appropriate actions to mitigate negative effects on endangered and threatened species and their habitat.

Migratory Bird Treaty Act. All migratory, non-game bird species that are native to the U.S. or its territories are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13), as amended under the Migratory Bird Treaty Reform Act of 2004. MBTA makes it illegal to purposefully take (pursue, hunt, shoot, wound, kill, trap, capture, or collect) any migratory bird, or the parts, nests, or eggs of such a bird, except under the terms of a valid Federal permit. Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA).

State Law and Regulations

California Endangered Species Act. The California Endangered Species Act (CESA), similar to FESA, contains a process for listing of species and regulating potential impacts to listed species. State threatened and endangered species include both plants and wildlife, but do not include invertebrates. The designation "rare species" applies only to California native plants. State threatened and endangered plant species are regulated largely under the Native Plant Preservation Act in conjunction with the CESA. State threatened and endangered animal species are legally protected against "take." The CESA authorizes the California Department of Fish and Wildlife (CDFW) to enter into a memorandum of agreement for take of listed species to issue an incidental take permit for a state-listed threatened and endangered species only if specific criteria are met.

Section 2080 of the CESA prohibits the take of species listed as threatened or endangered pursuant to the Act. Section 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: 1) the taking is incidental to an otherwise lawful activity; 2) the taking will be minimized and fully mitigated; 3) the applicant ensures adequate funding for minimization and mitigation; and 4) the authorization will not jeopardize the continued existence of the listed species.

California Environmental Quality Act (CEQA). CEQA defines a "project" as any action undertaken from public or private entity that requires discretionary governmental review (a non-ministerial permittable action). All "projects" are required to undergo some level of environmental review pursuant to CEQA, unless an exemption applies. CEQA's environmental review process includes an assessment of existing resources, broken up by categories (i.e., air quality, aesthetics, etc.), a catalog of potential impacts to those resources caused by the proposed project, and a quantifiable result determining the level of significance an impact would generate. The goal of environmental review under CEQA is to avoid or mitigate impacts that would lead to a "significant effect" on a given resource; section 15382 of the CEQA Guidelines defines a "significant effect" as *a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.*

California Fish and Game Code (CFGC). The California Fish and Game Code (CFGC) is one of the 29 legal codes that form the general statutory law of California. A myriad of statutes regarding fish and game are specified in the CFGC; the following codes are specifically relevant to the proposed Project:

California Native Plant Protection Act. Sections 1900-1913 of the California Fish and Game Code contain the regulations of the Native Plant Protection Act of 1977. The intent of this act is to help conserve and protect rare and endangered plants in the state. The act allowed the CFGC to designate plants as rare or endangered.

Lake and Streambed Alteration. Section 1602 of the CFGC requires any person, state, or local governmental agency to provide advance written notification to CDFW prior to initiating any activity that would: 1) divert or obstruct the natural flow of, or substantially change or remove material from the bed, channel, or bank of any river, stream, or lake; or 2) result in the disposal or deposition of debris, waste, or other material into any river, stream, or lake. The state definition of "lakes, rivers, and streams" includes all rivers or streams that flow at least periodically or permanently through a well-defined bed or channel with banks that support fish or other aquatic life, and watercourses with surface or subsurface flows that support or have supported riparian vegetation.

Nesting Birds. Sections 3503, 3503.5 and 3513 of CFGC states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made

pursuant thereto," and "unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird" unless authorized.

Regional Water Quality Control Board. The Regional Water Quality Control Board (RWQCB) not only regulates impacts to water quality in federal waters of the U.S. under Section 401 of the Clean Water Act, but also regulates any isolated waters that are impacted under the state Porter Cologne Act utilizing a Waste Discharge Requirement. Discharge of fill material into waters of the State not subject to the jurisdiction of the USACE pursuant to Section 401 of the Clean Water Act may require authorization pursuant to the Porter Cologne Act through application for waste discharge requirements or through waiver of waste discharge requirements.

Special Status Species and Sensitive Habitat Regulations

For the purposes of this biological resources assessment, special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the FESA; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the CESA; animals designated as "Species of Special Concern," "Fully Protected," or "Watch List" by the CDFW; and plants with a California Rare Plant Rank (CRPR) of 1, 2, 3, or 4.

California Natural Diversity Database (CNDDB)

"Special Plants" and "Special Animals" are broad terms used to refer to all the plant and animal taxa inventoried by the CNDDB, regardless of their legal or protection status (CNDDB 2020a and 2020b). The Special Plants list includes vascular plants, high priority bryophytes (mosses, liverworts, and hornworts), and lichens. The Special Animals list is also referred to by the California Department of Fish and Wildlife (CDFW) as the list of "species at risk" or "special status species."

According to the CNDDB (2020a, 2020b), Special Plants and Animals lists include: taxa that are officially listed or proposed for listing by California or the Federal Government as Endangered, Threatened, or Rare; taxa which meet the criteria for listing, as described in Section 15380 of CEQA Guidelines; taxa deemed biologically rare, restricted in range, declining in abundance, or otherwise vulnerable; population(s) in California that may be marginal to the taxon's entire range but are threatened with extirpation in California; and/or taxa closely associated with a habitat that is declining in California at a significant rate. Separately, the Special Plants List includes taxa listed in the California Native Plant Society's Inventory of Rare and Endangered Plants of California, as well as taxa determined to be Sensitive Species by the Bureau of Land Management, U.S. Fish and Wildlife Service, or U.S. Forest Service. The Special Animals List distinctively includes taxa considered by the CDFW to be a Species of Special Concern (SSC) and taxa designated as a special status, sensitive, or declining species by other state or federal agencies.

Federal and State Endangered Species Listings

The Federal and California Endangered Species Acts are the regulatory documents that govern the listing and protection of species, and their habitats, identified as being endangered or threatened with extinction (see Sections 1.5.1and 1.5.2). Possible listing status under both Federal and California ESA includes Endangered and Threatened (FE, FT, CE, or CT). Species in the process of being listed are given the status of either Proposed Federally Endangered/Threatened, Candidate for California Endangered/Threatened (PE, PT, CCE, or CCT). The CESA has one additional status: Rare (CR).

Global and State Ranks

Global and State Ranks reflect an assessment of the condition of the species (or habitats, see 1.6.6 below) across its entire range. Basic ranks assign a numerical value from 1 to 5, respectively for species with highest risk to most secure. Other ranking variations include rank ranges, rank qualifiers, and infraspecific taxon

ranks. All Heritage Programs, such as the CNDDB use the same ranking methodology, originally developed by The Nature Conservancy and now maintained and recently revised by NatureServe. Procedurally, state programs such as the CNDDB develop the State ranks. The Global ranks are determined collaboratively among the Heritage Programs for the states/provinces containing the species. Rank definitions, where G represents Global and S represents State, are as follows:

- **G1/S1:** Critically imperiled globally/in state because of extreme rarity (5 or fewer populations).
- **G2/S2:** Imperiled globally/in state because of rarity (6 to 20 populations).
- **G3/S3:** Vulnerable; rare and local throughout range or in a special habitat or narrowly endemic (on the order of 21 to 100 populations).
- **G4/S4:** Apparently secure globally/in state; uncommon but not rare (of no immediate conservation concern).
- **G5/S5:** Secure; common, widespread, and abundant.
- **G#G#/S#S#:** Rank range - numerical range indicating uncertainty in the status of a species, (e.g., G2G3 more certain than G3, but less certain that G2).
- **G/S#?:** Inexact numeric rank
- **Q:** Questionable taxonomy - Taxonomic distinctiveness of this entity is questionable.
- **T#:** Infraspecific taxa (subspecies or varieties) – indicating an infraspecific taxon that has a lower numerical ranking (rarer) than the given global rank of species.

California Rare Plant Ranks

Plant species are considered rare when their distribution is confined to localized areas, their habitat is threatened, they are declining in abundance, or they are threatened in a portion of their range.

The California Rare Plant Rank (CRPR) categories range from species with a low threat (4) to species that are presumed extinct (1A). All but a few species are endemic to California. All of them are judged to be vulnerable under present circumstances, or to have a high potential for becoming vulnerable. Threat ranks are assigned as decimal values to a CRPR to further define the level of threat to a given species. The rare plant ranks and threat levels are defined below.

- **1A:** Plants presumed extirpated in California and either rare or extinct elsewhere.
- **1B:** Plants rare, threatened, or endangered in California and elsewhere.
- **2A:** Plants presumed extirpated in California, but common elsewhere
- **2B:** Plants rare, threatened, or endangered in California, but more common elsewhere
- **4:** Plants of limited distribution - a watch list
- **0.1:** Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)
- **0.2:** Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)
- **0.3:** Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known)

California Department of Fish and Wildlife Animal Rank

The California Department of Fish and Wildlife (CDFW) assigns one of three ranks to Special Animals: Watch List (WL), Species of Special Concern (SSC), or Fully Protected (FP). Unranked species are referred to by the term Special Animal (SA).

Animals listed as Watch List (WL) are taxa that were previously designated as SSC, but no longer merit that status, or taxa that which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status.

Animals listed as California Species of Special Concern (SSC) may or may not be listed under California or federal Endangered Species Acts. They are considered rare or declining in abundance in California. The Special Concern designation is intended to provide the CDFW biologists, land planners, and managers with lists of species that require special consideration during the planning process to avert continued population declines and potential costly listing under federal and state endangered species laws. For many species of birds, the primary emphasis is on the breeding population in California. For some species that do not breed in California but winter here, emphasis is on wintering range. The SSC designation thus may include a comment regarding the specific protection provided such as nesting or wintering.

Animals listed as Fully Protected (FP) are those species considered by CDFW as rare or faced with possible extinction. Most, but not all, have subsequently been listed under the CESA or FESA. Fully Protected species may not be taken or possessed at any time and no provision of the California Fish and Game code authorizes the issuance of permits or licenses to take any Fully Protected species.

Sensitive Habitats

Sensitive Natural Community is a state-wide designation given by CDFW to specific vegetation associations of ecological importance. Sensitive Natural Communities rarity and ranking involves the knowledge of range and distribution of a given type of vegetation, and the proportion of occurrences that are of good ecological integrity (CDFW 2018a). Evaluation is conducted at both the Global (G) and State (S) levels, resulting in a rank ranging from 1 for very rare and threatened to 5 for demonstrably secure. Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities in California and may need to be addressed in the environmental review processes of CEQA and its equivalents.

Environmental Setting

A biological resources assessment (BRA) was prepared for the project site in January 2023 by Terra Verde Environmental Consulting which is incorporated herein by reference and available for review in its entirety at the Department of Planning and Building. The BRA had a subsequent addendum following an in-season survey by Terra Verda, dated May 2023. The following is a summary of the findings and recommendations of that study and subsequent addendum.

The project site is located within the Cypress Mountain U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle between the town centers of Cambria and Templeton. The property is located approximately 3.5 miles northwest of the intersection of State Route 46 and Santa Rosa Creek Road. The property is bordered by oak woodland and grasslands and patches of agriculture and rural residential developments. The topography on the property is steep, with a winding unimproved access road leading up to the proposed housing pad. Elevations range from approximately 1,810 to 1,950 feet (552 to 594 meters). One USGS blue line drainage bounds the property to the southeast and one ephemeral drainage runs through the middle of the property. The project area consists of a disturbed pad and patches of ornamental trees. An existing dirt

road provides access to the project area from Santa Rosa Creek Road. The immediate project area is surrounded by mixed oak woodland and annual grassland.

Methodology

The BRA included field surveys and an assessment of potential project impacts to sensitive biological resources within a 7-acre study area (Figure 10) which included the proposed project footprint and an approximate 100-foot buffer where access was feasible, including a visual scan of the surrounding areas.

Prior to conducting field surveys, the biologists reviewed relevant literature and scientific databases pertaining to sensitive resources known to occur in the project vicinity, which included the following:

- Aerial photographs (Google Earth 1994 – 2022) and preliminary site development plans
- USGS topographic map of the Cypress Mountain 7.5-minute topographic quadrangle maps (USGS 2022)
- Online Soil Survey of San Luis Obispo County, California (Natural Resources Conservation Service [NRCS] 2022)
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) state and federally listed special-status species documented within the Cypress Mountain 7.5-minute quadrangle and the surrounding seven quadrangles (Adelaida, Cambria, Cayucos, Lime Mountain, Morro Bay North, Pebblestone Shut-in, and York Mountain) (CDFW 2022)
- CNDDB map of special-status species that have been documented within a 5-mile radius of the project site (CDFW 2022) (see Appendix A of the BRA – Figure 3: 5-mile CNDDB and Critical Habitat)
- Consortium of California Herbaria (CCH) online database of plant collections (CCH 2022)
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants for the
- Cypress Mountain 7.5-minute quadrangle and the surrounding seven quadrangles (CNPS 2022a)
- United States Fish and Wildlife Service (USFWS) Critical Habitat Portal (USFWS 2022a)
- USFWS National Wetland Inventory map (USFWS 2022b)

A list of regionally occurring, special-status species was compiled based on records reported in the scientific database queries (see Appendix C of the BRA – Regionally Occurring Special-status Species Table). This list was used to inform the field survey efforts and determine appropriate survey periods for special-status plant species with the potential to occur on the site.

Following the review of literature and scientific databases, the biologists conducted a field survey of the project area on November 30, 2022. The survey consisted of a habitat assessment and vegetation classification, botanical and wildlife species inventory, jurisdictional analysis, and an analysis of the potential for special-status botanical and wildlife species to occur on site. The survey area included the area of the proposed development and an approximately 100-foot buffer on all sides where access was feasible, as well as a visual scan of the surrounding habitat features (see Appendix A of the BRA – Figure 2).

The survey was conducted on foot to ensure complete visual coverage of the survey area. During each survey, all wildlife and botanical species observed, including those detected indirectly by sign (i.e., tracks, scat, skeletal remains, dens, burrows, or vocalizations) were documented (see Appendix D of the BRA - Botanical and Wildlife Species Observed).

Figure 10 – Vegetative Communities of the Project Site

Botanical species identifications and taxonomic nomenclature followed *The Jepson Manual: Vascular Plants of California,* 2nd edition (Baldwin et al. 2012), as well as taxonomic updates provided in the Jepson eFlora (Jepson Flora Project 2022). Vegetation communities and land cover types were characterized, and natural communities were classified using the second edition of *A Manual of California Vegetation* (MCV) classification system (Sawyer et al. 2009) as well as updates in the MCV Online (CNPS 2022b). MCV vegetation community classifications were also compared to community descriptions for CDFW-designated sensitive natural communities. The jurisdictional analyses included mapping the linear extent of a drainage feature that may be under the jurisdiction of regulatory agencies including CDFW, the Regional Water Quality Control Board (RWQCB), and the U.S. Army Corps of Engineers (Corps). However, a formal delineation of waters and wetlands was not completed.

The habitat requirements for each regionally occurring special-status species identified in the scientific database queries were analyzed and compared to the type and quality of habitats observed on site during the field survey. The potential for many species to occur within the project site was eliminated due to lack of suitable habitat, elevation, inappropriate soils/substrate, and/or being outside of the known distribution of the species. Special-status species for which suitable habitat was identified are discussed in-depth in the following section, and those determined to have no potential to occur based upon a lack of suitable habitat are not discussed (see Appendix C of the BRA for a complete list of regionally occurring species that were evaluated).

Sufficiency of Biological Data

The field surveys and background research completed by the biologists are of sufficient detail and performed by staff with biological expertise to ensure that potentially occurring special-status wildlife species and habitats that have the potential to support sensitive resources and/or special-status species were identified. The November 2022 survey was conducted outside of typical blooming and/or fruiting period for most regionally occurring special-status botanical species. As such, an appropriately timed botanical survey was conducted in May 2023. Visibility and conditions were suitable for the detection of common and special-status wildlife species during the field survey, if present.

Migratory and transient wildlife species, such as many avian species and large mammals, may only be seasonally present within the project area. Further, some species are nocturnal, and/or highly transient and therefore may not have been detected during the survey effort. As such, recommendations have been made for the avoidance of special-status species deemed to have potential to occur, based on an assessment of habitat present at the site.

Habitats

A total of 58 vascular plant taxa were identified in the survey area, of which 15 (25 percent) are non-native and 43 (75 percent) are native. Vegetation communities were assessed and classified based on vegetation composition, structure, and density. The survey area totaled approximately seven acres and consisted primarily of coast live oak woodland, annual grassland, and ruderal or disturbed areas (see Appendix A of the BRA – Figure 6: Vegetation Communities). Natural vegetation communities and land cover types observed within the survey area are described in detail below and shown on Figure 10.

Coast Live Oak Woodland (4.39 acres)

This community occurs throughout the survey area and within close proximity to the proposed homesite (see Appendix A of the BRA – Figure 6 and Appendix E of the BRA – Photo 2). It is dominated by coast live oak (*Quercus agrifolia*) with pacific madrone (*Arbutus menziesii*) as an occasional component in the overstory. The midstory is dominated by coffeeberry (*Frangula californica*) with sparse forbs and grasses in the understory.

This species composition most closely corresponds with the *Quercus agrifolia* Forest and Woodland Alliance (coast live oak woodland and forest) in the MCV classification system. This community occurs in canyon bottoms, slopes, and flats. Soils are deep and are sandy or loamy with high organic matter at elevations below 4,000 feet (1,200 meters). This community provides habitat for nesting birds, small and large mammals, and other wildlife.

Wild Oats and Annual Brome Grasslands (2.04 acres)
The southern boundary of the survey area and the proposed homesite support annual grassland habitat dominated by ripgut grass (*Bromus diandrus*), wild oat (*Avena fatua*), and forbs including redstem filaree (*Erodium cicutarium*), California aster (*Corethrogyne filaginifolia*), and yellow star-thistle (*Centaurea solstitialis*) (see Appendix A of the BRA – Figure 6 and Appendix E of the BRA – Photo 9). This species composition was used in determining the community classification, which most closely corresponds with the *Avena* spp. – *Bromus* spp. Herbaceous Semi-Natural Alliance (wild oats and annual brome grasslands) in the MCV classification system. This community is widespread and may occur in any topographic setting in foothills, waste places, rangelands, and openings in woodlands at elevations below 7,200 feet (2,200 meters). This community provides habitat for nesting birds, burrowing mammals and their predators, herbivores, and other wildlife.

Ruderal/Disturbed (0.62 acre)
This land cover type occurs along the existing access road and near the proposed homesite. It consists of small forbs such as redstem filaree, rattlesnake grass (*Briza maxima*), and scarlet pimpernel (*Lysmachia arvensis*) lining the road and ornamental manzanitas and several ornamental trees near the proposed homesite. This land cover type does not classify as a vegetation community in the MCV classification system and provides only marginal habitat for nesting birds, small mammals, and other wildlife.

Table 5 -- Vegetation Communities of the BRA Study Area

Community	Acres	Percent of Study Area
Coast Live Oak Woodland	4.39	62%
Wild Oats and Annual Brome Grasslands	2.04	29%
Ruderal/Disturbed	0.62	9%
Total Study Area:	**7.05**	**100%**

Source: Terra Verde Environmental Consultants, January, 2023

Wildlife

The habitat within and adjacent to the project site provides suitable habitat for a variety of common and special-status wildlife species. Coast live oak woodland provides nesting opportunities for various passerine and raptor bird species; refugia and food resources for mammals, amphibians, and reptiles; and browsing opportunities for herbivores. Grassland habitat on site provides marginally suitable habitat for ground-nesting birds; transient, foraging wildlife; and burrowing mammals.

No special-status wildlife species were observed during the field survey. However, numerous avian species, as well as other terrestrial wildlife, were observed throughout the survey area. A comprehensive list of all wildlife species observed during the survey is included in Appendix D of the BRA – Botanical and Wildlife Species Observed.

Aquatic Resources

Wetlands are protected under Section 404 of the Clean Water Act (CWA) and are under the jurisdiction of the United States Army Corps of Engineers (USACE). According to the USACE, areas considered to be a "wetland" (and subject to the regulatory jurisdiction of the USACE) must exhibit hydrology, hydric soils, and hydrophilic vegetation that meet federal criteria, as indicated in the Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (USACE 2008).

In addition, if drainages meet the criteria established by Section 1600 of the California Fish and Game Code, the CDFW may require a Streambed Alteration Agreement prior to any modification of the bed, bank, or channel of streambeds. CDFW jurisdiction generally includes the streambed and the canopy of associated riparian vegetation.

One drainage was observed within the survey area (see Appendix A of the BRA – Figure 5: Hydrology). Drainage 1, an unnamed ephemeral drainage, flows northeast to southwest through the middle of the survey area and crosses the existing access road in one location. There is an existing 12- inch metal culvert at the road crossing. Within the survey area, Drainage 1 lacks a well-defined bed and bank and there was no evidence of recent flows or evidence of an ordinary high-water mark (OHWM). It is vegetated with mixed oak woodland and exhibits no vegetation change throughout the drainage feature. Drainage 1 exits the property to the west, enters a stormwater culvert below Santa Rosa Creek Road and connects to a USGS blue line drainage and then Santa Rosa Creek approximately two miles west before eventually reaching the Pacific Ocean.

Sensitive Resources

The results of the background research for the area surrounding the proposed project site indicated that two sensitive natural communities, 81 special-status botanical species, and 35 special-status wildlife species occur in the project region. The habitat requirements for each of the special-status species were compared to the type and quality of habitat on site. This assessment narrowed the list of potentially occurring species to ten special-status botanical species and four special-status wildlife species. In addition, USFWS-designated critical habitat for California red-legged frog (*Rana draytonii*) overlaps the project area. A discussion of the sensitive resources deemed to have potential to occur on site is below.

Critical Habitats and Special Status Natural Communities

Waters and Wetlands

As described above, Drainage 1 lacks well-defined bed and banks, riparian vegetation, and evidence of an ordinary high-water mark. However, as the drainage exhibits downstream connectivity to jurisdictional features including Santa Rosa Creek, Drainage 1 may be considered waters of the state under the jurisdiction of CDFW. The project was referred to CDFW, and no further comments regarding waters, wetlands, or drainage were received.

USFWS Designated Critical Habitat

The survey area and proposed project is located within USFWS-Designated Critical Habitat for California red-legged frog (USFWS 2022a). Critical habitat for CRLF consists of the following four physical or biological features essential to the conservation of the species, previously known as Primary Constituent Elements (PCE):

- Aquatic breeding habitat: Standing bodies of fresh water (with salinities less than 4.5 ppt), including natural and manmade (e.g., stock) ponds, slow-moving streams or pools within streams, and other

ephemeral or permanent water bodies that typically become inundated during winter rains and hold water for a minimum of 20 weeks in all but the driest of years.

- Non-breeding aquatic and riparian habitat: Freshwater pond and stream habitats, as described above, that may not hold water long enough for the species to complete its aquatic life cycle but which provide for shelter, foraging, predator avoidance, and aquatic dispersal of juveniles and adults.
- Upland habitat: Upland areas adjacent to or surrounding breeding and non-breeding aquatic and riparian habitat up to 1 mile (1.6 km) in most cases (i.e., depending on surrounding landscape and dispersal barriers) including various vegetational types such as grassland, woodland, forest, wetland, or riparian areas that provide shelter, forage, and predator avoidance.

Special-status Plant Species

The biologists determined that suitable habitat is present in the survey area for ten special-status botanical species. In addition to species listed on the federal and California Endangered Species Acts, special-status botanical species are those that are assigned a California Rare Plant Rank (CRPR) by the California Native Plant Society (CNPS 2022a). Additionally, individual oak trees (*Quercus* spp.) and oak woodlands are considered a sensitive resource by the State of California and the County of San Luis Obispo.

The following paragraphs provide a description of the special-status plant species that have the potential to occur within the survey area. Appropriate avoidance, minimization, and mitigation measures are discussed in Section 4.2 of the BRA for special-status plant species.

Hoover's Bent Grass (Agrostis hooveri), CRPR 1B.2

Hoover's bent grass is a perennial grass that is endemic to the coastal ranges of San Luis Obispo County. This species occurs in dry, sandy soils in association with open chaparral and oak woodland communities. It has been documented at elevations under 1,968 feet (600 meters). The typical blooming period is from April to August (Jepson Flora Project 2022). Documented threats to this species include development, vegetation clearing, and competition from non-native plants (CNPS 2022). According to CNDDB records (CDFW 2022), the nearest documented occurrence is approximately nine miles northeast of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the oak woodland habitats on site. As such, this species may occur within the survey area.

Club Haired Mariposa Lily (*Calochortus clavatus* subsp. *clavatus*), CRPR 4.3

Club haired mariposa lily is a perennial bulbiferous herb that is endemic to California. It is known to occur along the outer South Coast Ranges within San Luis Obispo County. This species typically grows in rocky (often serpentine) soils in grassland, chapparal, and coastal scrub. It has been documented at elevations ranging from 246 to 4,265 feet (75 to 1,300 meters). The typical blooming period is March to June (Jepson Flora 2022). Documented threats to this species are not well known (CNPS 2022). According to CCH records (2022), the nearest documented occurrence is approximately eight miles northwest of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the grassland habitats on site. As such, this species may occur within the survey area.

San Luis Mariposa Lily (Calochortus obispoensis), CRPR 1B.2

San Luis mariposa lily is a perennial bulbiferous herb that is endemic to California. It is known to occur along the outer South Coast Ranges from southern Monterey County through San Luis Obispo County. This species typically grows in rocky serpentine soils in grassland, chaparral, and coastal scrub communities. It has been

documented at elevations ranging from 330 to 1640 feet (100 to 500 meters). The typical blooming period of this species is from May to July (Jepson Flora 2022). Documented threats to this species are not well known (CNPS 2022). According to CNDDB records (CDFW 2022), the nearest documented occurrence is approximately 10 miles northwest of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the grassland habitats on site. As such, this species may occur within the survey area.

Cambria Morning-glory (*Calystegia subacaulis* subsp. *episcopalis*), CRPR 4.2

Cambria morning-glory is a perennial herb that is endemic to central California. Its known range is concentrated along the coastal ridges and foothills of the outer South Coast Ranges of San Luis Obispo County. This species typically occurs in clay soils in association with various vegetation communities including grassland, chaparral, and woodland at elevations below 1,640 feet (500 meters). The typical blooming period is from April to June (Jepson Flora 2022). Documented threats to this species include development, alteration of fire regimes, and competition from non-native species (CNPS 2022). According to CNDDB records (CDFW 2022), the nearest documented occurrence is approximately six miles west of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the grassland and oak woodland habitats on site. As such, this species may occur within the survey area.

Douglas' Spineflower (Chorizanthe douglasii), CRPR 4.3

Douglas' spineflower is an annual herb that occurs along the South Coast Ranges of Monterey, San Benito, and San Luis Obispo Counties. This species typically grows in open sandy or gravelly soil, and may be associated with openings of cismontane woodland, chaparral, coastal scrub, lower montane coniferous forest, or foothill grassland at elevations between 656 and 5,249 feet (200 and 1,600 meters). The typical blooming period is April to July (Jepson Flora Project 2022). Potential threats to this species include competition from non-native plants (CNPS 2022). According to CCH records (2022), the nearest documented occurrence is approximately 17 miles west of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the oak woodland habitats on site. As such, this species may occur within the survey area.

Umbrella Larkspur (*Delphinium umbraculorum*), CRPR 1B.3

Umbrella larkspur is a perennial herb that is known to occur throughout the outer South Coast Ranges and western Transverse Ranges from northern Monterey to Santa Barbara County. This species occurs in association with moist woodland and chaparral communities and is known to occur at elevations ranging from 1,312 to 5,249 feet (400 to 1,600 meters). The typical blooming period is from April to June (Jepson Flora 2022). Documented threats to this species include grazing (CNPS 2022). According to CNDDB records (CDFW 2022), the nearest documented occurrence is approximately three miles east of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the oak woodland habitats on site. As such, this species may occur within the survey area.

Cone Peak Bedstraw (Galium californicum subsp. luciense), CRPR 1B.3

Cone peak bedstraw is a perennial herb endemic to the inner South Coast Ranges of California. This species is known to occur throughout Monterey County south into San Luis Obispo County. This species typically occurs in pine forests and oak woodlands at elevations ranging from 3,600 to 4,500 feet (1,100 to 1,370 meters). The typical blooming period of this species is from March to July (Jepson Flora 2022). Documented threats to this species are not well known (CNPS 2022). According to CNDDB records (CDFW 2022), the nearest

documented occurrence is approximately 10 miles west of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the oak woodland habitats on site. As such, this species may occur within the survey area.

Woodland Woollythreads (*Monolopia gracilens*), CRPR 1B.2

Woodland woollythreads is an annual herb that is endemic to the San Francisco Bay Area with limited occurrences documented in the Inner and Outer South Coast Ranges of California. This species typically occurs on serpentine substrates in openings of broad-leafed upland forests, chaparral, cismontane woodland, North Coast coniferous forests, and valley and foothill grasslands at elevations ranging from 328 to 3,934 feet (100 to 1,200 meters). The typical blooming period is from March to July (Jepson Flora 2022). Documented threats to this species include development, road maintenance, and road widening (CNPS 2022). According to CNDDB records (CDFW 2022), the nearest documented occurrence is approximately two miles west of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the oak woodland habitat on site. As such, this species may occur within the survey area.

San Gabriel Ragwort (Senecio astephanus), CRPR 4.3

San Gabriel ragwort is a perennial herb that is known to occur in several disjunct populations along the coastal mountains from Monterey County to the southwestern corner of San Bernardino County. This species typically grows on steep, rocky slopes in association with chaparral, coastal scrub, and oak woodland habitats. It is known to occur at elevations ranging from 1,312 to 4,921 feet (400 to 1,500 meters). The typical blooming period for this species is from April to June (Jepson Flora Project 2022). Threats to this species are not well documented (CNPS 2022). According to CCH records (2022), the nearest documented occurrence is approximately two miles northeast of the project site. This species was not suitable habitat is present within the oak woodland habitat on site. As such, this species may occur within the survey area.

Most Beautiful Jewelflower (Streptanthus albidus subsp. peramoenus), CRPR 1B.2

Most beautiful jewelflower is an annual herb that is endemic to California occurring from San Francisco south to San Luis Obispo. This species typically occurs on rocky serpentine outcrops in barren slopes or breaks in chaparral or oak woodlands at elevations ranging from 500 to 4,600 feet (150 to 1,400 meters). The typical blooming period of this species is from April to July (Jepson Flora 2022). Threats to this species are not well documented (CNPS 2022). According to CNDDB records (CDFW 2022), the nearest documented occurrence is approximately 0.8 mile west of the project site. This species was not detected during the survey effort, which occurred outside of its typical blooming period, and suitable habitat is present within the oak woodland habitats on site. As such, this species may occur within the survey area.

Native oak trees (Quercus spp.), Protected under California Environmental Quality Act (CEQA) (Senate Bill 1334/Kuehl Bill and California Public Resources Code 21083.4)

Impacts to or removal of mature oak trees (i.e., greater than five inches in diameter at breast height) or oak woodland habitat is evaluated under CEQA. As a CEQA Lead Agency, the County of San Luis Obispo currently applies a 4:1 mitigation ratio for removed trees and a 2:1 mitigation ratio for impacted trees. Mature coast live, valley, and blue oak trees compose the mixed oak woodland habitat on site. Based on the current grading plans it is expected that at least one oak tree will be removed as a result of the proposed development. Additional impacts to oak trees may include trimming, compaction, or excavation within the critical root zone (typically defined as 1.5 times the distance from the trunk to the drip line), and placement of year-round or summer watering within the critical root zone.

Special-status Wildlife Species

Based on a review of the relevant literature, an assessment of site conditions, and wildlife species observed during the surveys, it was determined that suitable habitat for four special-status wildlife species occurs within the survey area, in addition to nesting habitat for migratory bird species. The following paragraphs provide a description for the special-status wildlife species for which suitable habitat was identified on site, and recommendations for the avoidance, minimization, and mitigation of impacts to these species are included in Section 4.2 of the BRA.

Sensitive Mammal Species

Monterey Dusky-footed Woodrat (Neotoma macrotis luciana), State CSC
Monterey dusky-footed woodrat is a mostly nocturnal species that occurs along coastal California between Monterey Bay and Morro Bay. This species occurs in a variety of habitats but prefers areas with dense vegetative cover. It builds and occupies middens, which are made from sticks, bark, and leaves at the base of trees, in understory shrubs, and on tree limbs. Threats to this species include loss of habitat due to development and agriculture (Zeiner et al. 1988-1990a). According to CNDDB records (CDFW 2022), the nearest documented occurrence is approximately nine miles northeast of the project site. Woodrat houses were observed in numerous locations throughout the woodland habitat within the survey area (Appendix E of the BRA – Photo 6) and there is potential to encounter this species on site.

Pallid Bat (Antrozous pallidus), State CSC
Pallid bat is common at low elevations throughout California and occurs in a variety of habitats including grasslands, shrublands, woodlands, and mixed conifer forest. This species is most common in open, dry habitats with rocky areas for roosting, but may occasionally have day roosts in hollow trees and buildings. Night roosts generally occur in more open areas such as porches and open buildings (Zeiner et al. 1988-1990b). According to CNDDB (CDFW 2022) the nearest documented occurrences of this species are approximately 12 miles north of the project site. The native and ornamental trees within the survey area may provide potential day roosting habitat for pallid bats.

Sensitive Amphibian Species

California Red-legged Frog (CRLF; Rana draytonii), Federal Threatened / State CSC
CRLF requires permanent or semi-permanent bodies of water such as lakes, streams, and ponds with plant cover for foraging and breeding. Reproduction occurs in aquatic habitats from late November to early April. Egg masses are laid in the water following breeding, often on emergent vegetation. Following metamorphosis, juvenile frogs may remain in the breeding ponds or disperse into uplands regardless of topography. CRLF have been documented dispersing over two miles from aquatic habitat. Dispersing frogs may seek refuge in small mammal burrows or soil fractures. This species is known to occur from Mendocino County to Northern Baja California and eastward through the Northern Sacramento Valley and Sierra Nevada foothills at elevations below 5,000 feet (1,525 meters) (Zeiner et al. 1988-1990c). According to CNDDB records (CDFW 2022), the nearest documented occurrence is approximately two miles west of the project site. No potential breeding habitat (i.e., deep pools with emergent vegetation and overhanging cover) was identified within the survey area. However, a review of aerial imagery indicates that a potentially suitable breeding pond is located approximately 500 feet north of the project site, on an adjacent property. As such, the project site may provide suitable upland and/or dispersal habitat for this species.

Sensitive Reptile Species

Northern California Legless Lizard (Anniella pulchra), State CSC

Northern California legless lizard occurs in sparsely vegetated areas such as beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. This species prefers moist, warm, and loose soil; can be found in leaf litter; and will seek refuge under surface objects such as rocks, boards, and logs. Threats to this species include loss of habitat due to development, agriculture, sand mining, off-road vehicle recreation, and invasive plants (Nafis 2022). According to CNDDB (CDFW 2022) records, the nearest documented occurrence is approximately 12 miles northeast of the project site. Leaf litter and fallen branches in the understory of oak woodland habitat on the project site may provide suitable habitat for this species.

Discussion

A biological resource impact evaluation must consider both the resource itself and how that resource fits into a regional or local context. Impacts that diminish or eliminate a regionally important biological resource, or conflict with local, state, or federal resource conservation plans designed to protect said resources are considered substantial. Whereas, impacts to resources considered locally important may not be significant according to CEQA if there is not a regional effect.

(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?

Special-Status Plants

No special-status botanical species were documented within the survey area during the November 2022 field survey. During these initial surveys, the biologists identified low suitability habitat within the survey area for the following special-status botanical species:

- Douglas' spineflower (*Chorizanthe douglasii*),CRPR 4.3
- San Luis Mariposa Lily (*Calochortus obispoensis*), CRPR 1B.2
- Hoover's bent grass (*Agrostis hooveri*), CRPR 1B.2
- Cambria Morning-glory (*Calystegia subacaulis* subsp. *episcopalis*), CRPR 4.2
- Umbrella Larkspur (*Delphinium umbraculorum*), CRPR 1B.3
- Cone Peak Bedstraw (*Galium californicum* subsp. *luciense*), CRPR 1B.3
- Woodland Woollythreads (*Monolopia gracilens*), CRPR 1B.2
- San Gabriel Ragwort (*Senecio astephanus*), CRPR 4.3

An appropriately timed botanical survey was conducted in May 2023 to identify and map the location of any special-status botanical species present within the proposed development area. None of the aforementioned species were observed during the appropriately timed survey and are therefore not expected to occur onsite. Therefore, the project is expected to have no impact to special status plant species.

Special Status Wildlife

Mammals

Impacts to pallid bat may occur if mature trees with roosting cavities are impacted during project implementation. Short-term construction activities in the vicinity of roosts may temporarily deter use of the area by bats.

Monterey dusky-footed woodrat may be impacted directly or indirectly during construction. Construction poses several direct risks, such as vehicle strikes and destruction of resources, like middens. Further, construction may impact or deter use of valuable habitat, yielding it unsuitable for these species. Increased short- and long-term anthropogenic activity in the vicinity of viable populations has potential to indirectly impact these species because of permanent habitat conversion, increased light pollution, and primary and secondary exposure to residential-use chemicals including rodenticides.

With implementation of the recommended mitigation measures, potential impacts to special status mammals are considered *less than significant with mitigation*.

Amphibians and Reptiles

If CRLF are using the drainages and ponds in the vicinity of the project site, juveniles and adults may disperse through the upland habitat on site, particularly during the rainy season. Further, California legless lizards may be present within the leaf litter of the oak woodland habitat areas on site. As such, individual CRLF and northern California legless lizard could be crushed or trampled by vehicles and equipment on site during construction. In addition, there is potential for these species to use small mammal burrows and debris for refugia on site. As such, excavation or crushing of burrows and clearing of vegetation during construction may result in direct impacts to these species.

With implementation of the recommended mitigation measures, project impacts to listed wildlife species is considered *less than significant with mitigation*.

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

The survey area does not support aquatic breeding or non-breeding aquatic and riparian habitat and as such, no direct or indirect impacts to these habitat types are expected. Direct impacts to upland and/or dispersal habitat could include removal of intact woodland habitat which provides shelter, forage, and predator avoidance. Permanent structures may also decrease natural dispersal corridors. Indirect impacts to downstream water quality may occur from erosion, sedimentation, and/or discharge of hazardous materials, such as fuel, from construction equipment.

Therefore, project impacts to riparian habitat or other sensitive natural communities are considered *less than significant with mitigation*.

(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 direct impacts to the existing drainage feature on site and/or associated jurisdictional aquatic habitat features are expected as a result of the proposed project. Indirect impacts to the jurisdictional drainage could result from erosion, sedimentation, and/or discharges of hazardous materials from construction equipment (e.g., fuel). Therefore, project impacts to state or federally protected wetlands are considered *less than significant with mitigation*.

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

Wildlife Corridors

Maintaining connectivity between areas of suitable habitat is critical for the survival and reproduction of plants and wildlife. Intact habitats benefit plants by ensuring proper dispersal of pollen and seeds, which sustains or grows the population and contributes to the genetic health of the species. Wildlife need contiguous habitats to attain sufficient food resources for their energetic demands; to locate proper resting, burrowing, and/or nesting sites; to facilitate long distance travel or migration to seek out mates or resources; and for the safe and successful dispersal of young. The project site is in a rural area of northern San Luis Obispo County. Land cover within and adjacent to the property is a mix of natural sloped woodland, grassland, and chaparral, with patches of active agriculture (e.g., grazing) and rural residential properties. Bands of natural habitat remain, particularly in drainages and ridgelines, providing movement corridors for wildlife species and habitat for wildlife and natural populations of plants to persist. The project as planned may reduce the quality of natural habitat on site but is not expected to substantially increase the current level of habitat fragmentation in the region nor is it expected to create a significant barrier to wildlife movement. The Project does not introduce significant features that would be expected to affect wildlife movement through surrounding natural habitats and impacts to wildlife movement are considered *less than significant*.

Migratory Nesting Birds and Sensitive Avian Species

In addition to those species protected by the state or federal ESA, all native avian species are protected by state and federal legislature, most notably the Migratory Bird Treaty Act and the CDFW Fish and Game Code. Collectively, these regulations make it unlawful to collect, sell, pursue, hunt, or kill native migratory birds, their eggs, nests, or any parts thereof. Avian species can be expected to occur within and adjacent to the project site during all seasons and throughout construction of the proposed project. The potential to encounter and disrupt these species is generally highest between February 1 and August 31, when nests are likely to be active, and eggs and young are present. Oak woodland and grassland habitats within the survey area provide suitable foraging and nesting habitat for many species. With implementation of the recommended mitigation measures, impacts related to interference with the movement of migratory fish or wildlife would be *less than significant with mitigation*.

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

Impacts to, or removal of, mature oak trees (i.e., greater than five inches in diameter at breast height) or oak woodland habitat is evaluated under CEQA. As a CEQA Lead Agency, the County of San Luis Obispo currently applies a 4:1 mitigation ratio for removed trees and a 2:1 mitigation ratio for impacted trees. Mature coast live, valley, and blue oak trees compose the mixed oak woodland habitat on site. Based on the current grading plans it is expected that at least one oak tree will be removed as a result of the proposed development. Additional impacts to oak trees may include trimming, compaction, or excavation within the critical root zone (typically defined as 1.5 times the distance from the trunk to the drip line), and placement of year-round or summer watering within the critical root zone.

The application materials include an assessment of the overall condition of the tree to be removed prepared by a certified arborist (Koker Demo and Tree Service, July 2022) and based on the size, health and apparent age of the tree. Based on these factors, the arborist assigned a condition rating of 5 on

a scale of 0-10, where 0 refers to a deceased tree and 10 refers to a healthy tree with excellent structure and foliage and no signs of problems. A rating of 5 is assigned to a tree that is relatively healthy with little structural and pest defects.

The application materials also include a tree protection plan prepared by a certified arborist (Koker Demo and Tree Service, July 2022). The protection plan sets forth Best Management Practices aimed at protecting the live oak trees from potential impacts associated with construction activities including (but not limited to) the following:

- Limitations on activities that may conducted within the Critical Root Zone of mature oak trees;
- Ongoing monitoring of construction activities;
- The installation of protective fencing around trees within 50 feet of construction activities;
- Limitations on the use and storage of fuels and gas powered equipment;
- Strategies to be employed for grading, paving and the placement of utilities;
- Limitations on tree pruning and treatments;

Therefore, project impacts associated with conflict with local ordinances or policies protecting biological resources are considered *less than significant with mitigation*.

(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 site is not located within an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with the provisions of an adopted plan and there would be *no impact.*

Conclusion

Upon implementation of mitigation measures BIO-1 through BIO-7 potential impacts to biological resources would be *less than significant with mitigation*.

Mitigation

BIO-1 **Prior to issuance of grading and/or construction permits,** the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for biological resources.

BIO-2 **Environmental Awareness Training –** An environmental awareness training shall be presented to all construction personnel by a qualified biologist prior to the start of any project activities. The training shall include color photographs and a description of the ecology of all special-status species known or with potential to occur, as well as other sensitive resources requiring avoidance during construction. The training shall also include a description of protection measures required by discretionary permits, an overview of the federal and California Endangered Species Acts, and implications of noncompliance with these regulations. This will include an overview of the required avoidance, minimization, and mitigation measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training, and the names and signatures of the environmental

awareness trainees will be kept. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel.

BIO-3 Site Maintenance and General Operations - The following measures are required to be printed on the plans and incorporated into the project to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be included on the plans. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated staging areas. These activities will occur at a minimum of 100 feet from sensitive habitat. Sandbags and/or absorbent pads and spill control kits shall always be available on site to clean up and contain fuel spills and other contaminants.
- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
- Plastic monofilament netting (erosion control matting) or similar material will not be used on site due to the potential to entangle special-status wildlife. Acceptable substitutes are coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds.
- The use of pesticides (including rodenticides) and herbicides on the property shall be in compliance with all local, state, and federal regulations to avoid primary and secondary poisoning of sensitive species that may be using the site.
- After completion of the project's construction, all protective fencing/flagging used to delineate sensitive biological resources shall be removed from the project area and disposed of in appropriate waste receptacles or reused.

BIO-4 Oak Tree Protection. To the maximum extent feasible, impacts to oak trees and oak woodland habitat shall be avoided and minimized. The following measures shall be implemented:

- The canopy edge and trunk location of oak trees located within 50 feet of proposed construction shall be surveyed by a licensed land surveyor or other qualified individual and placed on all plan sets. The tree map shall be used to identify impacts and will inform the mitigation plan.
- Impacts to the oak canopy or sensitive root zone should be avoided to the extent feasible. Impacts may include pruning, ground disturbance, or placement of impervious surfaces (e.g., asphalt, permanent structures) within the sensitive root zone; installation of year-round irrigation or other supplemental water within the sensitive root zone; and trunk damage.
- Prior to ground-breaking, tree protection fencing shall be installed as close to the outer limit of the sensitive root zone as practicable for construction operations to protect trees located within 50 feet of construction that will be preserved. The fencing shall be in place throughout the duration of construction. Plastic orange safety fencing shall not be used as it may entangle wildlife. Other demarcation such as t-posts and yellow rope are adequate.
- No construction activity shall outside delineation fencing installed for protection of oak trees.
- A licensed arborist or qualified botanist will be hired for all removal or trimming of existing roots and necessary branch trimming.
- Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots are exposed during construction, they shall be covered with a layer of soil to match existing topography.
- Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection and reported to the County.

BIO-5 Oak Tree Mitigation. For oak tree removals or impacts during project implementation, the owner shall provide mitigation (on site if feasible) per the County's guidelines, typically 4:1 for removals and 2:1 for impacted trees. This shall include development of an oak tree mitigation plan and establishment of an oak tree planting site or conservation easement that shall be protected in perpetuity. A mitigation plan shall be prepared that details the methods and requirements for oak tree mitigation. At a minimum, the plan shall:

- Include a detailed inventory of the species and quantity of all oak trees to be removed or impacted.
- Discuss the proposed construction methods, construction schedule, and the implementation schedule of activities proposed as part of the plan.
- Quantify and describe the anticipated impacts to individual oak trees and/or oak woodland habitat, as applicable.
- Identify all appropriate methods for fulfillment of required mitigation (e.g., on-site plantings, conservation easement, or in-lieu fee).
- Describe detailed planting methods, as appropriate.
- Identify suitable areas for establishment of new oak trees and/or protection of existing oak woodland habitat, as appropriate.

- Describe short-term and long-term monitoring protocols and/or vegetative growth performance criteria for mitigation success.

The plan shall be prepared by a licensed arborist or qualified botanist and be submitted to the County for approval prior to the start of construction.

BIO-6 Surveys, Avoidance, and Monitoring for Special-status Wildlife. Prior to the start of construction or any ground-breaking activities, a qualified biologist shall conduct surveys to ensure special-status wildlife species are not present within proposed work areas. If special-status wildlife species are found, they shall be allowed to leave the area on their own volition or be relocated (as permitted) to suitable habitat areas outside the work area(s). If necessary, resource conducted as follows:

Pre-construction Survey for Monterey Dusky-footed Woodrat

Prior to the start of work within 50 feet of suitable woodrat habitat, a survey shall be conducted by a qualified biologist to identify and flag woodrat middens for avoidance. A minimum 10-foot buffer area shall be clearly delineated around any woodrat middens that are discovered during the survey. Due to the possibility for woodrats to flee the midden because of nearby construction activity, a biologist shall monitor initial vegetation clearing and earth work within 25 feet of woodrat middens. If woodrats are observed fleeing middens, work shall be temporarily halted until woodrats flee outside the area of impact and/or are relocated to nearby suitable habitat areas by the qualified biologist.

Any woodrat middens that are deemed unavoidable shall be carefully dismantled mechanically (e.g., excavator with thumb) or with hand tools from the top down, allowing any woodrats to escape unharmed. A biological monitor shall be present for dismantling. Due to human health concerns associated with disturbance of woodrat middens and inhalation of dust and particles, the monitor shall not assist in physical woodrat house dismantling and shall position themselves upwind during the activity.

Pre-construction Surveys for Pallid Bat

Prior to the start of work, all suitable roosting habitat for pallid bats (e.g., mature oak or sycamore trees and buildings) within 100 feet of work areas shall be surveyed to determine if bats are roosting in these areas. If bats are detected and impacts are deemed unavoidable, a bat exclusion plan shall be developed and submitted to CDFW for approval prior to implementing any exclusion methods. If no bats are detected, no further action is required.

Preconstruction Survey and Monitoring for Special-status Amphibians and Reptiles

A qualified biologist shall conduct a preconstruction survey immediately prior to the start of work within 50 feet of suitable habitat for California Red Legged Frog and northern California legless lizard. Surveys will be conducted by gently disturbing scrub understory and upper layers of oak tree duff. Construction monitoring shall also be conducted by a qualified biologist during all initial ground disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, or vegetation removal including tree removal) within suitable habitat. If Northern California legless lizards are discovered during surveys and monitoring, they will be hand captured and relocated to suitable habitat outside the area of impact. If California Red Legged Frog are discovered, they shall be

allowed to leave on their own volition and the resource agencies shall be contacted for further guidance, as necessary.

Preconstruction Survey for Sensitive and Nesting Birds

If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to activity beginning on site. In addition, if work is planned to occur as early as January 1, a qualified biologist shall complete a focused survey for nesting golden eagles within one-quarter mile of the project site, as feasible based on access. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A non-disturbance buffer of 150 feet will be placed around non-listed passerine species, and a 500-foot buffer will be implemented for all raptor species. All activity will remain outside of the buffer until a qualified biologist has determined that the nest is no longer active (e.g., young have fledged, nest failed, etc.) or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified and nesting within the work area, no work will begin until an appropriate buffer is determined in consultation with CDFW, and/or the USFWS.

BIO-7 Protection of Waters and Wetlands. The following measures are provided to further protect hydrologic resources on site with emphasis on the ephemeral drainage that crosses the project site:

- For short-term, temporary stabilization, an erosion and sedimentation control plan shall be developed outlining Best Management Practices (BMPs), which shall be implemented to prevent erosion and sedimentation into the drainage feature. Acceptable stabilization methods include the use of weed-free, natural fiber rolls (i.e., non-monofilament to avoid wildlife entanglement), jute or coir netting, and/or other industry standards. Fiber rolls shall be installed and maintained for the duration of the project.

Sources

Provided in Exhibit A.

V. CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 outside of dedicated cemeteries?	☐	☐	☒	☐

Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and has an abundance of historic and prehistoric cultural resources dating as far back as 9,000 B.C. The County protects and manages cultural resources in accordance with the provisions detailed by CEQA and local ordinances.

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 that 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 COSE identifies and maps anticipated culturally sensitive areas and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native American, or cultural significance.

Discussion

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

Based on a desktop review of current and historical aerial photography, 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 a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would result in *no impacts* associated with an adverse change in the significance of a historical resource.

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

The project site is located on a south facing slope of the Coast Range with steep topography and dense stands of oak trees interspersed with areas of annual grasses. One unnamed ephemeral drainage flows northeast to southwest through the middle of the area of disturbance and crosses the existing access road in one location. Within the area of disturbance, the drainage lacks a well-defined bed and bank and there was no evidence of recent flows or evidence of an ordinary high-water mark (OHWM).

The project site is not subject to the Archaeology combining designation. In addition, there are no perennial creeks, rock outcroppings or other features that are typically associated with native peoples. For example, there is no evidence of bedrock mortars or other prehistoric remains in the project area and no evidence was present to suggest that they may exist in the immediate vicinity but have not yet been identified.

In the unlikely event that resources are uncovered during grading activities, implementation of LUO 22.10.040 (Archaeological Resources) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. This protocol would ensure full compliance with California State Health and Safety Code Section 7050.5 as well as CDFA requirements regarding accidental discovery of cultural resources.

Therefore, impacts related to a substantial adverse change in the significance of archaeological resources 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 present in the area proposed for development. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and LUO 22.10.040 (Archaeological Resources) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and County LUO, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant.*

Conclusion

No historical resources are known or expected to occur within or adjacent to the areas proposed for development. Adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts. Accordingly, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

Mitigation

None required.

Sources

Provided in Exhibit A.

VI. ENERGY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Result in a 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

Local Utilities

The Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within San Luis Obispo County. Approximately 31% of electricity provided by PG&E is sourced from renewable sources and an additional 43% is sourced from non-renewable GHG-free resources (PG&E 2020).

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

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

Local Energy Plans and Policies

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

State Building Code Requirements

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation

of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2022 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements. While the CBC has strict energy and green-building standards, U-occupancy structures (such as greenhouses used for cultivation activities) are typically not regulated by these standards.

Vehicle Fuel Economy Standards

In October 2012, the U.S. Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHSTA), on behalf of the Department of Transportation, issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light duty vehicles for model years 2017 and beyond. NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of carbon dioxide (CO_2) per mile for the fleet of cars and light-duty trucks by the model year 2025.

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

In January 2012, CARB approved the Advanced Clean Cars Program which combines the control of Greenhouse Gas (GHG) missions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation, the Advanced Clean Cars II rule, establishes a year-by-year roadmap so that by 2035 100% of new cars and light trucks sold in California will be zero-emission vehicles, including plug-in hybrid electric vehicles. The regulation realizes and codifies the light-duty vehicle goals set forth in Governor Newsom's Executive Order N-79-20.

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

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

Discussion

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

Refer to Section VI., subsection (b) below.

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

Construction Activities

During construction activities, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary in nature and would be typical of other similar construction activities in the county. Based on the size and scope of proposed earthwork and building construction, the project would not have the potential to result in adverse environmental impacts through its use of diesel fuel for construction equipment. In addition, project contractors save costs by avoiding the wasteful, inefficient, or unnecessary consumption of energy resources, such as idling. Therefore, potentially significant environmental impacts associated with the consumption of energy resources during construction would be avoided and project construction activities would not result in a conflict with a state or local plan for renewable energy or energy efficiency. Therefore, project construction impacts associated with energy use would be *less than significant.*

Project Operations

Electricity and Natural Gas Use. There are no occupied buildings or accessory structures on the project site; there is a very small energy demand associated with the use of the existing well pump during dry weather months. The project's operational electricity needs would be met by a connection to PG&E infrastructure. Natural gas is provided by PG&E.

The CBC 2022 Building Energy Efficiency Standards include mandatory energy efficiency standards. A new single-family residence is subject to compliance with these standards. Lastly, the new residence, garage and workshop building will be required to comply with the relevant provisions of the 2022 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.

Therefore, project impacts associated with electricity and natural gas use are considered *less than significant* and *less than cumulatively considerable*.

Fuel Use. The ongoing occupation of the project would result in fuel use associated with motor vehicle trips generated by residential occupancy. All vehicles used by residents would be subject to applicable state and federal fuel economy standards and State-mandated smog inspections.

Based on adherence to applicable state and federal vehicle fuel regulations and the size and scope of proposed activities, project fuel use would not result in a potentially significant environmental impact and would not be wasteful, inefficient, or unnecessary.

Therefore, potential impacts associated with potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources and potential conflict with state or local plans regarding renewable energy or energy efficiency would be *less than significant.* and *less than cumulatively considerable.*

Initial Study – Environmental Checklist

Conclusion

The project would not result in a potentially significant energy demand and inefficient energy use during long-term operations that would be considered wasteful, inefficient, and unnecessary. Potential impacts related to energy would be *less than significant* and *less than cumulatively considerable*.

Mitigation

None are required.

Sources

Provided in Exhibit A.

VII. GEOLOGY AND SOILS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 based on 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 direct or indirect risks to life or property?	☐	☒	☐	☐
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☒	☐	☐

Initial Study – Environmental Checklist

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Setting

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

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. The nearest potentially capable fault line is an unnamed section of the Oceano fault zone located approximately 1 mile to the south. The nearest Alquist-Priolo classified active faults are the Hosgri-San Simeon and Los Osos faults, located approximately 15 miles northwest and southwest of the project site, respectively.

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

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

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of

landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project is located in an area with high potential for landslides.

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

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

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

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

A geotechnical engineering report was prepared for the project site by Mid-Coast Geotechnical, Inc., dated March 2018. The County Geologist's (Cotton, Shires and Associates, Inc. [CSA]) peer review, dated June 7, 2023, concluded that the proposed development is constrained by the potential for bank and slope instability, steep slopes, undocumented artificial fill, and anticipated strong seismic ground shaking. CSA also noted that the referenced geotechnical report included a different development plan than the referred proposal, no geologic input was included in the report, and signs of shallow slope instability are evident upslope. CSA recommended completion of an engineering geologic investigation and updated geotechnical investigation prior to permit approval.

Per CSA recommendation, the applicant provided an updated Engineering Geology Investigation, Evaluation of Roadway Alignment, Shallow Percolation Testing Report, and Soils Engineering Report, prepared by GeoSolutions and dated January 24 and January 25, 2024. These documents are collectively incorporated and referred to here-in as "Geotechnical Report" and were peer reviewed by CSA, with a Supplemental Geologic Peer Review provided, dated March 7, 2024, that noted there were no objectives to the proposed development and recommended permit approval from a geologic standpoint with recommended action prior to permit issuance to include a geologic / geotechnical plan review and inspections.

Discussion

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

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

The project site is not located within an Alquist-Priolo Fault Hazard Zone. The potential for ground rupture at the site during ground shaking is considered low. The nearest potentially capable fault line is an unnamed section of the Oceano fault zone located approximately 1 mile to the south. The nearest Alquist-Priolo classified active faults are the Hosgri-San Simeon and Los Osos faults, located approximately 15 miles northwest and southwest of the project site, respectively. No fault directly underlies the project site, therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault and impacts would be *less than significant*.

(a-ii) Strong seismic ground shaking?

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Seismic groundshaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. San Luis Obispo County is located in a seismically active region and there is always a potential for seismic ground shaking. As discussed above, the nearest potentially capable fault line is an unnamed section of the Oceano fault zone located approximately 1 mile to the south. The nearest Alquist-Priolo classified active faults are the Hosgri-San Simeon and Los Osos faults, located approximately 15 miles northwest and southwest of the project site, respectively.

The project would be required to comply with the 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. Implementation of the project in compliance with relevant construction codes would not expose people or structures to significant increased risks associated with seismic ground shaking; therefore, impacts would be *less than significant.*

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

Based on the Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction. In addition, both the original report and updated series of geotechnical and geologic engineering reports prepared for the project by GeoSolutions, dated January 24 and 25, 2024, confirm that the project site has a low potential for liquefaction. All relevant reports provided have been peer reviewed by CSA and there are no concerns related to the development of the project.

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?

Based on the Safety Element Landslide Hazards Map the project site is located in an area with a high potential for landslides. The updated geotechnical and geologic engineering reports note that while large landslides are mapped in the immediate vicinity of the property, research on the property indicate no historical landslides were observed at the proposed house site and there is a low to moderate potential for landslides to affect the proposed development. The project would be required to comply with CBC seismic requirements to address the site's potential for landslides. Therefore, the potential impacts would be *less than significant.*

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

The project would result in approximately 1.16 acres of site disturbance on an approximately 17.94-acre parcel, requiring approximately 1,870 cubic yards (cy) of cut, 985 cy of fill, and 885 cy of export that will be spread on the southerly portion of the site. In addition, grading will take place on slopes in excess of 30 percent. Lastly, construction of the proposed all-weather access road, residence, and garage will increase surface stormwater flows on the site. Accordingly, during site preparation and grading/leveling activities, there would be a potential for erosion to occur. The project application materials include a detailed preliminary grading and erosion control plan that includes drainage collection, storage, and conveyance infrastructure to ensure runoff does not cause erosion or adversely impact the quality of downstream surface or groundwater bodies.

Section 22.51.120 of the LUO requires any project that would change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent to prepare and implement a sedimentation and erosion control plan. LUO Section 22.51.120 includes requirements for specific erosion control materials and states that Best Management Practices (BMPs) shall be employed to control sedimentation and erosion. These mandatory BMPs are set forth in LUO Section 22.52.150 B. and C. Compliance with these mandatory BMPs will ensure water quality is protected from potential impacts associated with the construction and occupancy of the project, including the placement of 885 cy of excavated dirt on the southerly portion of the site.

In addition, the project would be subject to Regional Water Quality Control Board (RWQCB) requirements for preparation of a Storm Water Pollution Prevention Plan (SWPPP) (LUO Section 22.52.130), which may include the preparation of a Storm Water Control Plan to further minimize on-site erosion. Upon implementation of the recommended BMPs, impacts related to soil erosion would be *less than significant*.

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

Landslides typically occur in areas with steep slopes or in areas containing escarpments. As discussed above under item a-iv, based on the Safety Element Landslide Hazards Map, the project site is located in an area with a high landslide risk. Based on the Safety Element and U.S. Geological Survey (USGS) data, the project is not located in an area of historical or current land subsidence (USGS 2019) and is located in an area with low potential for liquefaction. The Geotechnical Engineering report prepared for the project site by GeoSolutions in January 2024 concluded that the potential for liquefaction is

considered low due to the density of sub-surface material and the presence of near surface formational units at the project site.

Due to the distance to the nearest active fault zone and topography of the project site, lateral spreading is not likely to occur on-site. The project would be required to comply with the CBC standards designed to significantly reduce potential risks associated with unstable earth conditions. Lastly, the Geotechnical Engineering report prepared for the project by GeoSolutions in January 2024, provides geologic recommendations to be incorporated during project construction at the project site. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse would be *less than significant with mitigation* incorporated.

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

According to the NRCS, soils underlying the area of disturbance (the *Los Osos-Lodo Complex, 50 to 75 percent slopes)* have a moderate shrink-swell potential. The Geotechnical Engineering report prepared for the project site by GeoSolutions in January 2024 concluded that the potential for expansive soil at the site is high based on laboratory testing and suggests recommendations to be incorporated into the project plans and specifications. In addition, the residence and garage/workshop will be required to comply with applicable CBC standards designed to reduce potential risks associated with expansive soil. Therefore, potential impacts associated with expansive soil would be *less than significant with mitigation* incorporated.

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

The project includes the construction of a new septic system to serve the residence. The Geotechnical Report included percolation test bores done in the location of the proposed septic system, in accordance with the County of San Luis Obispo standards. Several exploratory bores were drilled, and locations mapped in the report; no groundwater was encountered in test bores to at least 25 feet. The project will be required to demonstrate compliance with County and RWQCB standards for septic systems prior to issuance of a building permit. Therefore, potential impacts associated with having soils incapable of adequately supporting the use of septic tanks would be *less than significant with mitigation* incorporated.

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

No known paleontological resources are known to exist in the project area and the project site does not contain any unique geologic features. The project does not include substantial grading or earthwork that would disturb the underlying geologic formation in which paleontological resources may occur as only surface and subsurface clay material was encountered down to a depth of approximately 25 feet within the project area. Therefore, potential impacts on paleontological resources would be *less than significant*.

Conclusion

The project site is not subject to significant geologic hazards such as liquefaction or shallow groundwater. Compliance with the most recent version of the project's Geotechnical Report conclusions and recommendations sections and with the relevant provisions of the CBC would reduce impacts associated with geology and geologic hazards to *less than significant with mitigation* incorporated.

Mitigation

GEO-1 **Project Geotechnical Report Recommendations. At time of permit application for construction permits**, the applicant shall submit plans to the Department of Planning and Building demonstrating compliance with, and incorporating into the project, the most recent version of the project's Geotechnical Report and associated recommendations, including but not limited to:

- Inspection and recommendations indicating whether the pipe in driveway Station 16+10 is in satisfactory condition to be re-utilized for the new driveway.
- Geologic / Geotechnical Consultant review and approval of all geotechnical aspects of the project building and grading plans to ensure that their recommendations have been properly incorporated. The following should specifically be addressed:
    - The Consultant should verify that the provided recommendations for expansive soil mitigation are incorporated into the project plans.
    - The Consultant should ensure that the provided recommendations for drainage improvements near the proposed residence as well as the driveway are incorporated into the drainage plans to ensure the potential for soil erosion is mitigated.
    - The Consultant should ensure that the provided recommendations for retaining wall design are incorporated into the project plans.

These measures shall be listed on the building plans and implemented per the recommendations in the final Geotechnical Report.

Sources

Provided in Exhibit A.

VIII. GREENHOUSE GAS EMISSIONS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
(b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting

Greenhouse gases (GHGs) are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), 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 (CO_2) is the most abundant GHG and is estimated to represent approximately 80–90% of the principal GHGs that are currently affecting the earth's climate. According to the California Air Resources Board (CARB), transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

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

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

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

The initial Scoping Plan was first approved by CARB on December 11, 2008, and is updated every 5 years. The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. An update to the Scoping Plan was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05. The Final 2022 Scoping Plan Update – Achieving Carbon Neutrality by 2045 lays out a path to achieve targets for carbon neutrality and reduce anthropogenic

greenhouse gas emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts because climate change is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts that were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 $MTCO_2e$ per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a 'gap analysis' and was used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with the Global Warming Solutions Act (AB32) and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020 and the SLOAPCD no longer recommends the use of these thresholds for CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- Consistency with a Qualified Climate Action Plan: CAPs conforming to CEQA Guidelines § 15183 and 15183.5 would be qualified and eligible for project streamlining under CEQA.

  The County of San Luis Obispo EnergyWise (EWP), adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. Therefore, the EWP is not considered a qualified GHG reduction strategy for assessing the significance of GHG emissions generated by projects with a horizon year beyond 2020.

- No-net Increase: The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "*is an appropriate overall objective for new development*" consistent with the Court's direction provided by the Newhall Ranch case which demonstrated that no-net GHG increase was feasible and defensible. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., di minimus: too trivial or minor to merit consideration).

- Lead Agency Adopted Defensible GHG CEQA Thresholds: Under this approach, a lead agency may establish SB 32-based local operational thresholds:

  - *Meeting Local GHG Emission Targets with Best Management Practices*

    On April 23, 2020, the Sacramento Metropolitan Air Quality Management District (SMAQMD) adopted Greenhouse Gas Thresholds for Sacramento County. This substantial evidenced based document sets SB 32-based local GHG emission targets for 2030 by evaluating the GHG inventory for local emission sectors relative to statewide sector inventories and the state's GHG reduction target of 40% below 1990 levels. Relative to business-as-usual, the document considered the commercial and residential sector emission reductions needed from new

development to help achieve the SB 32 goal. To help secure these reductions, best management practices were established for new development.

- *GHG Bright-line and Efficiency Thresholds*

  SB 32 based local bright-line and operational efficiency thresholds can be established by evaluating local emission sectors in a jurisdiction's GHG inventory relative to statewide sector inventories and the state's GHG reduction target of 40% below 1990 levels. This approach is found in earlier drafts of SMAQMD's SB 32 threshold work and the AEP Climate Change Committee may provide guidance on a similar approach.

As discussed above, SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030. According to the California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators published by the California Air Resources Board, emissions of GHG statewide in 2017 were 424 million MMTCO2e, which was 7 million MTCO2e below the 2020 GHG target of 431 MMTCO2e established by AB 32. At the local level, an update of the County's EnergyWise Plan prepared in 2016 revealed that overall GHG emissions in San Luis Obispo County decreased by approximately seven percent between 2006 and 2013, or about one-half of the year 2020 target of reducing greenhouse gas emissions by 15% relative to the 2006 baseline1. Therefore, application of the 1,150 MTCO2e Bright Line Threshold in San Luis Obispo County, together with other local and State-wide efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB32 for the year 2020. It should be noted that the 1,150 MTCO2e per year Bright Line Threshold assumed that a project with the potential to emit less than 1,150 MTCO2e per year would result in impacts that are less than significant and less than cumulatively considerable impact and would be consistent with state and local GHG reduction goals.

Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030, the application of an interim "bright line" SB32-based working threshold that is 40 percent below the 1,150 MMTCO2e Bright Line threshold (1,150 x 0.6 = 690 MMTCO2e) would be expected to produce comparable GHG reductions "in the spirit of" the targets established by SB32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, emissions estimated to be less than 690 MMTCO2e per year GHG are considered de minimus (too trivial or minor to merit consideration), and will have a less than significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

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, 2022) was utilized to estimate the project's annual carbon dioxide equivalent emissions in metric tons (MTCO2e; Table 6). The estimated emissions were then compared with the interim threshold of 690 MMTCO2e per year to determine their significance.

[1] AB32 and SB32 require GHG emissions to be reduced to 1990 levels by the year 2020. The EnergyWise Plan assumes that the County's 1990 GHG emissions were about 15% below the levels identified in the 2006 baseline inventory.

Table 6 – Existing and Projected Operational GHG Emissions

Project Component	Quantity	Emissions Rate (Annual $MTCO_2e/sf$)		Estimated Projected Annual CO_2 Emissions (MT/year) Without Mitigation[1]
		Construction	Operation	
Single Family Residence and Garage/Workshop Building	1	n/a	4.20	4.20

Sources: County of San Luis Obispo Department of Planning and Building, 2020, CalEEMOD version 2022

Notes:

1. CalEEMOD CalEEMOD version 2022

As shown in Table 6, project related GHG emissions will be well below the 690 MTCO2e interim threshold. As stated above, a project estimated to generate less than 690 MMTCO2e GHG is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

Therefore, potential impacts associated with GHG emissions would be *less than significant* and *less than cumulatively considerable*.

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

Energy inefficiency contributes to higher GHG emissions which in turn may conflict with the following state and local plans for energy efficiency.

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

Supporting Action	Project Consistency
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.	All new energy using fixtures will satisfy current energy efficiency requirements.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	The proposed dwelling and accessory building will be subject to current building codes relating to energy efficiency.
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	

San Luis Obispo County 2023 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS). The 2023 RTP, which was adopted by the SLOCOG Board in June 2023, provides a collective vision for the region's future balancing transportation and housing needs with social, economic, and environmental goals. The Plan identified and tested growth scenarios to accommodate the coming 42,000 new people, 18,000 new homes, and 18,000 new jobs. The plan helps guide future planning efforts and policy decisions that affect transportation, including its relationship with housing and land use that will reduce greenhouse gas emissions in our region. The 2023 RTP provides recommendations to help our cities and the County of San Luis Obispo make important decisions about transportation, housing, and land-use. The 2023 RTP provides forward looking recommendations out to 2045 because many of our local government decisions will influence the region's long-term growth and development over the coming decades.

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

As discussed in Section III. Air Quality, the project does not include development of retail or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project would result in the construction and occupancy of a single-family residence that would typically be occupied by three residents. Therefore, the project would not significantly affect the local area's jobs/housing balance.

California Air Resources Board (CARB) 2022 Scoping Plan. Pursuant to AB 32, the California Air Resources Board (CARB or Board) prepared and adopted the initial Scoping Plan to "*identify and make*

recommendations on direct emissions reductions measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives" in order to achieve the 2020 goal, and to achieve "*the maximum technologically feasible and cost-effective GHG emissions reductions*" by 2020 and maintain and continue reductions beyond 2020. AB 32 requires CARB to update the Scoping Plan at least every five years.

The 2022 Climate Change Scoping Plan recommends strategies to achieve carbon neutrality by 2045 or earlier, outlining a technologically feasible, cost-effective, and equity-focused path to achieve the state's climate target. The 2022 plan, addressing recent legislation and direction from Governor Newsom, extends and expands upon earlier scoping plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045. The 2022 plan also takes the unprecedented step of adding carbon neutrality as a science-based guide and touchstone for California's climate work. The plan outlines how carbon neutrality can be achieved by taking steps to reduce GHGs to meet the anthropogenic emissions target and by expanding actions to capture and store carbon through the state's natural and working lands and using a variety of mechanical approaches.

The strategies described in the 2022 Scoping Plan are programmatic and intended to be implemented state-wide and industry wide. They are therefore not applicable at the level of an individual project. However, as discussed in Section XVII. Transportation, the project is not expected to generate a significant increase in construction-related or operational traffic trips or Vehicle Miles Traveled (VMT) which is consistent with Scoping Plan strategies for reducing vehicle miles traveled. Overall, the project would have a *less than significant impact* relating to consistency with adopted plans and policies aimed at reducing GHG emissions.

Conclusion

GHG emissions would be *less than significant and less than cumulatively considerable* and consistent with plans adopted to reduce GHG emissions.

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

IX. HAZARDS AND HAZARDOUS MATERIALS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Section 65962.5 and, as a result, would it create a significant hazard to 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 List (Cortese List), which is a list of hazardous materials sites compiled pursuant to California Government Code (CGC) Section 65962.5, 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. The project is not located in an area of known hazardous material contamination and is not on a site listed on the Cortese List (State Water Resources Control Board [SWRCB] 2021; California Department of Toxic Substance Control [DTSC] 2021).

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

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The Safety Element of the County of San Luis Obispo General Plan provides a Fire Hazard Zones Map that indicates unincorporated areas in the county within moderate, high, and very high fire hazard severity zones. The project is located within the State Responsibility Area in a very high fire hazard severity zone. Based on the Safety Element map of response times, it would take more than 20 minutes to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XX, Wildfire.

The Paso Robles Municipal Airport is located about 17 miles to the northeast; the project site is not located within an Airport Review Area.

Discussion

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

Construction activities may involve the use of oils, fuels, and solvents. In the event of a leak or spill, persons, soil, and vegetation down-slope from the site may be affected. The use, storage, and transport of hazardous materials is regulated by DTSC (22 Cal. Code of Regulations Section 66001, et seq.). The use of hazardous materials on the project site for construction and maintenance is required to be in compliance with local, state, and federal regulations. In addition, compliance with best management practices (BMPs) for the use and storage of hazardous materials would also address impacts. These BMPs may include, but are not limited to, the following:

- Determining whether a product constitutes a hazardous material in accordance with federal and state regulations;
- Properly characterizing the physical properties, reactivity, fire and explosion hazards of the various materials;
- Using storage containers that are appropriate for the quantity and characteristics of the materials;
- Properly labeling of containers and maintaining a complete and up to date inventory;
- Ongoing inspection and maintenance of containers in good condition;
- Proper storage of incompatible, ignitable and/or reactive wastes;

Project operations would involve the intermittent use of small amounts of household hazardous materials such as fertilizer and pesticides that are not expected to be acutely hazardous.

The project will be conditioned to comply with all applicable fire protection standards as determined by CAL FIRE, including, but not limited to, preparation of a fire safety plan. Compliance with the Uniform Fire Code and the recommendations of CalFire will ensure that potential impacts associated with hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials would be *less than significant.*

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

Oils, gasoline, lubricants, fuels, and other potentially hazardous substances would be used and temporarily stored onsite during construction activities. A spill or leak of these materials under accident conditions during construction activities could create a potentially significant hazard to the surrounding environment including the ephemeral drainage that crosses the area of disturbance. Mitigation measures HAZ-1 and HAZ-2 have been recommended to reduce potential impacts associated with upset or accident conditions during project construction.

Through required compliance with these standards, potential operational hazards associated with the use of ethanol onsite would be effectively minimized. Therefore, potential impacts associated with hazards to the public or the environment through reasonably foreseeable upset or accident conditions would be *less than significant with mitigation.*

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

The closest school facility is located approximately 9 miles east of the project site. Therefore, the project site is not located within 0.25 mile of an existing or proposed school; 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?

Based on the California DTSC's Envirostor and SWRCB's GeoTracker, the proposed project site is not listed on, nor is it located in close proximity to, a site listed on the Cortese List, which is a list of hazardous materials sites compiled pursuant to CGC Section 65962.5; therefore, *no impacts* would occur.

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

The nearest airstrip in proximity to the project site is the Paso Robles Airport located approximately 17 miles northeast of the site. The project site is not located within an Airport Review designation or adjacent to a private airstrip. The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impacts* would occur.

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

The project does not require any road closures and would be required to be designed to accommodate emergency vehicle access. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, impacts would be *less than significant.*

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

The project is located in a Very High Fire Hazard Severity Zone. The project will be conditioned to implement building and site improvements in accordance with the Fire Code, as detailed in the referral response letter, including, but not limited to implementation of a fire safety plan. Therefore, potential impacts associated with exposure of people or structures to significant risk involving wildland fires would be *less than significant.*

Conclusion

The project may include the use of potentially hazardous materials during construction. Mitigation measures have been identified below to reduce potential impacts associated with routine transport, use, and disposal of these materials, as well as potential hazards associated with upset and accident conditions and wildland fire risk. Upon implementation of measures HAZ-1 and HAZ-2, potential impacts associated with hazards and hazardous materials would be *less than significant with mitigation.*

Mitigation

HAZ-1 **Equipment Maintenance and Refueling.** During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

HAZ-2 **Spill Response Protocol.** During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.

Sources

Provided in Exhibit A.

X. HYDROLOGY AND WATER QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 stream or river or through the addition of impervious surfaces, in a manner which would:				
	(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
	(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

One unnamed ephemeral drainage flows northeast to southwest through the middle of the area of disturbance and crosses the existing access road in one location. There is an existing 12-inch metal culvert at the road crossing. Within the area of disturbance, the drainage lacks a well-defined bed and bank and there was no evidence of recent flows or evidence of an ordinary high water mark (OHWM).

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

In accordance with the LUO, a project that would change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent is required to prepare a drainage plan for review and approval by the County. A drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing. The LUO also requires the preparation of an erosion and sedimentation control plan for all construction and grading permit projects and site disturbance activities of one-half acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

The County Department of Public Works is responsible for ensuring that new construction sites implement Best Management Practices (BMPs) during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction General Permit. The Construction General Permit requires the preparation of a SWPPP to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1 acre must implement all required elements within the site's erosion and sediment control plan as required by the LUO.

The project water demand will be served by an existing groundwater well. A well completion report for the well prepared in 2018 indicates that the well can sustain a pumping rate of 15 gallons per minute. A new 5,000-gallon water tank will be installed near the well to serve the new residence.

The project does not lie within a Groundwater Basin as defined by the Department of Water Resources (DWR) Bulletin 118.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The Safety Element of the County of San Luis Obispo General Plan establishes policies to reduce flood hazards and reduce flood damage, including, but not limited to, prohibition of development in areas of high flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas.

Discussion

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

The project will involve 1,870 cubic yards of cut, 985 of fill and 885 cy of export and an area of disturbance of about 1.16 acres, including grading on slopes that exceed 30 percent. Accordingly, a sedimentation and erosion control plan will be required to minimize the potential for soil erosion, which will be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120. The erosion and sedimentation control plan must set forth measures to minimize potential impacts related to erosion and will include requirements for specific erosion control materials, setbacks from creeks, and siltation. In addition, the project is located outside of a stormwater management area (MS4) and proposes a disturbance area greater than 1.0 acre, therefore, the project will be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) by a qualified SWPPP developer in order to demonstrate compliance with the Federal Clean Water Act which prohibits certain discharges of stormwater containing pollutants.

The project will be conditioned to require all potentially hazardous materials to be stored, refilled, and dispensed on-site in full compliance with applicable County Department of Environmental Health standards and Mitigation Measures HAZ-1 and HAZ-2, and BIO-5 maintaining a minimum setback from the nearest creek or water feature, and compliance with existing County and state water quality, sedimentation, and erosion control standards. Therefore, the project would not result in a violation of any water quality standards, discharge into surface waters, or otherwise alter surface water quality; therefore, impacts would be *less than significant.*

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

Project water demand would be served by an existing groundwater well. Future water demand was derived by multiplying a water duty factor for each component of the project as summarized in Table 7.

Table 7 -- Estimate of Total Project Water Demand

Project Component	Quantity	Water Duty Factor	Total Water Demand (Acre-Feet Per Year[1])
Residence	1	0.8 AFY per dwelling unit[2]	0.80
Ornamental Landscaping	0.05 Acres	855 gallons per week[3]	0.01
Net New Water Demand:	**--**	**--**	**0.81 AFY**

Sources:

1. One acre-foot is approximately 325,851 gallons.
2. Carollo Engineers, San Luis Obispo County 2012 Master Water Report, Volume III, Table 8. Water duty factors for inland areas. Indoor water use only.
3. University of California, Division of Agriculture and Natural Resources Landscape Water Requirement Calculator, 2022

As discussed above, the pump test results suggest that the well can produce 0.06 acre-feet of water over a 24-hour period. Therefore, the well can produce sufficient water to support annual demand associated with the residence every 12 days (0.81 AFY divided by 0.06 AF per day = 12.0 days).
Project impacts relating to water supply are not expected to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin and project 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?

As discussed above, one unnamed ephemeral drainage flows northeast to southwest through the middle of the area of disturbance and crosses the existing access road in one location. There is an existing 12- inch metal culvert at the road crossing. Within the area of disturbance the drainage lacks a well-defined bed and bank and there was no evidence of recent flows or evidence of an ordinary high water mark (OHWM).

The project will involve 1,870 cubic yards of cut, 985 of fill and 885 cy of export and an area of disturbance of about 1.16 acres. A sedimentation and erosion control must prepared 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 include requirements for specific erosion control materials, setbacks from creeks, and siltation.

The project application materials include a preliminary grading, and erosion control plan that includes drainage collection, storage and conveyance infrastructure to ensure runoff does not adversely impact the quality of downstream surface or groundwater bodies.

The project will be required to comply with all National Pollution Discharge Elimination System (NPDES) requirements and prepare a SWPPP that incorporates BMPs during construction. Water quality protection measures would include protection of stockpiles, protection of slopes, protection of all disturbed areas, protection of access roads, and perimeter containment measures. Therefore, potential impacts associated with erosion and siltation from substantial alteration of the existing on-site drainage pattern 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 will include the construction of impervious surfaces associated with the proposed all-weather access road, residence, and garage. Collectively, these features will increase the volume and velocity of stormwater runoff generated on site. The application materials include a preliminary grading and erosion control plan that includes drainage collection, storage, and conveyance infrastructure to ensure runoff does not adversely impact the quality of downstream surface or groundwater bodies.

In addition, 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-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 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 exceedance of the capacity of existing or planned drainage systems or provide substantial additional sources of polluted runoff would be *less than significant.* See also the discussion in Section IV. Biology and mitigation BIO-7.

(c-iv) Impede or redirect flood flows?

Based on the County Flood Hazard Map, the project site is not located within a 100-year flood zone. Therefore, *no impacts would occur.*

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

Based on the Safety Element Flood Hazard Map, the project site is not located within a 100-year flood zone (County of San Luis Obispo 2013). Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami (CDOC 2021). The project site is not located within close proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur.*

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

As discussed in the setting, the project site does not lie within a designated groundwater basin subject to preparation of a sustainable groundwater management plan. As discussed in the setting, the project is required to comply with relevant permitting of the RWQCB. Therefore, potential impacts associated with conflict or obstruction of a water quality control plan or sustainable groundwater management plan would be *less than significant.*

Conclusion

The project will result in *less than significant impacts* associated with water supply, water quality and hydrology. See also the discussion in Section IV. Biology and mitigation BIO-7.

Mitigation

None are required.

Sources

See Exhibit A.

XI. LAND USE AND PLANNING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 LUO was established to guide and manage the future growth in the county in accordance with the County of San Luis Obispo General Plan; regulate land use in a manner that will encourage and support orderly development and beneficial use of lands; minimize adverse effects on the public resulting from inappropriate creation, location, use, or design of buildings or land uses; and protect and enhance significant natural, historic, archeological, and scenic resources within the county. The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the General Plan.

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

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

The project site is located within the North County Planning Area and the Adelaide Sub-Area and is not subject to any Combining Designations.

Discussion

(a) Physically divide an established community?

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

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

The project would be consistent with the property's land use designation and the guidelines and policies for development within the applicable area plan, inland LUO, and the COSE. The project, as it may be conditioned, was found to be consistent with standards and policies set forth in the County of San Luis Obispo General Plan, the San Luis Obispo Area Plan, the SLOAPCD Clean Air Plan, and other land use policies for this area. The project would be required to be consistent with standards set forth by County Fire/CAL FIRE and the County Public Works Department.

The project would be required to implement measures to mitigate potential impacts associated with air quality, biological resources, and hazardous materials; therefore, with mitigation, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects and impacts would be *less than significant with mitigation.*

Conclusion

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. Potential impacts related to land use and planning would be *less than significant with mitigation* measures associated with air quality, biological resources, hazards and hazardous materials.

Mitigation

Implement mitigation measures AQ-1 through AQ-4, BIO-1 through BIO-7, GEO-1, and HAZ-1 and HAZ-2.

Sources

Provided in Exhibit A.

XII. MINERAL RESOURCES

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

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 (California PRC 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 [CGS] 2015):

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

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

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

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

Initial Study – Environmental Checklist

Discussion

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

Based on the California Geological Survey (CGS) Information Warehouse for Mineral Land Classification, the project site is not located within an area that has been evaluated for mineral resources and is not in close proximity to an active mine (CGS 2021).

In addition, based on Chapter 6 of the County of San Luis Obispo General Plan Conservation and Open Space Element – Mineral Resources, the project site is not located within an extractive resource area or an energy and extractive resource area. The project is not located within a designated mineral resource zone area or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, there would be *no impact* to mineral resources.

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

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

Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XIII. NOISE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
(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?	☐	☐	☒	☐
(b)	Generation of excessive groundborne vibration or groundborne 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 in the project area to excessive noise levels?	☐	☐	☐	☒

Setting

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

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

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

- Outdoor sports and recreation
- Offices

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

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

Table 8 -- Maximum allowable exterior noise level standards[1]

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

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

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

The existing ambient noise environment is characterized by marginal traffic on Santa Rosa Creek Road as well as noise associated with ongoing agricultural operations on the project site and surrounding properties. The nearest sensitive receptors are offsite residences located about 500 feet from potential construction areas.

Discussion

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

Construction Impacts. The County LUO noise standards are subject to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 9 p.m. on weekdays, or before 8 a.m. or after 5 p.m. on Saturday or Sunday. Noise associated with agricultural land uses (as listed in Section 22.06.030), traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

According to the 2005 Federal Highway Administration's Roadway Construction Noise Mode Database, noise associated with heavy construction equipment can range from about 73 to 101 dBA for non-impact equipment. Noise levels 50 feet from stationary equipment can range from 68 to 88 dBA. Table 9 provides an estimate of noise generated by temporary construction activities that may be used for construction of the project.

Table 9 -- Estimate of Noise From Construction Equipment

Equipment	Quantity	dBA at 50 Feet[1]
Backhoe	1	78
Dozer	1	82
Excavator	1	81
Dump Truck	1	76
Generator	1	81
Pickup Truck	2	75
Total:	7	872[2]

Notes:

1. Source: Federal Highway Administration's Roadway Construction Noise Mode Database.
2. Assumes all equipment are operating concurrently.

As shown in Table 9, construction related noise would likely temporarily exceed the maximum hourly daytime levels allowed by the County's noise standards at the nearest property line located to the west of the area of disturbance. Project construction would result in a temporary increase in noise levels associated with construction activities, equipment, and vehicle trips. Construction noise would be variable, temporary, and limited in nature and duration. The County LUO requires that construction activities be conducted during daytime hours and that construction equipment be equipped with appropriate mufflers recommended by the manufacturer. Compliance with these standards would ensure short-term construction noise would be *less than significant*.

Operational Impacts. Operational noise will be limited to motor vehicle traffic associated with home ownership. Therefore, operational noise will be below than County standards and impacts would be *less than significant*.

Impacts associated with the generation of a substantial temporary or permanent increase in ambient noise levels would be *less than significant.*

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

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

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

The nearest airstrip in proximity to the project site is the Paso Robles Airport located approximately 17 miles to the northeast. The project site is not located within an Airport Review designation or adjacent to a private airstrip. The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impact would occur*.

Initial Study – Environmental Checklist

Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per LUO standards. Operational noise levels will be less than the standards set forth in the LUO and are considered less than significant. No other potentially significant impacts were identified, and no mitigation measures are necessary.

Mitigation

None are required.

Sources

Provided in Exhibit A.

XIV. POPULATION AND HOUSING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 of roads or other infrastructure)?	☐	☐	☒	☐
(b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Setting

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

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

The project site is currently vacant.

Discussion

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

The project proposes construction of a residence and detached garage/workshop building that would be occupied by about three persons. Employed residents would not require new or additional housing as a result of the proposed project. The project would not generate new employment opportunities that would encourage population growth in the area. The project does not include the extension or establishment of new public roads, utilities, or other infrastructure to the site that would induce development and population growth in new areas. Therefore, the project would not directly or indirectly induce substantial growth and impacts would be *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, impacts would be *less than significant.*

Conclusion

No impacts to population and housing would occur and no mitigation measures are necessary.

Mitigation

None necessary.

Sources

Provided in Exhibit A.

XV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county, and the project would be served by the Templeton Fire station, located approximately 9 miles east of the project site the community of Templeton. Emergency personnel would be able to reach the site in more than 20 minutes of receiving a call.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North County Station in Templeton, and the South Station in Oceano. The project would be served by the County Sheriff's Office, and the nearest sheriff station is located approximately 9 miles to the east in the community of Templeton.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the Templeton Unified School District.

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

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

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 will be designed to comply with all fire safety rules and regulations, including the California Fire Code and California PRC, which include improvements to the existing access road to accommodate emergency vehicle access, vegetation clearing or trimming around all existing and proposed structures, and potential installation of a water storage tank for fire protection (if fire sprinklers are required). The project will be conditioned to implement all requirements identified by the County Fire Department/CAL FIRE for the project including items to be completed prior to final inspection/operation. Based on the limited amount of development proposed, the project would not create a significant new demand for fire services. In addition, the project will be subject to public facility fees to offset the increased cumulative demand on fire protection services. Therefore, impacts would be *less than significant*. Additional information regarding wildfire hazard impacts is discussed in Section XX, Wildfire. Additional information regarding fire related hazard impacts is discussed in Section IX, Hazards and Hazardous Materials.

Police protection?

The project would be subject to public facility fees to offset the project's cumulative 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/Housing, the project would not induce significant population growth and would not result in the need for additional school services or facilities. However, the project would be subject to school impact fees, pursuant to California Education Code Section 17620, to help fund construction or reconstruction of school facilities. Therefore, 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; 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, there would be *no impacts* related to other public facilities.

Conclusion

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

Mitigation

None are necessary.

Sources

Provided in Exhibit A.

XVI. RECREATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
(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 Parks and Recreation Element (Recreation Element) of the County of San Luis Obispo General Plan establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and recreation facilities and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

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

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

Discussion

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

The project proposes the construction of a single family residence that could be occupied by as many as three persons. The project is not proposed in a location that would affect any existing trail, park, recreational facility, coastal access, and/or natural area. The project would not result in substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional park or other recreational facilities. Payment of standard development

impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant.*

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

The project does not include the construction of new recreational facilities and 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, impacts would be *less than significant.*

Conclusion

The project would not result in the significant increase in use, construction, or expansion of parks or recreational facilities. Therefore, potential impacts related to recreation would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

Sources

Provided in Exhibit A.

XVII. TRANSPORTATION

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

Setting

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

The County has established Level of Service (LOS) "C" or better for rural roadways. The project site is currently undeveloped and generates a very low volume of traffic. The project site is served by Santa Rosa Creek Road a county-maintained rural roadway that extends from SR 46 to the community of Cambria to the west. Traffic counts for Santa Rosa Creek Road taken north of SR 46 in 2012 revealed a PM peak hour volume of 37 and an average daily traffic count of 135.

In 2013 SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide. Also in December, 2018,

the Office of Planning and Research (OPR) published a Technical Advisory On the Evaluation of Transportation Impacts In CEQA to assist local governments in implementing the new VMT requirements. The 2018 Technical Advisory states that a development project that generates less than 110 average daily trips (ADT) will not have a project-specific or cumulatively considerable impact with respect to vehicle miles travelled.

The County's Framework for Planning (Inland), includes the Land Use and Circulation Elements of the County of San Luis Obispo General Plan. The Framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. Due to the remote location of the project site, there are no pedestrian, bicycle, or public transit facilities serving of the project site.

Discussion

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

The project does not propose the substantial temporary or long-term alteration of any proximate transportation facilities. Motor vehicle trips associated with the project are expected to about 9.6 trips per day. Construction activities will require temporary construction trips to and from the site.

The project would not noticeably impact traffic operations on Santa Rosa Creek Road, would not reduce levels of service on nearby roads, conflict with adopted policies, plans or programs for transportation, and would not cause congestion on the local circulatory network. The project would is not likely to generate foot or bicycle traffic, or generate public transit demand and would have a less than impact on levels of service/conditions for these facilities.

Marginal increases in traffic can be accommodated by existing local streets and the project would not result in any long-term changes in traffic or circulation or reduce the Level of Service below LOS "C". The project does not propose uses that would interfere or conflict with applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities. The project would be consistent with the County Framework for Planning (Inland) and consistent with the projected level of growth and development identified in the 2023 RTP. Therefore, potential impacts would be *less than significant*.

No significant traffic impacts were identified, and no mitigation measures above what are already required by existing regulations are necessary.

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

The County has not yet identified an appropriate model or method to estimate VMT for proposed land use development projects. Section 15064.3(b) states that if existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze the project's VMT qualitatively.

The project is not expected to generate a significant increase in construction-related or operational traffic trips or VMT because:

- A single family residence typically generates about 9.6 trips per day which is considerably less than the 110 ADT threshold identified in the 2018 VMT Technical Advisory.
- 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)?

A project referral package was sent to the Public Works Department; their response does not identify any traffic related issues. The project will be conditioned to construct all access improvements from Santa Rosa Creek Road consistent with County standards. Therefore, impacts would be *less than significant*.

(d) Result in inadequate emergency access?

The project will be conditioned to construct all access improvements from Santa Rosa Creek Road consistent with County standards. 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 impacts would be *less than significant*.

Conclusion

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Payment of standard development fees and compliance with existing regulations would ensure potential impacts were reduced to less than significant.

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XVIII. TRIBAL CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
	(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
	(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Setting

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the CRHR; or
    b. Included in a local register of historical resources as defined in subdivision (k) of California PRC 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 California PRC Section 5024.1(c).

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

Recognizing that tribes have specific 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.

In accordance with AB 52 Cultural Resources requirements, the project was referred to the Salinan Tribe of Monterey and San Luis Obispo Counties, the Xolon Salinan Tribe, tiṭyu tiṭyu yak tiłhini Northern Chumash, and Northern Chumash Tribal Council on April 4, 2023, and no requests for consultation were received.

Discussion

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

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

The project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, there would be *no impact* related to a substantial adverse change in the significance of tribal cultural resources.

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

As discussed in Section V. Cultural Resources, the project site does not contain features typically associated with archeological resources within the areas of disturbance. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO 22.10.040), would reduce potential impacts to *less than significant*.

Conclusion

Cultural resources are not expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with 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.*

Mitigation

None are required.

Sources

Provided in Exhibit A.

XIX. UTILITIES AND SERVICE SYSTEMS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
(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?	☐	☐	☐	☒
(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?	☐	☐	☒	☐
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

The County Department of Public Works provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater "will serve" letters. The Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the county rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for on-site wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

The Department of Public Works is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction

General Permit. PG&E is the primary electricity provider and both PG&E and SoCalGas provide natural gas services for urban and rural communities within the county. The project would be served by an existing well. The project's energy needs would be provided by PG&E.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the city of San Luis Obispo; Chicago Grade Landfill, located near the community of Templeton; and Paso Robles Landfill, located east of the city of Paso Robles. The project's solid waste needs would be served by the Chicago Grade landfill.

Discussion

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

The project will be served by an existing on-site well and a new septic system. The project, as conditioned, would not result in a substantial increase in the demand for water, wastewater, or stormwater collection, treatment, or disposal facilities. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications; no new or expanded facilities would be required. No utility relocations are proposed. Therefore, impacts would be *less than significant*.

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

As discussed in Section X, Hydrology and Water Quality, the project will result in an estimated new water demand of 0.81 AFY and will be served by an existing well. A well completion report revealed that the well can sustain a pumping rate of 15 gallons per minute and produce 0.06 acre feet over a 24 hour period. Therefore, the well can produce sufficient water to support annual demand associated with the residence every 12 days (0.81 AFY divided by 0.06 AF per day = 12.0 days). A new 5,000 gallon water tank will be installed near the well to serve the new residence.

As conditioned, impacts related to water supplies would be *less than significant.*

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

The project will not be served by a community wastewater provider. Therefore, *no impacts would occur.*

(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?*

The nearest landfill to the site is the Chicago Grade Landfill located approximately 10 miles to the east. The landfill has a remaining capacity of approximately four million cubic yards as of 2019. The incremental amount of waste generated by the project that is not recycled/reused would be within the service capacity of the landfill. Construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment 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 would not result in a substantial increase in waste generation during project construction or operation. Construction waste disposal would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, potential impacts would be *less than significant.*

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

XX. WILDFIRE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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 CALFIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as "Very High," "High," or "Moderate." In San Luis Obispo County, most of the area that has been designated as a "Very High Fire Hazard Severity Zone" is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The project would be located within the State Responsibility Area and a "Very High" fire hazard severity zone, and, based on the County's fire response time map, it would take more than 20 minutes to respond to a call regarding fire or life safety.

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

- Identifies the departments and agencies designated to perform response and recovery activities and specifies tasks they must accomplish;

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

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

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

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

The County EOP outlines the emergency measures that are essential for protecting public health and safety. These measures include, but are not limited to, public alert and notifications, emergency public information, and protective actions. The EOP also addresses policy and coordination related to emergency management.

Discussion

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

The project does not require any road closures and would be designed to accommodate emergency vehicle access. 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.

Based on the County's Land Use View tool and Dam and Levee Failure Plan, the project is not located within an area that would be inundated in the event of a dam failure. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, no impacts related to emergency plans would occur.

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 residence and garage/workshop would be located in an area surrounded by dense stands of live oaks. Winds in the area vary from 6-8 miles per hour and primarily come from the north and west. As described in Section 6, Geology and Soils, the potential for landslides in the project area is low. Although the project is proposing a limited amount of disturbance in areas of steep slopes, such disturbance would not be conducive to the formation of debris flows in the nearby ephemeral drainage.

The site is located within a State Responsibility Area and, based on the County's fire response time map, it would take more than 20 minutes to respond to a call regarding fire or life safety. The project will be designed to comply with all fire safety rules and regulations, including:

- Relevant provisions of the California Uniform Fire Code and Public Resources Code;
- Improvements to the access road and site to accommodate emergency vehicle access;
- Vegetation clearing or trimming (fuel management);
- Installation of a 5,000 gallon water storage tank for fire protection.

In addition, the project will be conditioned to comply with all applicable fire protection standards as determined by CalFire, including, but not limited to, preparation of a fire safety plan; the project will be required to comply with the requirements of the plan for the life of the project. Compliance with the Uniform Fire Code and the recommendations of CalFire will ensure that potential impacts associated with slope, prevailing winds, and other factors will be *less than significant*.

Therefore, 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 be designed to comply with all fire safety rules and regulations, including the California Fire Code and Public Resources Code, which includes construction of an access road/driveway to accommodate emergency vehicle access, vegetation clearing or trimming around all proposed structures, and installation of water storage for fire protection. These infrastructure improvements would reduce fire risk (see also the response provided under item b), above). Therefore, potential impacts would be *less than significant.*

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

The residence and garage will be located on a moderately sloping area at the northerly terminus of the proposed access road in an area surrounded by dense stands of oak trees and annual grasses. Although the project is proposing disturbance in areas of steep slopes that could be conducive to the formation of debris flows in nearby existing channels, as described in Section VI., Geology and Soils, the potential for landslides on the project site and the area of disturbance is considered low because of the shallow depth of the underlying bedrock. The project includes the construction of a residence and garage/workshop that would incorporate the provisions of a complete grading, drainage and erosion control plan consistent with County and CalFire standards. Therefore, the project will not expose the occupants to significant risks such as downslope or downstream flooding or landslides, as

a result of runoff, post-fire slope instability, or drainage changes and project impacts would be *less than significant*.

Conclusion

As conditioned, 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.

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
(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?*

As discussed in each resource section above, upon implementation of identified mitigation measures, the proposed project would not result in significant impacts to biological or cultural resources and would not 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, 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. Therefore, impacts would be *less than significant with mitigation incorporated.*

(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 State CEQA Guidelines define cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." Section 15355 of the State CEQA Guidelines further states that individual effects can be various changes related to a single project or the change involved in a number of other closely related past, present, and reasonably foreseeable future projects. The State CEQA Guidelines state that the discussion of cumulative impacts should reflect the severity of the impacts as well as the likelihood of their occurrence. However, the discussion need not be as detailed as the discussion of environmental impacts attributable to the project alone. Furthermore, the discussion should remain practical and reasonable in considering other projects and related cumulatively considerable impacts.

Aesthetics

The analysis provided in Section I., Aesthetics, concludes that the project will result in development that is consistent with the type, scale, character and location of surrounding properties and areas visible from public vantages. Project impacts, when combined with additional development and activities likely to occur on surrounding properties within the viewshed are considered *less than cumulatively considerable*.

Agriculture and Forestry Resources

The analysis provided in Section II, Agriculture and Forestry Resources, indicates that the project would have no impact to important farmland and would not result in the conversion of surrounding farmland to another use. In addition, no potential impacts to forest land or timberland would occur. The project would not result in a conflict with existing zoning for agricultural use or with the existing Williamson Act contract. Therefore, when considered with the potential impacts of other reasonably foreseeable development, the contribution of the project's potential impacts to agriculture and forestry resources is considered *less than cumulatively considerable*.

Air Quality

The analysis provided in Section III, Air Quality, concludes that the project's potential construction-related emissions would not exceed SLOAPCD thresholds of significance for construction emissions. However, construction related emissions could adversely impact sensitive receptors on surrounding parcels. With implementation of recommended mitigation measures AQ-1 and AQ-2, project construction, operational, and cumulative impacts would be *less than cumulatively considerable with mitigation*.

Biological Resources

The analysis provided in Section IV, Biological Resources, concludes that the project would have a less-than-significant impact upon implementation of the identified avoidance and mitigation measures for special-status wildlife species and their habitats. With implementation of measures BIO-1 through BIO-7 potential impacts to biological resources would be less than significant.

Based on the mitigation measures identified to reduce potential project impacts, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with biological resources would be *less than cumulatively considerable with mitigation*.

Cultural Resources

The analysis provided in Section V. Cultural Resources concludes that project development would not result in significant impacts to cultural resources and project related impacts are considered less than significant.

Therefore, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with cultural resources would be *less than cumulatively considerable*.

Energy

The analysis provided in Section VI. Energy concludes that the project's contribution to the overall increased demand for electricity and natural gas would not have the potential to result in potentially cumulatively considerable environmental impacts the wasteful, inefficient and unnecessary use of energy because the residence would be required to comply with relevant building codes relating to energy conservation. Therefore, the project's environmental impacts associated with energy use would be *less than cumulatively considerable*.

Geology and Soils

As discussed in Section VII. Geology and Soils, the project is not located within an Alquist-Priolo Fault Hazard Zone and would be required to comply with the CBC, the most recent version of the project's Geotechnical Report, and other applicable standards to ensure the effects of ground instability or a potential seismic event would be minimized through compliance with current engineering practices and techniques. Therefore, project related impacts to soils and geologic resources is considered *less than significant with mitigation* incorporated. Based on the underlying geologic formation, the project's potential impacts to previously unknown paleontological resources would be *less than significant* and *less than cumulatively considerable.*

Greenhouse Gas Emissions

As discussed in Section VI, Energy, the project is estimated to generate approximately 4.2 metric tons of CO_2. As stated in Section VIII., a project estimated to generate less than 690 MMTCO2e GHG is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

Therefore, cumulative impacts associated with GHG emissions would be *less than cumulatively considerable*.

Hazards and Hazardous Materials

As discussed in Section IX. Hazards and Hazardous Materials, construction activities may include the use of hazardous materials that could result in potential hazards through routine transport, use, and disposal as well as under upset or accident conditions. Mitigation measures HAZ-1 and HAZ-2 have been identified to reduce potential impacts by restricting the location of equipment maintenance, refueling and other potentially hazardous activities, and identifying the appropriate response protocol for immediate cleanup of any spills.

Project impacts associated with hazards and hazardous materials would be *less than cumulatively considerable with mitigation.*

Hydrology and Water Quality

As discussed in Section X. Hydrology and Water Quality, the project is not located within a mapped groundwater basin as determined by the Department of Water Resources. Project related water demand is estimated to be 0.81 AFY and the existing well and proposed water storage tanks can adequately provide sufficient water to serve the project. Therefore, project impacts are considered *less than cumulatively considerable*.

Noise

As discussed in Section XIII, Noise, project related noise associated with construction activities and outdoor cultivation would be less than significant.

Therefore, when considered with the potential impacts of other reasonably foreseeable development, the contribution of the subject project to potential noise impacts is considered *less than cumulatively considerable*.

Population and Housing

The most recent projection of regional growth for San Luis Obispo County is the 2050 Regional Growth Forecast (RGF) for San Luis Obispo County, prepared and adopted by SLOCOG in 2017. Using the Medium Scenario, the total county population, housing, and employment for both incorporated and unincorporated areas is projected to increase at an average annual rate of 0.50% per year. Between 2015 and 2050, the County's population is projected to increase by 44,000, or about 1,260 residents per year. Within the unincorporated area, the population is expected to increase by about 19,500 residents, or about 557 per year. Employment is expected to increase by about 6,441, or about 184 per year.

The project could be expected to be occupied by about three residents. Therefore, when considered with the potential impacts of other reasonably foreseeable development in the unincorporated county, the contribution of the subject project to impacts related to housing and population is considered *less than cumulatively considerable*.

Public Services

The project would be subject to adopted public facility (County) and school (CGC Section 65995 et seq.) fee programs to offset impacts to public services. Therefore, when considered with the potential impacts of other reasonably foreseeable projects, the contribution of the subject project to potential public services impacts would be less than cumulatively considerable.

Transportation

As discussed in Section XVII, Transportation, the project would not result in a conflict with a plan or policy addressing the circulation system, or increase hazards due to a geometric design feature. Therefore, the project's potential traffic impacts would be *less than cumulatively considerable*.

County Fire/CAL FIRE requirements will be enforced as conditions of approval.

The County has not yet identified an appropriate model or method to estimate VMT for proposed land use development projects. State CEQA Guidelines Section 15064.3(b) states that if existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze the project's VMT qualitatively.

The most recent estimate of total VMT for the county is from 2013, at which time total VMT per day was estimated to be 7,862,000 VMT. Assuming a 1% annual growth in VMT during the intervening 6 years, the current daily total is estimated to be around 8,333,720 VMT. Accordingly, the VMT associated with other development throughout the county is estimated to result in a marginal increase in the total county VMT. The marginal increase in VMT is not expected to result in a reduction of the level of service on county streets and intersections.

Moreover, each new project will be required to mitigate the project-specific impacts to the transportation network. Such mitigation may include, but is not limited to, the installation of roadway and intersection improvements necessary to serve the project and the payment of applicable road improvement fees. Therefore, when considered with the potential impacts of other reasonably foreseeable development, the contribution of the subject project to roadway impacts would be *less than cumulatively considerable*.

Other Impact Issue Areas

Based on the project's less-than-significant impacts and the discretionary review of all surrounding reasonably foreseeable future development, the project's potential impacts associated with the following issue areas would be *less than cumulatively considerable*:

- Land Use Planning;
- Mineral Resources;
- Recreation;
- Tribal Cultural Resources;
- Utilities and Service Systems; and
- Wildfire.

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

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section above. In addition, implementation of mitigation measures AQ-1 through AQ-4, GEO-1, and HAZ-1 and HAZ-2, and identified in in the resource sections above would reduce potential adverse effects on human beings to less than significant; therefore, impacts would be *less than significant with mitigation.*

Conclusion

Potential impacts would be less than significant upon implementation of mitigation measures identified in the resource sections above.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	**In File****
☒	County Environmental Health Services	**In File****
☒	County Agricultural Commissioner's Office	**In File****
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**None**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☐	CA Coastal Commission	**Not Applicable**
☒	CA Department of Fish and Wildlife	**In File****
☐	CA Department of Forestry (Cal Fire)	**Not Applicable**
☐	CA Department of Transportation	**Not Applicable**
☐	Community Services District	**Not Applicable**
☐	Other _____	**In File****
☒	Other AB 52 Tribes	**None**

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

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

☒ Project File for the Subject Application

County Documents

☐ Coastal Plan Policies
☒ Framework for Planning (Coastal/Inland)
☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
- ☒ Agriculture Element
- ☒ Conservation & Open Space Element
- ☐ Economic Element
- ☒ Housing Element
- ☒ Noise Element
- ☒ Parks & Recreation Element/Project List
- ☒ Safety Element

☒ Land Use Ordinance (Inland/Coastal)
☒ Building and Construction Ordinance
☒ Public Facilities Fee Ordinance
☐ Real Property Division Ordinance
☐ Affordable Housing Fund
☐ Airport Land Use Plan
☒ Energy Wise Plan
☒ North County Area Plan/Adelaida Sub Area
☐ Design Plan
☐ Specific Plan
☐ Annual Resource Summary Report
☐ Circulation Study

Other Documents

☒ Clean Air Plan/APCD Handbook
☒ Regional Transportation Plan
☒ Uniform Fire Code
☒ Water Quality Control Plan (Central Coast Basin – Region 3)
☐ Archaeological Resources Map
☐ Area of Critical Concerns Map
☐ Special Biological Importance Map
☐ CA Natural Species Diversity Database
☒ Fire Hazard Severity Map
☒ Flood Hazard Maps
☒ Natural Resources Conservation Service Soil Survey for SLO County
☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
☐ Other

Initial Study – Environmental Checklist

The project application materials are incorporated by reference in their entirety and available for review at the Department of Planning and Building, 976 Osos Street, Suite 200, San Luis Obispo. In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Project-Specific Studies and Supporting Materials

Project application materials

Engineering Geology Investigation prepared by GeoSolutions, January 24, 2024

Evaluation of Roadway Alignment prepared by GeoSolutions, January 24, 2024

Shallow Percolation Testing Report prepared by GeoSolutions, January 25, 2024

Soils Engineering Report prepared by GeoSolutions, January 25, 2024

Geologic Peer Review prepared by Cotton, Shires, and Associates, Inc., June 7, 2023

Supplemental Geologic Peer Review prepared by Cotton, Shires, and Associates, Inc., March 7, 2024

Geotechnical Engineering Report prepared by Mid-Coast Geotechnical, Inc., March 12, 2018

Arborist and Tree Removal Request from Kokers Demo and Tree Service, July 6, 2022

Tree Protection Plan prepared by Kokers Demo and Tree Service, July 6, 2022

Biological Resource Assessment prepared by Terra Verde, January 2023

Botanical Survey Results prepared by Terra Verde, May 17, 2023

San Luis Obispo County Public Health Department Well completion report of December 27, 2018

Additional supporting and application materials may be found on the public facing portal (PermitSLO) at the following location:

https://energov.sloplanning.org/EnerGov_Prod/SelfService#/plan/f0e4ff5a-dc4b-4859-8a53-14c2cd4e9cd8?tab=attachments

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Department of Planning and Building website: https://www.slocounty.ca.gov/Departments/Planning-Building/Department-Services/Agriculture,-Water,-and-Energy/Water-Programs/Programs-and-Services/PRGWB-Area-of-Severe-Decline.aspx

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Exhibit B - Mitigation Summary Table

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

Air Quality

AQ-1 **Fugitive Dust Construction Control Measures. Prior to issuance of construction permits**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

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

b. Use 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 miles per hour. Reclaimed (non-potable) water should be used whenever possible; When water use is a concern due to drought conditions, the contractor or builder shall consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control;

c. All dirt stock-pile areas shall be sprayed daily as needed;

d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;

e. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114.

f. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

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

h. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in

progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact the Compliance Division at 805-781-5912).

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

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

k. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advanced by the APCD.

l. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.

m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.

n. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

AQ-2 **ROG, NO_x, DPM Emissions. Prior to issuance of construction permits**, the following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

a. Implement Mitigation Measure AQ-1, as identified above.

b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:

i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,

ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

c. Maintain all construction equipment in proper tune according to manufacturer's specifications.

d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).

e. 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.

f. Use on-road heavy-duty trucks that meet the CARB's 2010 or cleaner certification standard for on-road heavy-duty diesel engines and comply with the State On-Road Regulation.

g. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and/or job site to remind drivers and operators of the no idling limitation.

h. Electrify equipment when possible.

i. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,

j. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-3 **Naturally Occurring Asbestos Survey. Prior to issuance of grading or construction permits**, the applicant shall conduct a geologic evaluation for Naturally Occurring Asbestos. The geologic evaluation must be conducted by a registered geologist to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (NOA ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17 CCR Section 93105) regulation. The geologic evaluation must be submitted to the APCD Engineering Division prior to any grading activities at the site. Evidence of APCD approval must be provided to Planning staff.

AQ-4 **Naturally Occurring Asbestos Remediation.** If NOA are determined to be present on-site per AQ-3, proposed earthwork, demolition, and construction activities for initial site improvements and future residential development shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
3. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

Biological Resources

BIO-1 **Prior to issuance of grading and/or construction permits,** the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for biological resources.

BIO-2 **Environmental Awareness Training –** An environmental awareness training shall be presented to all construction personnel by a qualified biologist prior to the start of any project activities. The training shall include color photographs and a description of the ecology of all special-status species known or with potential to occur, as well as other sensitive resources requiring avoidance during construction. The training shall also include a description of protection measures required by discretionary permits, an overview of the federal and California Endangered Species Acts, and implications of noncompliance with these regulations. This will include an overview of the required

avoidance, minimization, and mitigation measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training, and the names and signatures of the environmental awareness trainees will be kept. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel.

BIO-3 Site Maintenance and General Operations – At the time of application for grading/construction permits, the following measures are required to be printed on the plans and incorporated into the project to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be included on the plans. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated staging areas. These activities will occur at a minimum of 100 feet from sensitive habitat. Sandbags and/or absorbent pads and spill control kits shall always be available on site to clean up and contain fuel spills and other contaminants.
- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
- Plastic monofilament netting (erosion control matting) or similar material will not be used on site due to the potential to entangle special-status wildlife. Acceptable substitutes are coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds.
- The use of pesticides (including rodenticides) and herbicides on the property shall be in compliance with all local, state, and federal regulations to avoid primary and secondary poisoning of sensitive species that may be using the site.
- After completion of the project's construction, all protective fencing/flagging used to delineate sensitive biological resources shall be removed from the project area and disposed of in appropriate waste receptacles or reused.

BIO-4 Oak Tree Protection. To the maximum extent feasible, impacts to oak trees and oak woodland habitat shall be avoided and minimized. The following measures shall be implemented:

- Grading and/or construction plans shall provide a 'Native Tree (Oak) Inventory' that accurately identifies the canopy edge and trunk locations of all native trees within 25 feet of the proposed project limits (including ancillary elements, such as trenching). For each of the trees shown, they shall be marked with one of the following 1) to be removed, 2) to be impacted, or 3) to remain intact/protected. This should be noted as the 'Native Tree (Oak) Inventory'. Trees identified as 'impacted' or 'to remain protected' shall be marked in the field as such and protected to the extent possible. The tree map shall be used to identify impacts and will inform the mitigation plan.

- Impacts to the oak canopy or sensitive root zone should be avoided to the extent feasible. Impacts may include pruning, ground disturbance, or placement of impervious surfaces (e.g., asphalt, permanent structures) within the sensitive root zone; installation of year-round irrigation or other supplemental water within the sensitive root zone; and trunk damage.

- Prior to ground-breaking, tree protection fencing shall be installed as close to the outer limit of the sensitive root zone as practicable for construction operations to protect trees located within 50 feet of construction that will be preserved. The fencing shall be in place throughout the duration of construction. Plastic orange safety fencing shall not be used as it may entangle wildlife. Other demarcation such as t-posts and yellow rope are adequate. Protective measures shall be visible to work crews and be able to remain in good working order for the duration of the construction work. Waterproof signage at protective edge is recommended (e.g., "TREE PROTECTION AREA – STAY OUT"). Grading, trenching, compaction of soil, construction material/equipment storage, or placement of fill shall not occur within these protected areas.

- All construction activity shall remain outside delineation fencing installed for protection of oak trees.

- A licensed arborist or qualified botanist will be hired for all removal or trimming of existing roots and necessary branch trimming.

- Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots are exposed during construction, they shall be covered with a layer of soil to match existing topography.

- Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection and reported to the County.

BIO-5 Oak Tree Mitigation. For oak tree removals or impacts during project implementation, the owner shall provide mitigation (on site if feasible) per the County's guidelines, typically 4:1 for removals and 2:1 for impacted trees. This shall include development of an oak tree mitigation plan and establishment of an oak tree planting site or conservation easement that shall be protected in perpetuity. A mitigation plan shall be prepared that details the methods and requirements for oak tree mitigation. At a minimum, the plan shall:

- Include a detailed inventory of the species and quantity of all oak trees to be removed or impacted.

- Discuss the proposed construction methods, construction schedule, and the implementation schedule of activities proposed as part of the plan.

- Quantify and describe the anticipated impacts to individual oak trees and/or oak woodland habitat, as applicable.

- Identify all appropriate methods for fulfillment of required mitigation (e.g., on-site plantings, conservation easement, or in-lieu fee).
- Describe detailed planting methods, as appropriate.
- Identify suitable areas for establishment of new oak trees and/or protection of existing oak woodland habitat, as appropriate.
- Describe short-term and long-term monitoring protocols and/or vegetative growth performance criteria for mitigation success.

The plan shall be prepared by a licensed arborist or qualified botanist and be submitted to the County for approval prior to the start of construction.

BIO-6 Surveys, Avoidance, and Monitoring for Special-status Wildlife. Prior to the start of construction or any ground-breaking activities, a qualified biologist shall conduct surveys to ensure special-status wildlife species are not present within proposed work areas. If special-status wildlife species are found, they shall be allowed to leave the area on their own volition or be relocated (as permitted) to suitable habitat areas outside the work area(s). If necessary, resource conducted as follows:

Pre-construction Survey for Monterey Dusky-footed Woodrat

Prior to the start of work within 50 feet of suitable woodrat habitat, a survey shall be conducted by a qualified biologist to identify and flag woodrat middens for avoidance. A minimum 10-foot buffer area shall be clearly delineated around any woodrat middens that are discovered during the survey. Due to the possibility for woodrats to flee the midden because of nearby construction activity, a biologist shall monitor initial vegetation clearing and earth work within 25 feet of woodrat middens. If woodrats are observed fleeing middens, work shall be temporarily halted until woodrats flee outside the area of impact and/or are relocated to nearby suitable habitat areas by the qualified biologist.

Any woodrat middens that are deemed unavoidable shall be carefully dismantled mechanically (e.g., excavator with thumb) or with hand tools from the top down, allowing any woodrats to escape unharmed. A biological monitor shall be present for dismantling. Due to human health concerns associated with disturbance of woodrat middens and inhalation of dust and particles, the monitor shall not assist in physical woodrat house dismantling and shall position themselves upwind during the activity.

Pre-construction Surveys for Pallid Bat

Prior to the start of work, all suitable roosting habitat for pallid bats (e.g., mature oak or sycamore trees and buildings) within 100 feet of work areas shall be surveyed to determine if bats are roosting in these areas. If bats are detected and impacts are deemed unavoidable, a bat exclusion plan shall be developed and submitted to CDFW for approval prior to implementing any exclusion methods. If no bats are detected, no further action is required.

Preconstruction Survey and Monitoring for Special-status Amphibians and Reptiles

A qualified biologist shall conduct a preconstruction survey immediately prior to the start of work within 50 feet of suitable habitat for California Red Legged Frog and northern California legless lizard.

Surveys will be conducted by gently disturbing scrub understory and upper layers of oak tree duff. Construction monitoring shall also be conducted by a qualified biologist during all initial ground disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, or vegetation removal including tree removal) within suitable habitat. If Northern California legless lizards are discovered during surveys and monitoring, they will be hand captured and relocated to suitable habitat outside the area of impact. If California Red Legged Frog are discovered, they shall be allowed to leave on their own volition and the resource agencies shall be contacted for further guidance, as necessary.

Preconstruction Survey for Sensitive and Nesting Birds

If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to activity beginning on site. In addition, if work is planned to occur as early as January 1, a qualified biologist shall complete a focused survey for nesting golden eagles within one-quarter mile of the project site, as feasible based on access. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A non-disturbance buffer of 150 feet will be placed around non-listed passerine species, and a 500-foot buffer will be implemented for all raptor species. All activity will remain outside of the buffer until a qualified biologist has determined that the nest is no longer active (e.g., young have fledged, nest failed, etc.) or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified and nesting within the work area, no work will begin until an appropriate buffer is determined in consultation with CDFW, and/or the USFWS.

BIO-7 **Protection of Waters and Wetlands.** The following measures are provided to further protect hydrologic resources on site with emphasis on the ephemeral drainage that crosses the project site (Drainage 1):

- For short-term, temporary stabilization, an erosion and sedimentation control plan shall be developed outlining Best Management Practices (BMPs), which shall be implemented to prevent erosion and sedimentation into the drainage feature. Acceptable stabilization methods include the use of weed-free, natural fiber rolls (i.e., non-monofilament to avoid wildlife entanglement), jute or coir netting, and/or other industry standards. Fiber rolls shall be installed and maintained for the duration of the project.

Geology and Soils

GEO-1 **Project Geotechnical Report Recommendations. At time of permit application for construction permits**, the applicant shall submit plans to the Department of Planning and Building demonstrating compliance with, and incorporating into the project, the most recent version of the project's Geotechnical Report and associated recommendations, including but not limited to:

- Inspection and recommendations indicating whether the pipe in driveway Station 16+10 is in satisfactory condition to be re-utilized for the new driveway.
- Geologic / Geotechnical Consultant review and approval of all geotechnical aspects of the project building and grading plans to ensure that their recommendations have been properly incorporated. The following should specifically be addressed:

- The Consultant should verify that the provided recommendations for expansive soil mitigation are incorporated into the project plans.
- The Consultant should ensure that the provided recommendations for drainage improvements near the proposed residence as well as the driveway are incorporated into the drainage plans to ensure the potential for soil erosion is mitigated.
- The Consultant should ensure that the provided recommendations for retaining wall design are incorporated into the project plans.

These measures shall be listed on the building plans and implemented per the recommendations in the final Geotechnical Report.

Hazards and Hazardous Materials

HAZ-1 **Equipment Maintenance and Refueling.** During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

HAZ-2 **Spill Response Protocol.** During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.