COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

PLN-2039
04/2020

Initial Study – Environmental Checklist

Purewal Minor Use Permit/Coastal Development Permit C-DRC2022-00025

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: (To be completed by the Lead Agency)

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

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

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

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

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

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

SWCA Environmental Consultants	Brandi Cummings		5/20/2024
Prepared by (Print)	Signature		Date
Nicole Ellis, Senior Planner		For Eric Hughes, Principal Environmental Specialist	5/20/2024
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: A request by Sarabjit Purewal for a Minor Use Permit/Coastal Development Permit (C-DRC2022-00025) to allow for the construction of an approximately 3,452-square-foot single-family residence with an attached 1,202-square-foot garage, 424-square-foot storage space, a 504-square-foot unconditioned art studio, and associated site improvements. The project would result in approximately 0.29 acre (12,632 square feet) of ground disturbance, including 540 cubic yards of cut and 220 cubic yards of fill on a 0.46-acre vacant parcel (Assessor's Parcel Number [APN] 074-483-009) located at the southern end of Madera Street, approximately 406 feet south of the Madera Street and San Ricardo Lane intersection, in the community of Los Osos (Figure 1) in the Residential Single-Family (RSF) land use designation in the Estero Planning Area (Coastal Zone).

The project includes the construction of a new two-story, three-bedroom single-family residence that would include a 1,202-square-foot garage, a 424-square-foot storage space, and a 504-square-foot unconditioned art studio on the lower floor, as well as 3,300-square-feet of living area on the second floor (Figure 2). The proposed residence would have a maximum height of 15 feet above the highest existing grade (Figure 3). The project also includes the construction of site improvements, including construction of a new driveway off Madera Street, installation of an on-site septic system, and installation of landscaping throughout the project site. The proposed driveway would be approximately 20 feet wide and would extend from Madera Street to the proposed garage. The proposed on-site septic system would include a minimum 1,200-gallon septic tank and leach field line which would be constructed to the north of the proposed residence. The project includes the installation of landscaping adjacent to the proposed residence and the planting of five Monterey pines, lavender, fountain grass, dwarf rosemary, as well as assorted succulents and low profile cacti (Figure 4). Proposed landscaping would comply with the County's water-efficient landscape requirements and the approved plant list. In addition, the project includes the construction of an 8-foot retaining wall around the northern side of the proposed residence and a composite wood deck on the south and west sides of the proposed residence.

The project would require the extension of existing utility infrastructure, including gas, electrical, and water lines within the project site from the mains under Madera Street. The project is anticipated to result in a new potable water demand of 128 gallons per day, which would be provided by Golden State Water

Company (GSWC). GSWC has provided a will-serve letter for the project (GSWC 2022). The project includes the construction of a new on-site septic system and would not require connection to the community sewer system.

Construction of the proposed residence and site improvements would be developed in one phase of construction. The project would result in a total of 0.29-acres (12,632-square-feet) of ground disturbance, including 540 cubic yards of cut and 220 cubic yards of fill. No tree removal is required for the project.

ASSESSOR PARCEL NUMBER(S): 074-483-009

Latitude: 35° 18' 18.05" N **Longitude:** 120° 51' 22.27" W **SUPERVISORIAL DISTRICT #** 2

B. Existing Setting

Plan Area: Estero **Sub:** **Comm:** Los Osos

Land Use Category: Residential Single Family

Combining Designation: Coastal Zone ,

Parcel Size: 0.46 acres

Topography: Gently sloping to moderately sloping

Vegetation: Non-native grasses Non-native shrubs

Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

North: Residential Single Family; Single-family residence(s)

East: Residential Single Family; Single-family residence(s)

South: Residential Single Family; undeveloped

West: Residential Suburban; undeveloped

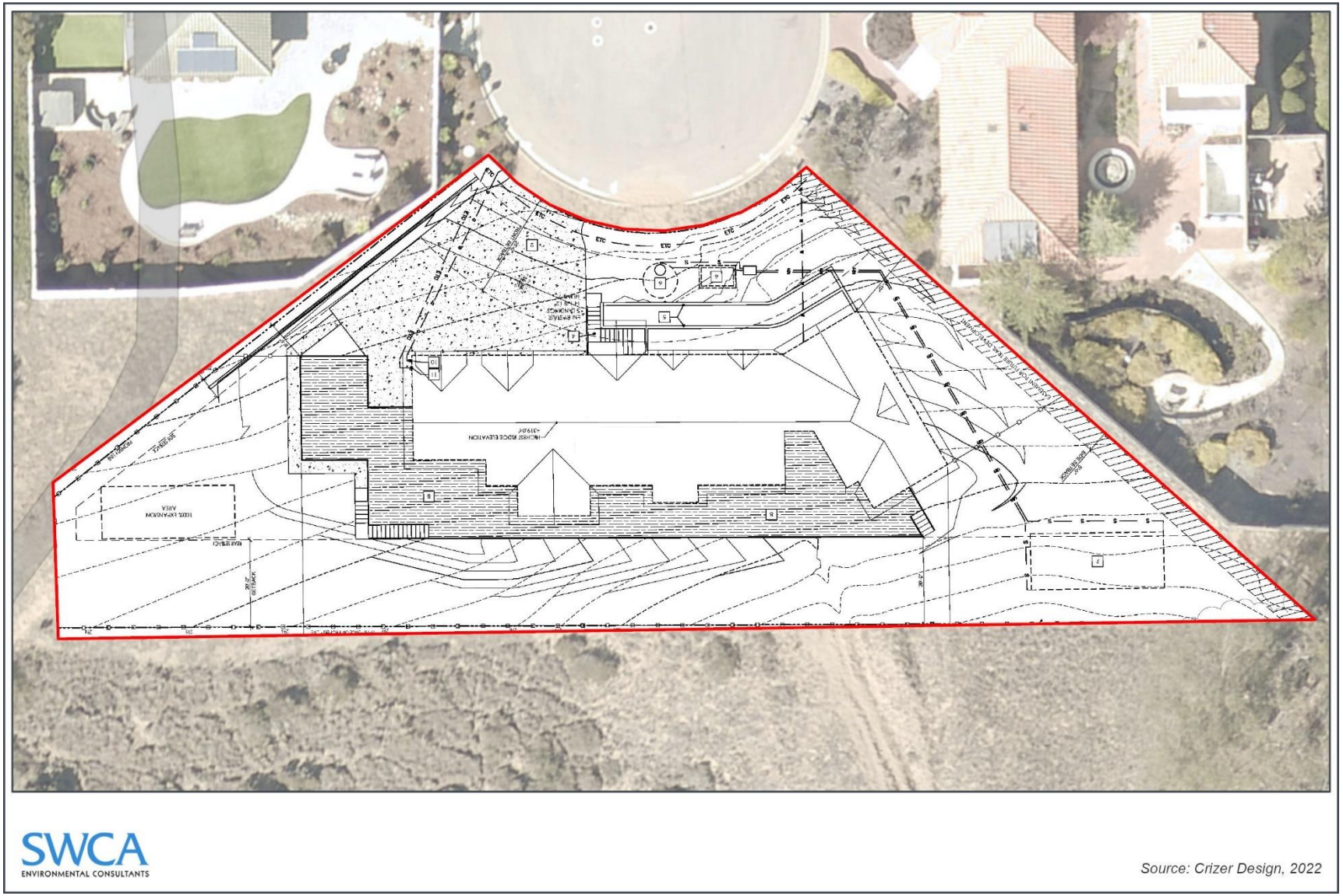
Baseline Conditions

The 0.46-acre parcel is located in the RSF zone in the Estero Planning Area. The project site is currently undeveloped and consists of gently to moderately sloping topography and non-native grasses and shrubs. The project site is surrounded by single-family residences to the east and west, Madera Street to the north, and undeveloped land to the south. The project site would be accessed via Madera Street from the north. Pecho Valley Road is located approximately 700 feet west of the project site. There are no surface water features, rock outcroppings, or heritage trees on the project site. There is an existing 5-foot open space easement along the eastern portion of the property.

Initial Study – Environmental Checklist

Figure 1. Project Location Map

Figure 2. Site Plan



SWCA ENVIRONMENTAL CONSULTANTS

Source: Crizer Design, 2022

Figure 3. Rendering and Materials

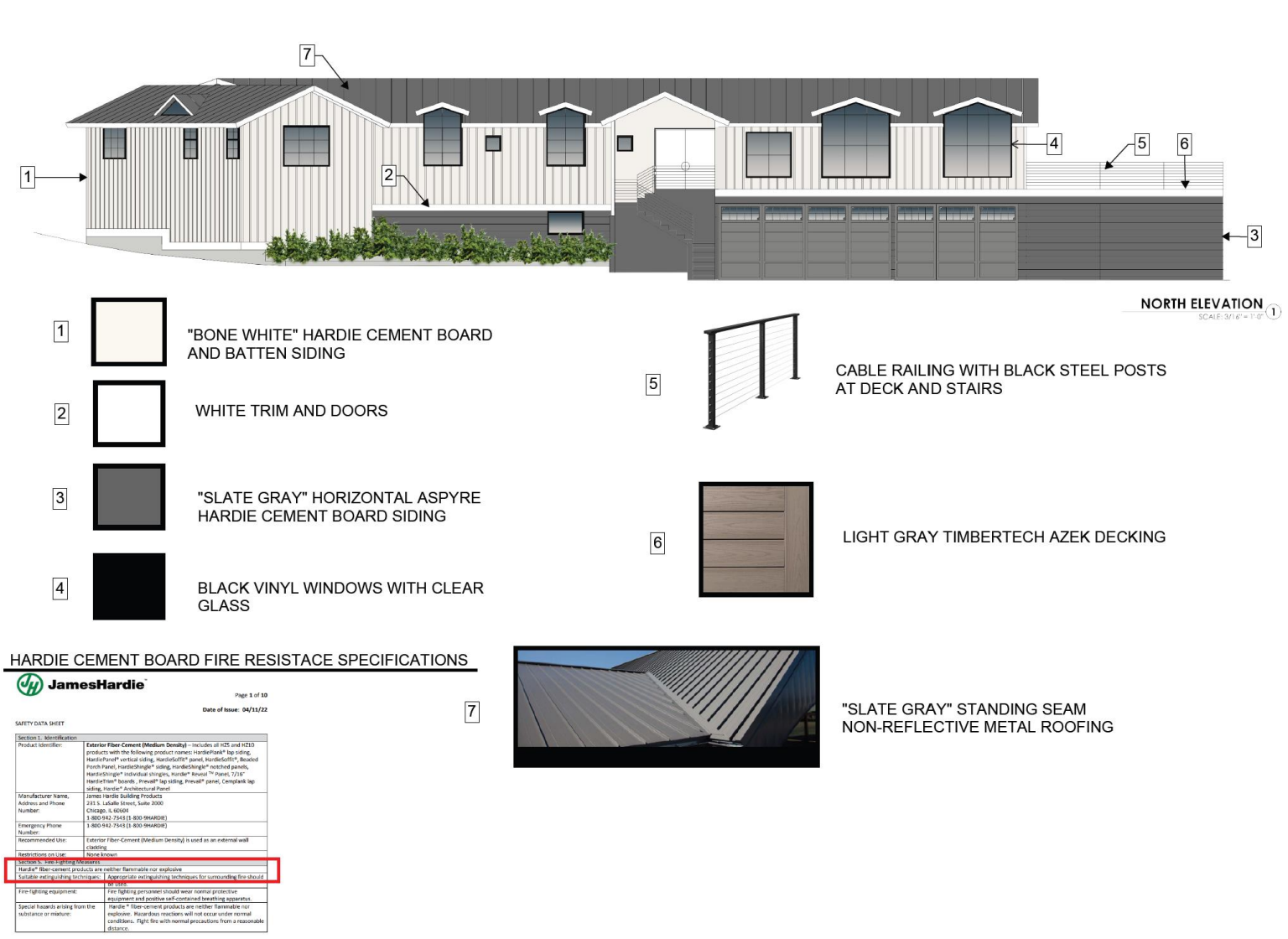
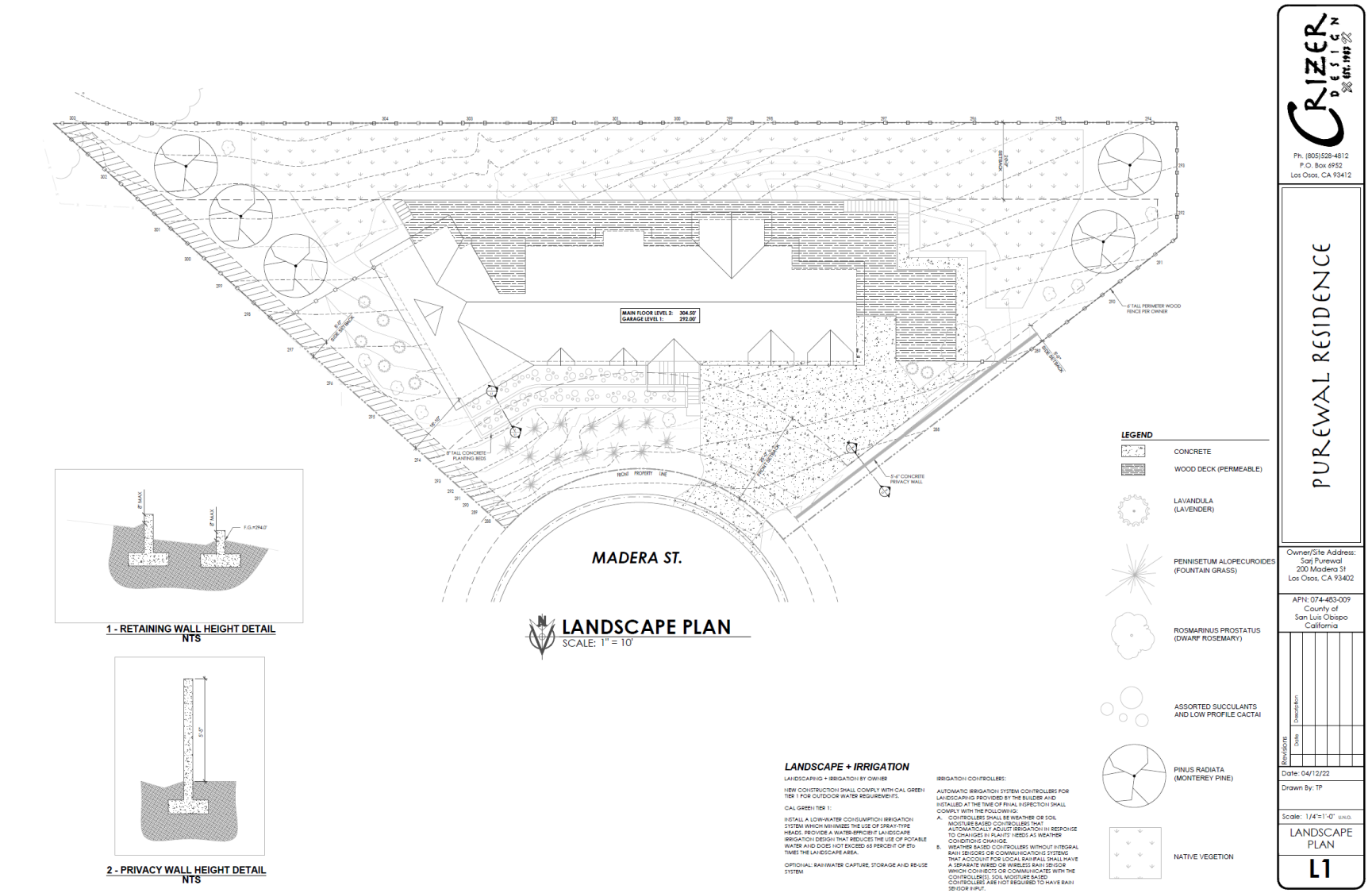


Figure 4. Landscape Plan



Initial Study – Environmental Checklist

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

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

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

California Scenic Highway Program

The California Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. Within the County Coastal Zone, there is one officially designated state scenic highway and several eligible state scenic highways. State Route (SR) 1 is an Officially Designated State Scenic Highway and All-American Road from the city of San Luis Obispo to the northern San Luis Obispo County boundary. Portions of U.S. Route 101 (US 101), SR 46, SR 41, SR 166, and a southern portion of SR 1 are also classified as Eligible State Scenic Highways – Not Officially Designated.

County of San Luis Obispo Coastal Zone Land Use Ordinance

The *County of San Luis Obispo Coastal Zone Land Use Ordinance* (County CZLUO) establishes regulations for visual resources that apply to all projects that are visible from the shoreline, public beaches, the Morro Bay estuary, and any of the roads specified in the applicable planning area standards for Critical Viewsheds, Scenic Corridors, or Sensitive Resource Areas (SRAs) intended to protect visual resources (County CZLUO Section 23.04.210). Structures that are not visible from these locations or agricultural structures that are 600 square feet or less in area or other minor agriculturally related development are exempt from these standards. The County CZLUO also includes a section detailing standards for all outdoor night-lighting sources, with the exception of streetlights located within public rights-of-way and all uses established in the Agriculture land use category (County CZLUO Section 23.04.320).

County Conservation and Open Space Element

The *County of San Luis Obispo General Plan Conservation and Open Space Element* (County COSE) provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. The County COSE provides a number of goals and policies to protect the visual character and identity of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designation of scenic corridors along public roads and highways, retaining existing access to scenic vista points, and ensuring that new development in Urban and Village areas are consistent with the local character, identity, and sense of place. Policies in the County COSE supplement County CZLUO policies, except when the County COSE policies conflict with County CZLUO policies, for which the County CZLUO policies would control (County COSE Policy 9.2).

Existing Conditions

The 0.46-acre parcel is located in an urban residential area in the RSF zone in the Estero Planning Area, within the community of Los Osos. The project site is currently undeveloped and consists of gently to moderately sloping topography and non-native grasses and shrubs. There are no surface water features, rock outcroppings, or heritage trees on the project site. There is an existing 5-foot open space easement along the eastern portion of the property. The project site is surrounded by single-family residences to the east and west, Madera Street to the north, and undeveloped land to the south. The project site would be accessed via Madera Street from the north. The portion of Pecho Valley Road located approximately 700 feet west of the project site is designated as a suggested scenic corridor in the County COSE. There are no officially designated or eligible scenic highways located within close proximity to the project site. The nearest scenic highway is SR 1, located approximately 5 miles northeast of the project site (California Department of Transportation [Caltrans] 2018).

Discussion

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

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints and may be officially or informally designated by public agencies or other organizations. Vistas are inherently expansive views, usually from an open area or an elevated point. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. The project site is not located within a designated scenic vista, a visually sensitive area, or an area with high scenic quality. The nearest suggested scenic corridor included in the County COSE is Pecho Valley Road, which is located approximately 700 feet west of the project site. Pecho Valley Road is situated on relatively flat topography that slopes upward toward the project site. Due to the moderate to steeply sloping topography between Pecho Valley Road and the project site, the project site is primarily blocked from the viewshed of Pecho Valley Road. In addition, the project would be compliant with design requirements for the RSF land use designation and would not introduce a new incompatible land use or design feature that could be inconsistent with existing and surrounding land uses. Based on proposed project design and intervening topography, the project would not have a substantial adverse effect on a scenic vista; therefore, impacts would be *less than significant.*

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

The nearest designated state scenic highway is SR 1, which is located approximately 5 miles northeast of the project site (Caltrans 2018). Due to distance, intervening topography, and existing development and vegetation, the project would not be visible from SR 1; therefore, implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway, and *no impact* 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 project is located in an urban residential area within the RSF land use and zoning designation. The project includes the construction of an approximately 3,452-square-foot single-family residence with an attached 1,202-square-foot garage, 424-square-foot storage space, 504-square-foot unconditioned art studio, and associated site improvements. The proposed two-story residence would have a maximum height of 15 feet above the highest existing grade, which is consistent with the allowable height of the RSF land use designation for this neighborhood within the Estero Area Plan. The project would also be consistent with the minimum floor area, allowable density, and other development standards of the RSF land use designation. The proposed residence would be consistent with the design and scale of surrounding single-family residences and would not introduce new architectural features that could alter the existing visual character of the project area. As described in Impact Discussion I(a), the project would not have a substantial adverse effect on a scenic vista, which is consistent with the County COSE and other applicable County planning

documents. Therefore, the proposed project would not conflict with applicable zoning standards or other regulations governing scenic quality, and impacts would be *less than significant*.

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

Existing sources of nighttime lighting within the project area include residential lighting from neighboring single-family residences and intermittent vehicle headlights along Madera Street. The project does not include the use or installation of highly reflective materials that would create a substantial source of glare. While the project proposes narrow batten metal for the roofing and some siding, the material would be matte with a non-reflective finish. New sources of outdoor lighting associated with the project would be consistent with the level and scale of lighting from existing development in the project vicinity. In addition, the project would be required to comply with County CZLUO Section 23.04.320 for outdoor lighting requirements. Based on required compliance with County CZLUO Section 23.04.320, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area; therefore, impacts would be *less than significant.*

Conclusion

The project would not result in a substantial change to a scenic vista, scenic corridor, or other scenic resources in the area. The project would be consistent with existing policies and standards in the County CZLUO and County COSE related to the protection of scenic resources. Potential impacts to aesthetic resources would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

III. 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

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

vegetables, field crops, nursery products, and animals. The *County of San Luis Obispo General Plan Agriculture Element* (County Agriculture Element) includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the County Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be was released in 2022 (County of San Luis Obispo 2022).

Farmland Designations

The California Department of Conservation (CDOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources (CDOC 2016). Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered "agricultural land." Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water. Based on the FMMP, soils at the project site are designated as Urban and Built-Up Land (CDOC 2016).

On-site Soils

According to the Soil Survey for San Luis Obispo County and the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2023), the project site is underlain by Baywood Fine Sand, 9 to 15 percent slopes. This sandy soil is somewhat excessively well drained, has a very low runoff, and has a depth to water table of more than 80 inches. This soil is not considered Prime Farmland (NRCS 2023).

Williamson Act

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 than normal because they are based on farming and open space uses as opposed to full market value. The project site does not include land within the Agriculture land use designation and is not within or adjacent to land subject to an active Williamson Act contract.

Forestland and Timberland

According to 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. The project site does not contain any forest land or timberland.

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Discussion

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

The project site is designated as Urban and Built-Up Land and does not contain land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as designated by the FMMP (CDOC 2022). Therefore, the project would not result in the conversion of Farmland pursuant to the FMMP to a non-agricultural use, and *no impact* would occur.

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

The project site does not include land within the Agriculture land use designation or land subject to a Williamson Act contract. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and *no impact* would occur.

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

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

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

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

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

The project site is not located in close proximity to Farmland or forest land and the project would not conflict with existing agricultural uses. The project would not increase demand on agricultural water supplies or facilities and would not affect proximate agricultural support facilities. Therefore, the project would not result in changes in the existing environment that could result in the conversion of Farmland to non-agricultural uses or forest land to non-forest uses; therefore, *no impact* would occur.

Conclusion

The project would not directly or indirectly result in the conversion of Farmland, forest land, or timberland to non-agricultural or non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. No potentially significant impacts to agriculture, forest land, or timberland would occur, and mitigation measures are not necessary.

Mitigation

None necessary.

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IV. 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

Regulatory Agencies and Standards

San Luis Obispo County is part of the South Central Coast Air Basin (SCCAB), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (USEPA), California Air Resources Board (CARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The California Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. CARB adopted the CAAQS developed by the California Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter 10 microns or less in diameter (PM_{10}) and 2.5 microns or less in diameter ($PM_{2.5}$), ozone (O_3), nitrogen dioxide (NO_2), sulfate, carbon monoxide (CO), sulfur dioxide (SO_2), visibility-reducing particles, lead (Pb), hydrogen sulfide (H_2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the USEPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The USEPA has established NAAQS for six criteria pollutants (all of which are also regulated by the CAAQS): CO, lead, NO_2, ozone, PM_{10} and $PM_{2.5}$, and SO_2.

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

SLOAPCD Thresholds

The SLOAPCD has developed and updated the 2012 *CEQA Air Quality Handbook* (SLOAPCD 2012), which was most recently updated with a 2023 Administrative Update (SLOAPCD 2023a), to help local agencies evaluate project-specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

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

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

Table 1. SLOAPCD Thresholds of Significance for Construction Activities

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

[1] Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.

[2] Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM_{10} quarterly threshold.

The SLOAPCD CEQA Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. Table 2 lists the SLOAPCD's screening emission rates that would be generated based on the amount of material to be moved. The SLOAPCD CEQA Handbook also clarifies that any project that would require grading of 4 acres or more can exceed the 2.5-ton PM_{10} quarterly threshold (see Table 1).

Table 2. Screening Emission Rates for Construction Activities

Pollutant	Grams/Cubic Yard of Material Moved	Pounds/Cubic Yard of Material Moved
Diesel Particulate Matter (Diesel PM)	2.2	0.0049
Reactive Organic Gases (ROG)	9.2	0.0203
Nitrogen Oxides (NO_X)	42.4	0.0935
Fugitive Particulate Matter (PM_{10})	0.75 tons/acre/month of construction activity (assuming 22 days of construction per month)	

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 (source emissions).

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

Air Quality Monitoring

The county's air quality is measured by a total of 10 ambient air quality monitoring stations, and pollutant levels are measured continuously and averaged each hour, 24 hours a day. The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to federal and state air quality standards. These standards represent allowable atmospheric containment concentrations at which the public health and welfare are protected and include a factor of safety. The SLOAPCD prepares an Annual Air Quality Report detailing information on air quality monitoring and pollutant trends in the county. The most recent Annual Air Quality Report was released in 2022 (SLOAPCD 2022).

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

2001 Clean Air Plan San Luis Obispo County

The SLOAPCD's *2001 Clean Air Plan San Luis Obispo County* (2001 CAP) is a comprehensive planning document intended to evaluate long-term air pollutant emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM_{10} (SLOAPCD 2001). The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by CARB. Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. The project site is not located in an area with potential for NOA (SLOAPCD 2023b).

Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. There are no on-site existing sensitive receptors. The nearest off-site sensitive receptors are single-family residences located adjacent to the eastern and western property lines of the project site.

Discussion

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

In order to be considered consistent with the 2001 CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the 2001 CAP (SLOAPCD 2001). Adopted land use planning strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land uses, and balancing jobs and housing. The project includes infill development of a new single-family residence within the RSF zone. Based on the Estero Area Plan, the average household size in the community of Los Osos is 2.44 persons per occupied dwelling unit; therefore, development of one new single-family residence would result in a population increase of approximately three residents (County of San Luis Obispo 2009). Additionally, the project does not include the development of new land uses that would generate employment opportunities within the area. Therefore, the project would not result in a substantial increase in population or employment and would not generate a significant increase in vehicle trips due to the low-density nature of the proposed project. Operation of the proposed project would not conflict with or obstruct implementation of the 2001 CAP or other applicable regional and local planning documents. Therefore, impacts would be *less than significant.*

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

San Luis Obispo County is currently designated as non-attainment for ozone and PM_{10} under the CAAQS (CARB 2022).

Construction Emissions

Construction activities associated with the construction of the proposed project would result in the generation of criteria air pollutants, including ozone precursors (ROG and NO_X) and fugitive dust. Fugitive dust emissions would result from grading operations and ROG and NO_X emissions would result from the use of large diesel-fueled equipment, including scrapers, loaders, bulldozers, haul

trucks, compressors, and generators. Project grading would result in approximately 0.29 acre (12,632 square feet) of ground disturbance, including 540 cubic yards of cut and 220 cubic yards of fill.

The SLOAPCD CEQA Handbook provides thresholds of significance for construction-related emissions, as well as preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. The SLOAPCD CEQA Handbook clarifies that any project that would require grading of 4 acres or more has the potential to exceed the 2.5-ton PM_{10} quarterly threshold (see Table 1). Table 3 shows the project's estimated construction-related emissions in comparison to SLOAPCD thresholds.

Table 3. Proposed Project Estimated Construction Emissions

Pollutant	Screening Emission Rate (pounds/cubic yard)	Total Estimated Emissions	Threshold Quarterly	Threshold Exceeded?
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_X)	0.1138	86.49 pounds	2.5 tons	No
Diesel Particulate Matter (Diesel PM)	0.0049	3.72 pounds	0.13 tons	No

Based on the construction emission estimates above, the project would not exceed SLOAPCD construction emissions thresholds for ROG + NO_X or diesel PM. In addition, the project would only require 0.29 acre of ground disturbance for construction of the proposed single-family residence and associated site improvements and would not exceed SLOPCD's 4-acre threshold for PM_{10}.

Operational Emissions

The project includes infill development of a new single-family residence within the RSF zone. Based on the Estero Area Plan, the average household size in the community of Los Osos is 2.44 persons per occupied dwelling unit; therefore, development of one new single-family residence would result in a population increase of approximately three residents (County of San Luis Obispo 2009). Based on the limited scale of the proposed development, implementation of the project would not result in a substantial increase in population or employment and would not generate a significant increase in vehicle trips. The proposed driveway would be constructed with an aggregate base and would not generate long-term dust emissions. Installation of any wood burning devices (i.e., wood stoves, fireplaces) would be required to be certified by the USEPA "Step 2" New Source Performance Standard and comply with APCD Rule 504 to be eligible for installation in new dwelling units. Based on the limited size and scope of the proposed project, the project would not include components that could result in substantial long-term pollutant concentrations in a manner that would exceed SLOAPCD thresholds. Therefore, the proposed project would not result in a cumulatively considerable net increase in identified criteria pollutants, and operational impacts would be *less than significant.*

(c) Expose sensitive receptors to substantial pollutant concentrations?

According to the SLOAPCD CEQA Handbook, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions (SLOAPCD

2012). The nearest off-site sensitive receptors are single-family residences located adjacent to the eastern and western property lines of the project site. There are additional off-site residential units located within 1,000 feet in all directions of the project site. As evaluated above, the project would not result in construction-related or operational criteria air pollutant emissions above established SLOAPCD thresholds; however, due to the close proximity of sensitive receptor locations, Mitigation Measures AQ-1 and AQ-2 have been identified to ensure compliance with SLOAPCD diesel idling restrictions and fugitive dust reduction measures intended to reduce exposure of diesel PM and fugitive dust to sensitive receptor locations. With implementation of Mitigation Measures AQ-1 and AQ-2, the project would not expose sensitive receptors to substantial pollutant concentrations; therefore, impacts 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?

Typically, 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.

Future residential uses 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 primarily undetectable.

According to the SLOAPCD NOA Map, the project site is not located in an area with known NOA (SLOAPCD 2023b). The project does not require demolition that could inadvertently release asbestos-containing material (ACM), lead paint, or other hazardous materials and contaminants. Further, the project does not require the import of fill materials that could introduce other potential contaminants to the project site. The project is not anticipated to result in other adverse emissions or odors; therefore, impacts would be *less than significant*.

Conclusion

The proposed project would result in limited short-term construction emissions. The project site is not located in an area that has known NOA and would not result in the demolition of buildings that could inadvertently release ACM. Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce impacts of construction emissions near sensitive receptors. Therefore, with implementation of Mitigation Measures AQ-1 and AQ-2, impacts would be less than significant.

Mitigation

AQ-1 **Diesel Idling Restrictions for Construction Phases.** The APCD recognizes the public health risk reductions that can be realized by idle limitations for both on- and off-road equipment. The following idle restricting measures are required for the construction phase of projects. **Upon application for construction and/or encroachment permits**, all required measures shall be shown on applicable grading or construction plans and made applicable during grading and construction activities, as described below.

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
    a. Staging and queuing areas shall be located at the greatest distance feasible from sensitive receptor locations;
    b. Diesel idling when equipment is not in use shall not be permitted;

c. Alternative-fueled equipment shall be used whenever possible; and
d. Signs that specify the no-idling requirements shall be posted and enforced at the construction site.

2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with 13 California Code of Regulations (CCR) 2485. 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:
    a. Shall not idle the vehicle's primary diesel engine when vehicle is not in use, except as noted in Subsection (d) of the regulation; and
    b. Shall not operate a diesel-fueled auxiliary power system (APS) 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 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the no-idling requirement. The specific requirements and exceptions in the regulation can be reviewed at the following website: https://ww2.arb.ca.gov/sites/default/files/classic/msprog/truck-idling/13ccr2485_09022016.pdf.

AQ-2 **At the time of application for grading and construction permits** for initial site improvements and future residential development, the following measures shall be provided on project grading and construction plans and shall be implemented throughout the duration of project grading and construction activities to manage fugitive dust emissions such that they do not exceed the San Luis Obispo County Air Pollution Control District (SLOAPCD) 20% opacity limit (SLOAPCD Rule 401) and minimize nuisance (SLOAPCD Rule 402) impacts:

1. The amount of the disturbed area shall be reduced where possible;
2. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water shall be used whenever possible. When drought conditions exist and water use is a concern, 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. Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm;
3. All dirt stockpile areas shall be sprayed daily and covered with tarps or other dust barriers 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, soil binders, or other dust controls are used;
5. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code Section 23114;
6. "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 California Vehicle Code Section 23113 and California Water Code 13304. To prevent track out, access points shall be designated, and all employees, subcontractors, and others shall be required to use them. A "track-out prevention device" shall be installed and operated 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;
7. All fugitive dust mitigation measures shall be shown on grading and building plans;
8. 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 SLOAPCD'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 SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition (Contact the Compliance Division at 805-781-5912).
9. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities;
10. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast-germinating, non-invasive grass seed and watered until vegetation is established;
11. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD;
12. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;
13. 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; and

14. Additional measures shall be taken as needed to ensure dust from the project site is not impacting areas outside the project boundary.

Initial Study – Environmental Checklist

V. 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?	☐	☒	☐	☐

Initial Study – Environmental Checklist

Setting

The following setting information and evaluation is based, in part, on the Biological Resources Assessment (BRA; Ecological Assets Management, LLC [EAM] 2022) and Floristic Inventory and Rare Plant Survey Botanical Resources Report (Sage Institute, 2015) prepared for the project.

Federal and State Endangered Species Acts

The Federal Endangered Species Act (FESA) of 1973 provides legislation to protect federally listed plant and animal species. The California Endangered Species Act (CESA) of 1984 ensures legal protection for plants listed as rare or endangered and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the California Department of Fish and Wildlife (CDFW) has the authority to review projects for their potential to impact special-status species and their habitats.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

Clean Water Act and Porter-Cologne Water Quality Control Act

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland waterbodies that meet specific criteria. USACE jurisdiction regulates almost all work in, over, and under waters listed as “navigable waters of the U.S.” that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under Section 404, the USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the state. Based on the USFWS National Wetlands Inventory (NWI), the project site does not support wetlands, riparian, or deep-water habitats (USFWS 2023).

County of San Luis Obispo General Plan Conservation and Open Space Element

The intent of the goals, policies, and implementation strategies in the County COSE is to identify and protect biological resources that are a critical component of the county’s environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems and migration patterns must be considered together in order

to sustain biological resources. The County COSE identifies Critical Habitat areas for sensitive species, including La Graciosa thistle (*Cirsium loncholepis*), California condor (*Gymnogyps californianus*), California red-legged frog (*Rana draytonii*), vernal pool fairy shrimp (*Branchinecta lynchi*), Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*), Morro shoulderband snail (MSS) (*Helminthoglypta walkeriana*), California tiger salamander (*Ambystoma californiense*), and western snowy plover (*Charadrius nivosus nivosus*). The County COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines.

Sensitive Resource Area and Environmentally Sensitive Habitat Area Designations

The County CZLUO SRA combining designation identifies areas of San Luis Obispo County with special environmental qualities, or areas containing unique, sensitive, or endangered vegetation or habitat resources. The County CZLUO establishes specific standards for all uses requiring a land use permit that are located within an SRA combining designation. These standards include requirements for initial submittal of the land use permit application, application content, environmental determination, final permit requirements and processing, required findings, and minimum site design and development standards (County CZLUO 23.07.162, 23.07.164, and 23.07.166). These design and development standards include the prohibition of surface mining on-site; setback distances on ocean, lake, and streambank shoreline development; prevention of degradation of lakes, ponds, wetlands, or perennial watercourses; setback distances from geological features visible from off-site; and prevention of disturbance of specific vegetation when the SRA designation is applied because of its presence.

The County CZLUO also includes special provisions for any development proposed within or adjacent to an Environmentally Sensitive Habitat Area (ESHA). The California Coastal Act defines an ESHA as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (County CZLUO 23.07170).

Los Osos Communitywide Habitat Conservation Plan and Incidental Take Permit

The County has adopted the communitywide *Los Osos Habitat Conservation Plan* (LOHCP). The purpose of the LOHCP is to "authorize the covered activities while conserving the covered species and their habitats. Implementation of a programmatic, multi-species Habitat Conservation Plan, rather than a species-by-species or project-by-project approach, will maximize the benefits of conservation measures for covered species and eliminate potentially expensive and time-consuming efforts associated with processing individual incidental take permits for each project within the proposed Habitat Conservation Plan area" (County of San Luis Obispo 2023b).

As part of the LOHCP and Incidental Take Permit (ITP) coverage, the County is required to mitigate the effects of the covered activities on the covered species through implementation of the LOHCP conservation program—a comprehensive program designed to avoid, minimize, and mitigate the impacts of the covered activities to the maximum extent practicable.

Participation in the LOHCP is voluntary and projects resulting in ground disturbance have other options for compliance with federal, state, and local permitting requirements that are addressed through this plan. The Implementing Entity has the ability to extend take coverage to proponents of eligible projects once the initial habitat management project has achieved the performance criteria established in the LOHCP Adaptive Management and Monitoring Plan (County of San Luis Obispo 2023b).

The project site is located outside of the boundaries of critical habitat units for MSS designated on February 7, 2001. The closest critical habitat unit for MSS is Unit 1, located directly west of the project site. The project site is currently undeveloped, but there is an informal pedestrian hiking trail which bisects the site and is heavily utilized by pedestrians and dog-walkers. The project site consists of a moderate slope between 9% and 15% downward from south to north and is dominated veldt grass (*Ehrharta calycina*) and bare sand with sparse shrubbery consisting of primarily of chamise (*Adenostoma fasciculatum*) and buckbrush (*Ceanothus cuneatus*). The western portion of the project site is contiguous with the undeveloped parcels to the south and west that are dominated by coastal scrub habitat and provide suitable native habitat for MSS. In addition, MSS has been documented on a parcel approximately 500 feet to the north located at 216 Madera Street (APN 074-483-013) (EAM 2022).

Protocol surveys for MSS were conducted during protocol conditions on November 30, December 11, and 12, 2014, as well as on January 27 and February 2015. Habitat assessments were conducted to assess if native or non-native habitats suitable for MSS are present. During the surveys, three empty MSS shells were observed. One empty MSS shell was found in the middle of the parcel in a clump of veldt grass. Another empty MSS shell was found in the northwestern portion of the parcel under a buckbrush. The last empty MSS shell was found in the northeastern portion of the parcel on the northfacing slope. No live MSS were observed during the five protocol surveys (EAM 2022).

Special-Status Species

The BRA includes the results of a desktop-level background review and multiple field surveys. Background review conducted for the project included a query of the CDFW California Natural Diversity Database (CNDDB), the USFWS Information for Planning and Conservation (IPaC), the CalFlora online database, and other applicable databases. A total of four field surveys for the project were conducted between March and November 2021.

Based on a six-quadrangle search of the CNDDB and conditions observed at the project site, the following 18 special-status plant and four special-status wildlife species have the potential to occur at the project site:

Special-Status Plants

- Arroyo de la Cruz manzanita *(Arctostaphylos cruzensis)*
- Morro manzanita *(Arctostaphylos morroensis)*
- Hardham's evening-primrose *(Camissoniopsis hardhamiae)*
- Lompoc ceanothus *(Ceanothus cuneatus* var. *fascicularis)*
- San Luis Obispo ceanothus *(Ceanothus thyrsiflorus* var. *obispoensis)*
- Straight-awned spineflower *(Chorizanthe rectispina)*
- Popcorn lichen *(Cladonia firma)*
- Dune larkspur *(Delphinium parryi* ssp. *blochmaniae)*
- Blochman's leafy daisy *(Erigeron blochmaniae)*
- Saint's daisy *(Erigeron sanctarum)*
- Indian Knob mountainbalm *(Eriodictyon altissimum)*
- San Luis Obispo wallflower *(Erysimum capitatum* var. *lompocense)*

- Suffrutescent wallflower *(Erysimum suffrutescens)*
- Mesa horkelia *(Horkelia cuneata* var. *puberula)*
- Kellogg's horkelia *(Horkelia cuneata* var. *sericea)*
- Southern curly-leaved monardella *(Monardella sinuata* ssp. *sinuata)*
- San Luis Obispo monardella *(Monardella frutescens)*
- Sand almond *(Prunus fasciculata* var. *punctata)*

During the three focused botanical surveys conducted between March and May 2021, a single Kellogg's horkelia (*Horkelia cuneata* var. *sericea*) was observed at the project site (EAM 2022).

Special-Status Wildlife

- Obscure bumble bee *(Bombus caliginosus)*
- Morro shoulderband snail (*Helminthoglypta walkeriana*)
- Northern California legless lizard (*Anniella pulchra*)
- Coast horned lizard (*Phrynosoma blainvillii*)
- Migratory Nesting Birds

Other than the identified presence of MSS in 2014 and 2015, no other special-status wildlife species were documented at the project site during the focused biological resources surveys (EAM 2022).

Project Site Setting

The project site is currently undeveloped but there is an active informal pedestrian hiking that bisects the site from north to south and connects to Montaña de Oro State Park. The project site consists of moderately sloping topography and is dominated by veldt grass, bare sand, and sparse non-native vegetation. There are no surface water features or drainages located within the project area. In addition, a review of the CNDDB did not identify any sensitive natural communities on-site (EAM 2022).

Discussion

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

Special-Status Plants

Kellogg's Horkelia

During the focused botanical resources survey, a single Kellogg's horkelia was observed during the within the central southern portion of the project site. Kellogg's horkelia is a perennial herb in the rosacaea family (rose family) that occurs in chaparral, cismontane woodlands, and coastal scrub across southern and central California (Calflora 2024). Kellogg's horkelia is a CNPS Rank 1B.1 species and prefers to grow in sandy or gravely sites between the elevations of 70- to 810-meters (230- to 2650-feet) above sea level. Kellogg's horkelia typically flowers during the months of April through September (EAM 2022).

Based on the results of the focused botanical resources surveys, and the presence of a single Kellogg's horkelia, the proposed project will impact this special-status plant species. Due to the location of the single horkelia within the proposed project footprint, direct impacts to this individual will occur. This species has been successfully transplanted within Los Osos. Mitigation Measure BIO-3 will mitigate impacts to Kellogg's horkelia by requiring replanting in a protected area on the subject parcel or within a different protected area within close proximity. With implementation of this measure, impacts would be less than significant with mitigation.

Special-Status Wildlife

Proposed construction activities have the potential to result in direct (i.e., take) or indirect (e.g., noise, dust, light pollution) disturbance to special-status wildlife species if present within the project area during project construction. As identified above, there is potential for MSS, Northern California legless lizard, coast-horned lizard, and migratory birds to occur within the project area. During focused biological resources surveys conducted at the project site, only MSS was observed on-site (EAM 2022).

The following special-status wildlife species were identified by CNDDB as having the potential to occur in the region.

Morro Shoulderband Snail

Based on five MSS surveys conducted at the project site, three empty MSS shells were observed. The first empty MSS shell was found in the center of the project site, the second in the northwestern portion, and the third in the northeastern portion. The presence of MSS has also been demonstrated nearby at 216 Madera Street (APN 074-483-013), where four live MSS were found during pre-construction surveys (EAM 2022). Based on the presence of MSS on the project site and the surrounding area, implementation of the proposed project would have the potential to result in direct impacts to this species and habitat. Mitigation Measures BIO-1, BIO-2, and BIO-4 have been identified to reduce impacts to MSS through participation in the LOHCP. Implementation of Mitigation Measures BIO-1, BIO-2, and BIO-4 would reduce impacts to MSS; therefore, impacts would be *less than significant with mitigation*.

Special-Status Reptiles

Although no special-status reptiles were observed on-site during reconnaissance-level field surveys, the project site supports suitable habitat for Northern California legless lizard and coast-horned lizard and there are known occurrences of these species within the project region. If special-status reptile species are present within the project area, proposed ground-disturbing activities may result in direct disturbance to these species. Therefore, Mitigation Measures BIO-1, BIO-2, and BIO-5 have been identified to avoid impacts to Northern California legless lizard and coast horned lizard through preconstruction surveys and biological monitoring. With implementation of Mitigation Measures BIO-1, BIO-2, and BIO-5, the project would not result in adverse impacts to special-status reptile species; therefore, impacts would be *less than significant with mitigation*.

Migratory Birds

Suitable nesting habitat for numerous native and migratory birds is present throughout and adjacent to the Subject Parcel, including within the project site. If migratory bird species are present within the project area, removal of the grassland habitat and individual shrubs may result in direct

disturbance and short-term construction-related noise and dust may result in indirect disturbance to nesting migratory bird species. Mitigation Measures BIO-1, BIO-2, and BIO-6 have been included to require nesting bird surveys prior to the start of construction activities if construction activities occur during the recognized breeding season (February 1–August 15). If nesting birds are identified during preconstruction surveys, Mitigation Measure BIO-6 also includes appropriate avoidance measures. Therefore, impacts would be *less than significant with mitigation*.

Based on the analysis provided above, potential impacts associated with substantial adverse effects on special-status species or their habitats would be *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 project site is dominated by veldt grass, bare sand, and sparse non-native vegetation (EAM 2022). The project site does not support riparian vegetation or other sensitive natural communities; therefore, the project would not have a substantial adverse effect on any sensitive natural community and *no impact* would occur.

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

According to the USFWS NWI Mapper, there are no mapped blue line creeks or wetland features within or adjacent to the project site (USFWS 2023). Therefore, implementation of the project would not result in direct disturbance to potential wetland areas. Based on the absence of wetlands within the project site, the project would not result in disturbance to any state or federally protected wetlands, and *no impact* would occur.

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

The project includes infill development of a single-family residence and is surrounded by single-family residences to the east and west and undeveloped land to the south. Although there are undeveloped areas located within the project area, the project site is not located within or adjacent to wildlife corridors or aquatic resources that could facilitate the movement of migratory fish or wildlife through the project site (EAM 2022). The project would plant five new Monterey pine trees, which would provide long-term habitat for nesting migratory birds at the project site. Therefore, the project would not impede the movement of migratory species through the project site, and impacts would be *less than significant*.

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

The project does not require any tree removal; therefore, the project would not conflict with local policies or ordinances pertaining to oak tree removal. The proposed area of disturbance does not support other sensitive natural resources (i.e., wetlands, streams, etc.) that are protected by local policies and plans. Mitigation Measures BIO-1 through BIO-6 have been identified to avoid and/or minimize potential impacts to special-status wildlife species, which is consistent with local plans and policies to protect wildlife and their habitats. With implementation of Mitigation Measures BIO-1

through BIO-6, the project would not result in a conflict with local policies or ordinances protecting biological resources; therefore, impacts would be *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 County adopted the LOHCP to streamline the permitting of certain future activities by providing a program for the protection and enhancement of habitat for listed species that could be negatively impacted by such activities. The County received a programmatic ITP from USFWS in February 2024 for a term of 25 years to authorize take of covered species associated with covered activities in the LOHCP area. Covered activities within the LOHCP include commercial and residential development and redevelopment of previously owned parcels; public entity and private utility facility and infrastructure projects; public entity and private utility company activities to operate, maintain, and repair existing facilities; and activities conducted to implement the LOHCP conservation strategy. According to the County, the LOHCP will facilitate a streamlined permitting process and also provide a cohesive conservation strategy managed by one entity with a single funding source.

Participation in the LOHCP is voluntary and projects resulting in ground disturbance have other options for compliance with the federal, state, and local permitting requirements that are addressed through the LOHCP. The proposed project is a covered activity in the LOHCP and the project intends to participate in the LOHCP. Based on five MSS surveys conducted at the project site, three empty MSS shells were observed (EAM 2022). Mitigation Measures BIO-1, BIO-2, and BIO-4 have been identified to reduce impacts to MSS through participation in the LOHCP. With implementation of Mitigation Measures BIO-1, BIO-2, and BIO-4, the project would not conflict with an existing HCP; therefore, impacts would be *less than significant with mitigation*.

Conclusion

Implementation of Mitigation Measures BIO-1 through BIO-6 would avoid or minimize potential impacts to biological resources within the project area and ensure with local plans and policies protecting biological resources. Therefore, with implementation of the identified mitigation, potential impacts to biological resources would be less than significant.

Mitigation

BIO-1 **Biological Monitor.** Prior to ground disturbance, the applicant shall retain a qualified biologist for all measures requiring environmental mitigation to ensure compliance with the coastal development permit measures. The biologist shall be responsible for: (1) ensuring that procedures for verifying compliance with environmental mitigations are implemented; (2) establishing lines of communication and reporting methods; (3) conducting compliance reporting; (4) conducting construction crew training regarding environmentally sensitive areas and protected species; (5) maintaining authority to stop work; and (6) outlining actions to be taken in the event of non-compliance. Monitoring shall be conducted full time during the initial disturbances (site clearing) and be reduced to every other week following initial disturbances or a frequency and duration determined by the qualified biologist in consultation with the County of San Luis Obispo and the US Fish and Wildlife Service.

BIO-2 **Environmental Awareness Training.** Prior to the commencement of site grading, a US Fish and Wildlife Service-approved biologist with demonstrable knowledge and experience with Morro shoulderband snail and its habitat will conduct a preconstruction environmental

awareness training session for all construction personnel involved in site disturbance. The training is intended to inform the construction crews, field supervisors, and equipment operators about the status and presence of the Morro shoulderband snail and other special-status species that occur in the project area, including California legless lizard, coast horned lizard, and nesting birds. Topics of discussion shall include descriptions of the species' habitats; general provisions and protections afforded by the Federal Endangered Species Act and the California Environmental Quality Act; measures implemented to protect special-status species; review of the project boundaries and special conditions; the monitor's role in project activities; lines of communication; and procedures to be implemented in the event a special-status species is observed in the work area.

BIO-3 **Kellogg's horkelia:** Prior to the start of site preparation or any construction activities, all Kellogg's horkelia located within the proposed project disturbance area shall be transplanted to a protected area on the project site or at a suitable off-site location that contains suitable soils and habitat. The replanting shall be done by a qualified biologist and be conducted in early winter (late November to December) when winter rains have commenced. All replanting shall be done in undisturbed native topsoil, and to ensure success, all transplanted Kellogg's horkelia should be hand watered once weekly for the first twelve (12) weeks to increase survival. Additionally, the biologist shall identify a program schedule and established success criteria for a 5-year maintenance, monitoring, and reporting program that is structured to ensure the success of the transplanted individuals.

BIO-4 **Los Osos Habitat Conservation Plan.** The project shall comply with the County of San Luis Obispo ("County") Los Osos Habitat Conservation Plan ("LOHCP") and community-wide Incidental Take Permit ("ITP") for Los Osos (Effective Date: February 15, 2024). Prior to building permit issuance, the project proponent shall secure a Certificate of Inclusion ("COI") from the County for incidental take coverage under the ITP. The project proponent shall comply with the terms of the COI and ITP, which includes compliance with the LOHCP. If the County finds that the project proponent is out of compliance with the terms of the LOHCP, ITP, or COI, the County has the authority to revoke the COI and issue an immediate stop-work order until the violation is resolved as set forth under LOHCP. Without a valid COI in effect, all work relating to the project shall cease immediately. In accordance with the LOHCP Stay-Ahead Provision, the County can only issue a COI when sufficient mitigation credits have been accrued and are available for an activity covered by the LOHCP. The County accrues mitigation credits through implementation of the LOHCP (i.e., habitat protection, restoration, and management). The amount of mitigation credits accrued is based on area of habitat benefits achieved through LOHCP implementation.

BIO-5 **Northern Legless Lizard and Coast Horned Lizard Impact Avoidance.** No more than 3 days prior to initiation of ground-disturbing activities, all areas of the project footprint, including under shrubs, shall be surveyed by a qualified biologist. Any individuals found shall be relocated to an area on the parcel consisting of appropriate habitat at least 50 feet outside the project development footprint. A qualified biologist shall monitor all initial vegetation-clearing and ground-disturbing activities in areas of suitable habitat to capture and relocate individuals to an area on the parcel consisting of appropriate habitat at least 50 feet outside the project development footprint.

BIO-6 **Nesting Bird Impact Avoidance and Protection.** To the maximum extent possible, site preparation, ground-disturbing, and construction activities should be conducted outside of the migratory bird breeding season (February 1–September 15). If such activities are required during this period, the applicant shall retain a County of San Luis Obispo-approved biologist to conduct a nesting bird survey and determine if migratory birds are occupying the site **within 14 days prior to vegetation removal or construction**. The surveys shall be conducted within 500 feet of construction areas. If nesting activity is detected, the following measures shall be implemented:

1. If feasible, vegetation removal activities should be scheduled to occur outside the nesting season (February 1–September 15). No surveys for nesting birds shall be required for project activities occurring between September 16 and January 31.
2. For project-related activities that occur during the nesting season (February 1–September 15), a nesting bird survey shall be conducted by a qualified biologist at least 14 days prior to vegetation removal for each phase of the project. The surveys shall be conducted within all accessible areas within 500 feet of the work area.
3. If nests are located during any survey, all project-related activities shall be avoided within the following buffer zones: 50 feet for non-raptor species and 500 feet for all active raptor nests. Buffer areas shall be closed to all construction personnel and equipment until a qualified biologist has determined nesting has ended and the young have fledged the nest and the nest is no longer active.

VI. 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 9000 B.C. The County protects and manages cultural resources in accordance with the provisions detailed by CEQA and local ordinances. PRC Section 5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for California Register of Historical Resources (CRHR) eligibility. The purpose of the CRHR is to maintain listings of the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change.

As defined by CEQA, a historical resource includes:

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

The County 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. According to the County's Land Use View, the project site is not located in an Archaeologically Sensitive Area.

In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 requires that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98.

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A Phase I Cultural Resources Inventory was prepared by Bertrando & Bertrando Research Consultants (Bertrando & Bertrando) for the proposed project to determine the presence and the likelihood of presence of cultural resources within the project area (Bertrando & Bertrando 2015). The Phase I Cultural Resources Inventory includes the results and findings of background review and a Phase 1 archeological surface investigation of the project area. A records search was conducted at the Central Coast Information Center (CCIC) located at the University of California, Santa Barbara to identify any previously recorded cultural resources within the project area. The records search was negative for previously recorded resources. A field investigation was conducted within the project area on February 21, 2015, and no cultural resources or evidence of cultural resources were observed (Bertrando & Bertrando 2015).

Discussion

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

The project site is currently undeveloped and does not contain any historic artifacts (Bertrando & Bertrando 2015). In addition, the project would not require the removal or modification of any buildings or structures adjacent to the project site. Therefore, the project would not result in an adverse change in the significance of a historical resource and *no impacts* would occur.

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

The project would require approximately 0.29 acre (12,632 square feet) of ground disturbance, including 540 cubic yards of cut and 220 cubic yards of fill on an undeveloped parcel. According to the County's Land Use View, the project site is not located in an Archaeologically Sensitive Area and is surrounded by existing residential development and associated infrastructure; therefore, the likelihood to encounter previously unknown cultural resources during ground-disturbing activities is low.

Additionally, a records search of the site files from the Regional Archaeological Information Center in Santa Barbara was conducted in order to determine whether any previously recorded cultural resources have been recorded on or near the project area. The records search did not identify any known previously recorded archaeological resources within the project area. A surface survey of the project site was conducted, and no visible surface archaeological resources were found. Based on the results of the Phase I Cultural Resources Inventory prepared for the project, there are no known cultural archaeological resources within the project area and the site has low potential for subsurface resources (Bertrando & Bertrando 2015).

Because there are no known archaeological resources within the project area, implementation of the project would not be anticipated to result in adverse change to known archaeological resources. However, there is still some potential for inadvertent discovery of unknown cultural resources if present within the proposed work area. In the unlikely event that unknown cultural resources are encountered during construction activities, the project would be required to comply with CZULO Section 23.05.140 (Archaeological Resources Discovery), which requires work be stopped, the County be notified, and the discovery evaluated by an archaeologist. Based on required compliance with CZULO Section 23.05.140, the project would not result in an adverse change in the significance of an archaeological resource; therefore, impacts would be *less than significant*.

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

Based on existing site conditions, project activities are not expected to uncover or disturb any known or unknown human remains. In the event of an accidental discovery or recognition of any human remains, California Health and Safety Code Section 7050.5 and County CZLUO Section 23.05.140 (Archaeological Resources Discovery) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. Based on adherence to California Health and Safety Code Section 7050.5 and County CZLUO Section 23.05.140, the project would not disturb human remains; therefore, impacts would be *less than significant.*

Conclusion

The project does not require removal or modification of any buildings or structures that may qualify as a historical resource. Based on the low archaeological sensitivity of the project site and required compliance with County CZLUO Section 23.05.140 and California Health and Safety Code Section 7050.5, the project would not result in an adverse change in the significance of archaeological or human resources. Therefore, impacts related to cultural resources would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

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VII. 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

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the San Luis Obispo County. PG&E utilizes clean energy sources, including 46% renewable energy sources and 49% GHG-free energy sources (PG&E 2022).

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 through 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 (SoCalGas 2023).

Local Energy Plans and Policies

The County 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 of San Luis Obispo EnergyWise Plan* (County 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 (County of San Luis Obispo 2011).

State Building Code Requirements

The 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 is referred to as the *2023 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential PV systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements. 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 USEPA and the National Highway Traffic Safety Administration (NHSTA), on behalf of the U.S. Department of Transportation (USDOT), 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.

In January 2017, USEPA Administrator Gina McCarthy signed a Final Determination to maintain the current GHG emissions standards for the model year 2022–2025 vehicles. However, on March 15, 2017, USEPA Administrator Scott Pruitt and USDOT Secretary Elaine Chao announced that the USEPA intends to reconsider the Final Determination. On April 2, 2018, USEPA Administrator Pruitt officially withdrew the January 2017 Final Determination, citing information that suggests that these current standards may be too stringent due to changes in key assumptions since the January 2017 Determination. According to the USEPA, these key assumptions include gasoline prices and overly optimistic consumer acceptance of advanced technology vehicles. The April 2nd notice is not USEPA's final agency action, and the USEPA intends to initiate rulemaking to adopt new standards. Until that rulemaking has been completed, the current standards remain in effect.

As part California's overall approach to reducing pollution from all vehicles, 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 GHG emissions 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 requires a battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15% of California's new vehicle sales by 2025. 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% fewer global warming gases and 75% 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 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 NO_X and particulate matter 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?

Construction activities for the proposed project would require the use of energy in the form of electricity, diesel fuel, and gasoline for worker and construction vehicles and equipment. The project would require limited construction activities and would be subject to state and local diesel idling restrictions and other equipment standards. Therefore, construction is not anticipated to result in wasteful, inefficient, or unnecessary consumption of energy resources. Further, Mitigation Measure AQ-1 has been included in Section III, *Air Quality*, to reduce diesel idling near sensitive receptors, which would further reduce the potential for wasteful, inefficient, or unnecessary consumption of energy resources.

Implementation of the proposed project would result in a new approximately 3,452-square-foot single-family residence with an attached 1,202-square-foot garage, 424-square-foot storage space, a 504-square-foot unconditioned art studio that would be subject to green building and CBC standards. The project would be provided electricity from PG&E, which sources 46% of electricity from renewable resources and 49% of electricity from GHG-free resources (PG&E 2022). Based on required compliance with green building standards and use of electricity from GHG-free resources, operation of the project is not anticipated to result in environmental impacts due to wasteful or otherwise inefficient use of energy during project construction or operation; therefore, impacts would be *less than significant*.

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

In order to comply with the County COSE and County EWP, the project would be required to reduce GHG emissions where feasible in energy consumption. The project would be provided electricity from PG&E, which sources 46% of electricity from renewable resources and 49% of electricity from GHG-free resources (PG&E 2022). By utilizing PG&E for electricity, 95% of the project's electricity demand would be sourced from GHG-free energy sources. The project would also comply with CBC 2023 Building Energy Efficiency Standards and the 2023 Green Building Code and is not anticipated to result in wasteful use of energy. Therefore, the project would comply with applicable energy efficiency plans, and impacts would be *less than significant*.

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Conclusion

The project would not result in a wasteful, inefficient, or unnecessary consumption of energy resources during short-term construction or long-term operation and would not conflict with state or local renewable energy or energy efficiency plans. Therefore, potential impacts related to energy would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

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VIII. 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?	☐	☐	☒	☐

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

Setting

The following setting information and evaluation is based, in part, on the Shallow Percolation Testing Report and the Soils Engineering Report prepared for the project (GeoSolutions 2021a, 2021b).

The Alquist-Priolo Earthquake Fault Zoning Act is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The act identifies active earthquake fault zones and restricts building habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region (CDOC 2015). The *County of San Luis Obispo General Plan Safety Element* (County Safety Element) identifies three active faults that traverse through the county and are currently zoned under the act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon Fault system generally consists of two fault zones: the Hosgri Fault zone that is mapped off the San Luis Obispo County coast and the San Simeon Fault zone, which appears to be associated with the Hosgri, and comes onshore near the pier at San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The County Safety Element establishes policies that require new development to be located away from active and potentially active faults, that the County enforce applicable building codes relating to seismic design of structures, and that the County require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code.

The community of Los Osos is underlain by the Los Osos Fault zone. In addition, the Cambria fault zone is located approximately 5.5 miles northeast, the Edna fault zone is located approximately 6 miles southeast, and the San Miguelito fault zone is located approximately 7 miles south of the project site (CDOC 2015).

The County CZLUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. All land use permit applications for projects located within a GSA shall include a report prepared by a certified engineering geologist and/or registered civil/soils engineer, as appropriate. This report shall then be evaluated by a geologist retained by the County who is registered in California. In addition, all uses within a GSA are subject to special standards regarding grading, distance from an active fault trace within an Earthquake Fault Zone, and erosion and geologic stability (County CZLUO Section 23.07.080). The project site is not within the GSA combining designation.

Ground shaking refers to the motion that occurs in response to local and regional earthquakes. Ground shaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The CBC

currently requires structures to be designed to resist a minimum seismic force resulting from ground motion.

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from ground shaking during an earthquake. Liquefaction potential increases with earthquake magnitude and ground shaking 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. Based on the County Safety Element Maps, the project site is in an area with low potential for liquefaction.

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

The classification of expansive soils relates to the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads, and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. The project site is underlain by Baywood Fine Sand, 9 to 15 percent slopes, which is comprised of sand (NRCS 2023). As such, soils at the project site have negligible potential for expansion.

The County COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils. The soil found at the project site consists of alluvial soil and is underlain by superficial sediments. The surface and sub-surface soil generally consist of light to dark yellowish brown poorly graded sand in a slightly moist to moist and medium dense condition (GeoSolutions 2021a).

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 community of Los Osos, including the project site, is underlain by the Los Osos Fault zone, which is a seismically active fault (CDOC 2015). The project would be required to comply with the most recent CBC and other engineering practices and standards to adequately withstand and minimize the risk associated with the level of seismic ground shaking expected to occur in the project region. Although there is potential for fault rupture and ground shaking at the project site, based on

required compliance with existing building standards, implementation of the project is not anticipated to result in the risk of loss, injury, or death; therefore, potential impacts would be *less than significant*.

(a-ii) Strong seismic ground shaking?

The Central Coast is a seismically active region and there is always potential for seismic ground shaking. In addition to the Los Osos Fault zone, there are several other potentially active and inactive fault zones located in the project region, including the Cambria Fault zone approximately 5.5 miles northeast, the Edna Fault zone approximately 6 miles southeast, and the San Miguelito Fault zone approximately 7 miles south of the project site (CDOC 2015). The project would be required to comply with the most recent CBC and other engineering practices and standards to adequately withstand and minimize the risk associated with the level of seismic ground shaking expected to occur in the project region. Based on required compliance with the CBC and other engineering practices, implementation of the project is not anticipated to result in the risk of loss, injury, or death related to seismic ground shaking; therefore, impacts would be *less than significant*.

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

Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction. Further, the project would be required to comply with the most recent CBC seismic requirements to address the potential for seismic-related ground failure, including liquefaction at the project site. Based on required compliance with the CBC, implementation of the project is not anticipated to result in the risk of loss, injury, or death related to liquefaction; therefore, impacts would be *less than significant*.

(a-iv) Landslides?

Based on the County Safety Element Landslide Hazards Map, the project site is located in an area with low potential for landslide risk. The project would be required to comply with applicable sections of the most recent CBC and other engineering practices to minimize the risk associated with landslide at the project site. Based on required compliance with the CBC, implementation of the project is not anticipated to result in the risk of loss, injury, or death related to landslides; therefore, impacts would be *less than significant*.

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

The project would require approximately 0.29 acre (5,730 square feet) of ground disturbance, including 540 cubic yards of cut and 220 cubic yards of fill on an unimproved parcel. The project would be required to comply with County CZLUO Section 23.05.036, which requires preparation and approval of an erosion and sedimentation control plan to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer and would address both temporary and long-term sedimentation and erosion impacts. In addition, the project site is located in the County's Municipal Stormwater Management Area (MS4) coverage area and must adhere to the Central Coast Post-Construction Requirements (PCRs). As part of the MS4 process, construction best management practices (BMPs) would be applied to all work areas to reduce potential erosive runoff from construction activities. Based on required compliance with County CZLUO Section 23.05.036 and RWQCB requirements, the project would not result in substantial erosion and loss of topsoil; therefore, potential impacts would be *less than significant*.

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

As described above, the project site is located in an area with low risk for liquefaction and landslides. According to the USGS Areas of Land Subsidence in California Map, the project site is not located in an area of recorded land subsidence (USGS 2023). The project would be required to comply with all applicable CBC and other engineering standards to reduce potential risk associated with development on unstable soils. Therefore, impacts related to unstable soils would be *less than significant*.

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

Typically, expansive soils contain clay and clay materials. The project site is underlain by Baywood fine sand, 9 to 15 percent slopes, which has a soil profile that is comprised of sand (NRCS 2023). As such, soils at the project site have negligible potential for expansion, and future development would not be located on expansive soil; therefore, *no impact* would occur.

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

The project includes the installation of an on-site septic system, including a minimum 1,200-gallon concrete septic tank and a leach field line which would be constructed to the north of the proposed residence. Percolation testing was conducted at the project site to determine the soil conditions at the site and the rate of percolation to be used in the design and construction of the proposed septic system. Based on the results of percolation testing, the average percolation rate for at the project site is less than 1 minute per inch (GeoSolutions 2021b).

The proposed septic system would be required to be designed in accordance with conditions observed during percolation testing and the County's Local Agency Management Program, which develops minimum standards for the treatment and disposal of sewage through on-site wastewater treatment systems. The final design of the proposed septic system would be subject to County approval. Therefore, proposed septic leach fields and stormwater control measures would be designed in a manner that is consistent with soil conditions at the site; therefore, impacts would be *less than significant*.

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

The soil found at the project site consists of alluvial soil and is underlain by superficial sediments. This formation consists of light to dark yellowish brown poorly graded sand in a slightly moist to moist and medium dense condition (GeoSolutions 2021a). Previous fossil encounters in the area have been identified in alluvial deposits; eolian sediments are typically accumulated in depositional environments that are not generally favorable for fossil preservation. In addition, the project would not require substantial earthwork that may disturb paleontological resources. Therefore, impacts to paleontological resources would be *less than significant*.

Conclusion

The project site is not within the GSA combining designation or an area of high risk of landslide, liquefaction, subsidence, or other unstable geologic conditions. The project would be required to comply with CBC and standard County CZLUO requirements that have been developed to properly safeguard against seismic and geologic hazards. The proposed on-site septic system would be required to be designed in accordance with conditions observed during percolation testing, and final design of the septic leach fields would be subject to County approval. Therefore, potential impacts related to geology and soils would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

IX. 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

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), NO_x, 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). CO_2 is the most abundant GHG and is estimated to represent approximately 80% to 90% of the principal GHGs that are currently affecting the earth's climate. According to the 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 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 LCFS 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 the 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; and
- Reduce GHG emissions to 80% below 1990 levels by 2050.

The initial Scoping Plan was first approved by the 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. The CARB released the 2017 Climate Change Scoping Plan 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 CARB's most recent update is the 2022

Scoping Plan for Achieving Carbon Neutrality, dated November 16, 2022, which identifies a plan to reach carbon neutrality by 2045 or earlier. The 2022 Scoping Plan is the first plan that adds carbon neutrality as a science-based guide beyond established emission reduction targets. It identifies a feasible path to achieve carbon neutrality by 2045, or earlier, while also assessing the progress the state is making toward reducing its GHG emissions by at least 40% below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Climate Change Scoping Plan. Specifically, this plan:

- Identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40% below 1990 emissions by 2030.
- Identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 or earlier.
- Focuses on strategies for reducing California's dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.
- Integrates equity and protecting California's most impacted communities as a driving principle throughout the document.
- Incorporates the contribution of natural and working lands to the state's GHG emissions, as well as its role in achieving carbon neutrality.
- Relies on the most up to date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration as well as direct air capture.
- Evaluates multiple options for achieving our GHG and carbon neutrality targets, as well as the public health benefits and economic impacts associated with each.

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 the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts which were incorporated into their *CEQA Air Quality Handbook.* The handbook recommended applying a 1,150 metric tons of CO_2 equivalent ($MTCO_2e$) 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 AB 32 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, the SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations.

In 2023, the SLOAPCD released an update to these thresholds with their *2023 Administrative Update Version to APCD Board Adopted April 2012 Version*. These updated thresholds were developed by creating updated GHG emissions inventories for 2005 and 2018 for the incorporated cities and unincorporated areas in SLO county to consider whether jurisdictions were on track with the AB 32 GHG reduction target. Then, target GHG emissions for SLO county in 2020, 2030, and 2045 were calculated to be consistent with reduction targets

specified in AB 32, SB 32, and AB 1279. Thresholds for the years in between those evaluated were linearly interpolated, and annual GHG efficiency thresholds were adjusted to factor in GHG reductions needed for new development using information from the City of SLO's 2020 qualified Climate Action Plan's Appendix C – CEQA GHG Emissions Thresholds and Guidance. A project's initial operating year should be used to determine which of the updated GHG Bright Line Thresholds for new residential, commercial, and mixed-use development is applicable to the project. For projects with an initial operating year of 2030 or earlier, GHG emissions at or below the applicable threshold for that year are contributing to the state's SB 32 GHG reduction target. For projects with an initial operational year after 2030, GHG emissions at or below the applicable threshold for that year are contributing to the state's AB 1279 target of reaching carbon neutrality by 2045. The table below shows the GHG Bright-Line Thresholds for projects with an initial operating year between 2023 and 2030.

Table 4. San Luis Obispo County Bright-Line CEQA GHG Thresholds Between 2023 and 2030 for Residential, Commercial, and Mix-use Development Projects

Year	2023	2024	2025	2026	2027	2028	2029	2030
GHG Bright-Line Thresholds (MT/Yr)	980	930	880	830	780	740	690	650

If the lead agency determines that a proposed project's operational phase GHG emissions are below the applicable threshold, then the project's GHG impacts would be deemed less than significant and consistent with state and local GHG reduction goals. To simplify the screening process, SLOAPCD developed a spreadsheet tool that analyzes single land use and mixed land use projects with operational years between 2020 and 2045. Users enter the project's operational year and the size of the project's land use components to determine if the overall project emissions are of a scale that may be considered significant.

Discussion

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

During construction, fossil fuels and natural gas would be used by construction equipment and worker vehicles, which would result in a short-term increase in GHG emissions. Based on the Single & Mixed-Use Operational Emissions Screening Tool, construction of the proposed project would generate 21 $MTCO_2e$ per year (SLOAPCD 2023c). GHG emissions generated during construction would be temporary in nature and would be typical of other similar construction activities in the county. Construction contractors would be required to comply with state and local diesel idling limitations, including limiting idling to 5 minutes or less, which would reduce GHG-emissions associated with equipment and vehicle use during construction. Although not required to reduce construction-related GHG-emissions, Mitigation Measure AQ-1 included in Section III, *Air Quality*, would require diesel idling restrictions and the use of alternative fuel as applicable, which would further reduce GHG emissions. Based on an anticipated operational date of 2025, the project's GHG emissions would be below the bright-line CEQA threshold of 880 $MTCO_2e$ per year. Therefore, impacts would be *less than significant.*

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

The project would result in one new single-family residence within the RSF zone. Energy inefficiency contributes to higher GHG emissions which, in turn, may conflict with state and local plans for energy efficiency. As discussed in Section VI, *Energy*, the County EWP, adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the County 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 County 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 the California Green Building Standards Code (CALGreen) energy efficiency standards. The following is a summary of project consistency with the relevant supporting actions identified in Measure No. 7 for promoting energy efficiency in new development (Table 5).

Table 5. EnergyWise Plan Measure 7 Consistency Analysis.

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.	Proposed occupiable buildings would be required to be consistent with all 2022 CBC Energy Efficiency Standards, CEC, and the 2022 Green Building Code standards to ensure new development is energy efficient.
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 project would be required to be constructed in accordance with all 2022 CBC Energy Efficiency Standards, the CEC, and the 2022 Green Building Code standards to ensure new development is energy efficient. The proposed elevations include windows and awning and the Buildings 6-8, the largest of the buildings proposed, are oriented in an east-west direction, which maximizes southern exposure and limits afternoon glare. The proposed roofing materials for both styles include metal standing seam in a dark grey/black color, and will be required to install rooftop solar per the 2022 Green Building Code.
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).	
Minimize heat gain from surface parking lots.	The proposed parking lots would be paved and would include shade trees between and around parking spaces and paved areas.
Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities and in some of the communities north of the Cuesta Grade.	The project does not include new road construction or road repaving activities.

The 2023 Regional Transportation Plan (RTP), which was adopted by the San Luis Obispo Council of Governments (SLOCOG) Board in June 2023, includes the region's Sustainable Communities' Strategy (SCS) and outlines how the region will meet or exceed its GHG reduction targets by creating more compact, walkable, bike-friendly, and 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/SCS provides guidance for the development and management of transportation systems county-wide to help achieve, among other objectives, GHG reduction goals. The RTP/SCS recommends strategies for community planning, such as encouraging mixed-use, infill development that would facilitate the use of modes of travel other than motor vehicles.

The project consists of the development of a new single-family residence within the RSF land use designation within the Los Osos URL. The project does not include development of retail, business, 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 establishment of activities that are residential in nature and would not result in employment opportunities or a substantial population increase in the project area.

Pursuant to AB 32, the CARB 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 the CARB to update the Scoping Plan at least every 5 years.

The *2017 Climate Change Scoping Plan* recommends strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05. These strategies include the following:

- Implement SB 350, which is aimed at Reduce GHG emissions in the electricity sector;
- 2030 LCFS: Transition to cleaner/less-polluting fuels that have a lower carbon footprint.
- 2030 Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario): Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems, and reduction of VMT.
- Implement SB 1383, which is aimed at reducing Short-Lived Climate Pollutants to reduce highly potent GHGs.
- Implement the 2030 California Sustainable Freight Action Plan, which is aimed at improving freight efficiency, transitioning to zero emission technologies, and increasing competitiveness of California's freight system.
- Implement the 2030 Post-2020 Cap-and-Trade Program, which is aimed at reducing GHGs across the largest GHG emissions sources.

The *2022 Scoping Plan for Achieving Carbon Neutrality* identifies a feasible path to achieve carbon neutrality by 2045, or earlier, while also assessing the progress the state is making toward reducing its GHG emissions by at least 40% below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Scoping Plan. These strategies include the following:

- Rapidly moving to zero-emission transportation, electrifying the cars, buses, trains, and trucks that now constitute California's single largest source of planet-warming pollution.
- Phasing out the use of fossil gas used for heating our homes and buildings.
- Clamping down on chemicals and refrigerants that are thousands of times more powerful at trapping heat than CO_2.
- Providing our communities with sustainable options for walking, biking, and public transit so that people do not have to rely on a car.
- Continuing to build out the solar arrays, wind turbine capacity, and other resources that provide clean, renewable energy to displace fossil-fuel fired electrical generation.
- Scaling up new options such as green hydrogen for hard to electrify end uses and renewable gas where needed.

The strategies described in the 2017 and 2022 scoping plans are programmatic and intended to be implemented state-wide and industry-wide. They are, therefore, not applicable at the level of an individual project. Overall, the proposed project is consistent with adopted plans and policies aimed at reducing GHG emissions and impacts would be *less than significant*.

Conclusion

The project would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. Although not required to reduce GHG emissions during project construction, implementation of Mitigation Measure AQ-1 would require implementation of diesel idling restrictions. Therefore, potential impacts related to GHG emissions would be less than significant, and no mitigation measures would be necessary.

Mitigation

Mitigation is not necessary.

Initial Study – Environmental Checklist

X. 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?	☐	☐	☒	☐

Initial Study – Environmental Checklist

Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control (DTSC) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund, state response, voluntary cleanup, school cleanup, school investigation, and military evaluation sites. The SWRCB GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/.

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the county within moderate, high, and very high fire hazard severity zones (FHSZs). According to the California Department of Forestry and Fire Protection (CAL FIRE) FHSZ Viewer, the project site is located in a very high FHSZ (CAL FIRE 2023).

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

Based on a query of the DTSC EnviroStor and SWRCB GeoTracker databases, there are no previously recorded hazardous materials sites located within or adjacent to the project site (DTSC 2023; SWRCB 2023). The nearest recorded hazardous materials site is an active State Response site associated with the Baywood Park Training Area (J09CA0031), located approximately 0.55 miles west of the project site (SWRCB 2023). The nearest airport is San Luis Obispo County Regional Airport, located approximately 13 miles southeast of the project site. The nearest school is Monarch Grove Elementary School, located approximately 0.75 miles northeast of the project site.

Discussion

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

Project construction would require the use of limited quantities of hazardous substances, including but not limited to, gasoline, diesel fuel, hydraulic fluid, solvents, oils, and paints. Commonly used materials would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials, including those specified in County CZLUO Section 23.06.120 (Toxic and Hazardous Materials). Therefore, proposed construction activities are not anticipated to create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials.

Operation of the project would be limited to residential uses and would not require the routine transport, use, or disposal of hazardous materials that could lead to significant upset in the event of

an accidental spill. Household waste would be stored and hauled in accordance with County regulations; therefore, impacts would be *less than significant*.

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

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. As previously evaluated, construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, and construction contractors would be required to comply with applicable state and local regulations, such 22 Code of Regulations (CCR) Division 4.5 and County CZLUO Section 23.06.120, to reduce the potential for accidental hazardous material release during construction. Operation of the project would not require the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions.

The project site is not located in an area with potential for NOA to occur and does not require demolition of any buildings, roadways, or other structures that could release ACM. The project does not require soil disturbance within or adjacent to existing major roadways (i.e., US 101) that could release aerially deposited lead (ADL) if present within the soil. In addition, the project does not require the import of any fill materials. Therefore, based on compliance with existing regulations during proposed construction activities, potential impacts would be *less than significant.*

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

The project site is located approximately 0.75 miles southwest of Monarch Grove Elementary school; therefore, the project does not have the potential to emit or handle hazardous materials within 0.25 mile of a school, and *no impact* 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 a search of the DTSC EnviroStor database, the SWRCB GeoTracker database, and CalEPA Cortese List website, there are no hazardous waste cleanup sites within or adjacent to the project site; therefore, *no impact* 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 airport is San Luis Obispo County Regional Airport, located approximately 13 miles southeast of the project site. As the project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip, *no impact* would occur.

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

The project includes the construction of a new single-family residence on an existing parcel. Construction activities would not require traffic controls or road closures and emergency access to the project site and surrounding areas would be maintained throughout the construction period.

The project site would be accessed via a new 20-foot-wide driveway off Madera Street. The proposed driveway would be constructed in accordance with County Public Works Department and CAL FIRE requirements to ensure adequate emergency access to the site. The new single-family residence would generate a negligible increase in vehicle trips to and from the site; therefore, implementation of the project would not increase vehicle congestion in a manner that could interfere with emergency response or evacuation efforts within the project area, and impacts related to emergency response and evacuation would be *less than significant*.

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

According to the CAL FIRE FHSZ Viewer, the project site is located in a very high FHSZ (CAL FIRE 2023). Implementation of the project would result in development of a new single-family residence, which would be constructed in accordance with California Fire Code (CFC) and CBC requirements to reduce risk associated with fire ignition and exposure of project occupants to wildfire risk. Based on required compliance with existing state and local regulations, the project is not anticipated to result in the risk of loss, injury, or death as a result of wildfire; therefore, impacts would be *less than significant.*

Conclusion

The project does not propose the routine transport, use, handling, or disposal of hazardous substances. It is not located in close proximity to any known contaminated sites. Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation of or interfere with any adopted emergency response or evacuation plans. Therefore, potential impacts related to hazards and hazardous materials would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

Initial Study – Environmental Checklist

XI. 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?	☐	☐	☒	☐

Initial Study – Environmental Checklist

Setting

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

The RWQCB *Water Quality Control Plan for the Central Coast Basin* (Basin Plan; RWQCB 2019) 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 waterbodies 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.

The County CZLUO dictates which projects are required to prepare a drainage plan, including projects that would, for example, involve a land disturbance of more than 40,000 square feet, would result in an impervious surface of more than 20,000 square feet, or involves development on slopes steeper than 10%. The County CZLUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and any site disturbance activities of 0.5 acre or more in geologically unstable areas, on slopes of steeper than 30%, on highly erodible soils, or within 100 feet of any watercourse.

Per the County's Stormwater Program, the County Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must obtain coverage under the SWRCB's Construction General Permit. The Construction General Permit requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing an 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 sedimentation control plan as required by the County CZLUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including, but not limited to, prohibition of development in areas of high flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06079C1036H (effective date 5/16/2017), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2017). In addition, the project site is not located in the County's Flood Hazard combining designation.

Discussion

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

There are no surface water features within or adjacent to the project site. The project would require approximately 0.29 acres (12,632 square feet) of ground disturbance, including 540 cubic yards of cut and 220 cubic yards of fill on an unimproved parcel. Proposed construction activities have the potential to temporarily increase erosion and pollution at the site. County CZLUO Section 23.05.036 requires preparation and implementation of an erosion and sedimentation control plan for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation. The plan is required to be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Equipment used during project construction has the potential to increase pollutant runoff from the project site. The project site is located within the MS4 coverage area and must adhere to the Central Coast PCRs. As part of the MS4 process, construction BMPs would be applied to all work areas to reduce potential erosive runoff from construction activities. Based on required compliance with RWQCB and County requirements, implementation of the proposed project would not violate any water quality standards or waste discharge requirements; therefore, impacts would be *less than significant*.

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

The project includes the construction of an approximately 3,452-square-foot single-family residence with an attached 1,202-square-foot garage, 424-square-foot storage space, a 504-square-foot art studio, and associated site improvements on a 0.46 acre site. The majority of the project site (60%) would remain undeveloped to retain groundwater infiltration at the project site. Therefore, the project would not interfere with groundwater recharge at the project site.

The County estimates the potable water demand for new single-family dwellings in Los Osos to be 128 gallons per day, which would be provided by GSWC. GSWC has provided a will-serve letter for the project (GSWC 2022). The project site is located within the Los Osos Area Subbasin of the Los Osos Valley Groundwater Basin, which is a low-priority subbasin under the Sustainable Groundwater Management Act (SGMA) (Basin No. 3-08.01). According to the County, the SGMA does not apply to the Los Osos Area subbasin because requirements have been met by the Los Osos Basin Management Committee (County of San Luis Obispo 2023a).

On April 22, 2008, the County Board of Supervisors approved two plumbing retrofit ordinances for the Los Osos area. The ordinances address sea water intrusion into the lower aquifer zone of the Los Osos Groundwater Basin. To manage this serious problem, the ordinances require both new and existing development to help address this problem by retrofitting older, non-conserving fixtures with those that are water efficient. The Board of Supervisors adopted amendments to the Title 19 retrofit ordinance on February 27, 2024. The amendments replace the 2:1 offset of new water demand and establish different rates based on whether or not a parcel is served by a water purveyor. The current required offset set by the department for a single-family dwelling using community water is 256 gallons per day (2:1 offset). The applicant has agreed to retrofit at a 2:1 ratio. Therefore, impacts would be *less than significant*.

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

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

The project would require approximately 0.29 acre (12,632 square feet) of ground disturbance, including 540 cubic yards of cut and 220 cubic yards of fill on an unimproved parcel. The project would be required to comply with County CZLUO Section 23.05.036, which requires preparation and approval of an erosion and sedimentation control plan to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. In addition, the project site is located in the County's MS4 coverage area and must adhere to the Central Coast PCRs. As part of the MS4 process, construction BMPs would be applied to all work areas to reduce potential erosive runoff from construction activities. Based on required compliance with County CZLUO Section 23.05.036 and RWQCB requirements, the project would not result in substantial erosion or siltation; therefore, potential impacts 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 would not substantially increase the amount of impervious surface area or the rate or volume of surface runoff in a manner that could result in flooding on- or off-site. The project applicant would be required to comply with RWQCB and County CZLUO requirements regarding drainage, sedimentation, and erosion control. An erosion and sedimentation control plan would be required and would need to show that increased surface runoff would not result in more impacts than those caused by historic flows. Based on required compliance with RWQCB and County requirements, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; therefore, impacts 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 includes the construction of an approximately 3,452-square-foot single-family residence with an attached 1,202-square-foot garage, 424-square-foot storage space, a 504-square-foot art studio, and associated site improvements on a 0.46 acre site. The majority of the project site would remain undeveloped to retain pervious surfaces at the project site. In addition, the project site is located in the County's MS4 coverage area and must adhere to the Central Coast PCRs to address long-term stormwater control at the project site. Therefore, the project would not substantially increase the amount of impervious surface area or the rate or volume of surface runoff in a manner that could exceed the capacity of existing stormwater or drainage systems. Based on the nature and size of the project, changes in surface hydrology would be negligible. Therefore, potential impacts related to increased surface runoff exceeding stormwater capacity would be *less than significant.*

(c-iv) Impede or redirect flood flows?

The project site is not located within a 100-year flood zone; therefore, flood flows are not expected to occur at the project site. In addition, the project site is located in the County's MS4 coverage area and must adhere to the Central Coast PCRs to address long-term stormwater control at the project

site. Based on required compliance with RWQCB requirements, the project would not impede or redirect flood flows; therefore, *no impact* would occur.

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

According to FEMA FIRM 06079C1036H (effective date 5/16/2017), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2017). In addition, the project site is not located in the County's Flood Hazard combining designation. According to the CDOC San Luis Obispo County Tsunami Hazard Areas map, the project site is not located in an area at risk for tsunami. The project site is not located within or adjacent to a standing waterbody with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation, and *no impact* would occur.

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

The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by the SGMA. As identified above, based on required compliance with Central Coast RWCQB construction stormwater permit requirements and PCRs and the County CZLUO, the project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge. Therefore, the project would not conflict with the SGMA, the Basin Plan, or other regional or local plans or policies intended to manage water quality or groundwater supplies; therefore, impacts would be *less than significant.*

Conclusion

The project site is not within the 100-year flood zone and does not include existing drainages or other surface waters. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. Therefore, potential impacts related to hydrology and water quality would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

Initial Study – Environmental Checklist

XII. 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 California Coastal Commission is the ultimate permit authority in the Coastal Zone of San Luis Obispo County and dictates how the County's Local Coastal Program (Title 23) is interpreted. The purpose of Title 23, also known as the County CZLUO, is to guide and manage the future growth in accordance with the *County of San Luis Obispo General Plan* (County General Plan) and Local Coastal Program; to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands; to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses: and to protect and enhance significant natural, historic, archaeological, and scenic resources within the county.

The *County of San Luis Obispo General Plan Land Use Element* (County LUE) provides policies and standards for the management of growth and development in each unincorporated community and the rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The County 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 County 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 area is designated as Residential Single-Family land use (RSF).

Discussion

(a) Physically divide an established community?

The project includes construction of a new single-family residence on an existing parcel within the RSF zone. The project does not propose components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of existing residential development in the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community, and *no impact* would occur.

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

The project would be consistent with the existing land use designation and the guidelines and policies for development within the applicable area plan, *County of San Luis Obispo Framework for Planning (Coastal Zone)*, and County COSE. The project was found to be consistent with standards and policies set forth in the County General Plan, the Estero Area Plan, the 2001 CAP, and other land use policies for this area.

The *Los Osos Community Plan* (LOCP) was adopted by the County in December 2020 and is awaiting review and certification by the California Coastal Commission. Key components of the LOCP include incorporating conditions of approval of the Coastal Development Permit from the California Coastal Commission for the Los Osos Wastewater Project. Specifically, Special Condition 6 prohibits wastewater service to undeveloped properties within the service area, until the County's Local Coastal Plan (through the LOCP) is amended to identify appropriate and sustainable buildout limits. The project site is an undeveloped property; however, the project does not include connection to a wastewater service provider and would not be in conflict with Special Condition 6 or other conditions of the Los Osos Wastewater Project.

The project would be required to implement measures to mitigate potential impacts associated with air quality and biological resources; therefore, 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 not divide an established community. The project would be required to implement Mitigation Measures AQ-1 and AQ-2 and BIO-1 through BIO-6 to mitigate potential impacts associated with air quality and biological resources. Therefore, 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.

Mitigation

Implement Mitigation Measures AQ-1 and AQ-2 and BIO-1 through BIO-6.

XIII. 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 (SMARA) of 1975 requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (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] 2017):

- **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 County CZLUO 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 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.

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?

The project site is not located within or adjacent to an Extractive Resource Area or Energy/Extractive Area. The project includes minimal ground-disturbing activity for the construction of the proposed project; therefore, work within previously disturbed areas and is not anticipated to uncover mineral resources in the area and *no impact* would occur.

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

Chapter 6 of the County COSE identifies goals and policies regarding mineral resources in the county. Policies within this chapter protect mineral resources within identified extractive areas identified in the County LUE. The project site is not located within or adjacent to an Extractive Resource Area or Energy/Extractive Area. The project includes minimal grading activity and work within previously disturbed areas. Therefore, the project is not anticipated to uncover mineral resources in the area, and *no impact* would occur.

Conclusion

The project site is not located with an Extractive Resource Area or Energy/Extractive Area. Therefore, impacts to mineral resources are not anticipated to occur, and mitigation measures are not necessary.

Mitigation

None necessary.

Initial Study – Environmental Checklist

XIV. 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 *County of San Luis Obispo General Plan Noise Element* (County Noise Element) provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the County Noise Element is to minimize future noise conflicts. The County 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 County 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 County 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.

County CZLUO Section 23.06.042 (Exceptions to Noise Standards) is not applicable to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7:00 a.m. or after 9:00 p.m. on weekdays, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday.

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?*

During construction of the project, noise generated from construction activities may intermittently dominate the noise environment in the immediate area. Table 6 details the typical noise levels for construction equipment likely to be used in implementation of the project.

Table 6. Construction Equipment Noise Emission Levels

Equipment Type	Typical Noise Level (dBA) 50 ft From Source
Concrete Mixer, Dozer, Excavator, Jackhammer, Man Lift, Paver, Scraper	85
Heavy Truck	84
Crane, Mobile	83
Concrete Pump	82
Backhoe, Compactor	80

Source: Federal Highway Administration (FHWA) (2018)

The nearest off-site sensitive noise receptors are single-family residences located adjacent to the northern and southern property lines of the project site. Construction-related noise would be short-term, would be intermittent, and would not result in a permanent increase in ambient noise within the project area. According to County CZLUO Section 23.06.042.d, construction noise is exempt from the County's noise standards between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends. Proposed construction activities would be limited to the hours specified in the LUO; therefore, construction-related noise would be exempt from the County's noise standards, and impacts would be *less than significant*.

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

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

(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 airport is San Luis Obispo County Regional Airport, located approximately 13 miles southeast of the project site. As the project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip, *no impact* would occur.

Conclusion

The project would not generate a substantial increase in temporary or permanent ambient noise levels and would not generate groundborne noise in a manner that would result in disturbance. No long-term operational noise or ground vibration would occur as a result of the project. Therefore, potential impacts related to noise would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

XV. 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 *County of San Luis Obispo General Plan 2020-2028 Housing Element* (County Housing Element) is intended to facilitate the provision of needed housing in the context of the County LUE and related ordinance. It is also intended to meet the requirements of state law. The County Housing Element contains a number of relevant goals, objectives, policies, and implementation programs to ensure the County meets its goals of meeting the housing needs while remaining consistent with state law.

Requirements for inclusionary housing for residential dwelling units are based on the base density of a project. Base density is the maximum number of residential units that may be allowed, not including any density bonuses. Commercial and industrial development of 5,000 square feet or more of floor area for commercial or industrial use also requires the payment of a housing impact fee or construction of inclusionary housing units.

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 includes infill development of a new single-family residence in the RSF land use designation. Based on the Estero Area Plan, the average household size in the community of Los Osos is 2.44 persons per occupied dwelling unit; therefore, development of one new single-family residence would result in a negligible population increase of approximately three residents (County of San Luis Obispo 2009). The project does not include any new uses that would increase employment in the area. Therefore, the project would not result in substantial unplanned population 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, *no impact* would occur.

Conclusion

No significant impacts related to population and housing would occur, and mitigation measures are not necessary.

Mitigation

None necessary.

Initial Study – Environmental Checklist

XVI. 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 to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The project would be served by CAL FIRE/South Bay Station 15, located approximately 1.3 miles northeast of the project site at 2315 Bayview Heights Drive. Emergency response to the project site is less than 5 minutes.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The project would be served by the Coast Station, located approximately 1.45 miles northeast of the project site at 2099 10th Street.

San Luis Obispo County has 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the San Luis Coastal Unified School District (SLCUSD). Based on the *County of San Luis Obispo General Plan 2016-2018 Resource Summary Report*, schools within the SLCUSD are currently operating at acceptable capacities and levels (County of San Luis Obispo 2018).

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 (California Government Code 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to serve new development, including fire protection, law enforcement, schools, parks, and roads.

Discussion

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

Fire protection?

The project would result in the development of one new single-family residence that would result in a negligible population increase of approximately three people. Based on the limited scale of proposed development and associated population growth, the project would result in a limited increase in demand on fire protection services. The project would be subject to standard Public Facilities Fees to offset the project's demand on existing fire protection services. Based on the limited population increase and payment of Public Facilities Fees, the project would not require or otherwise facilitate the need for additional or expanded fire protection services, and impacts would be *less than significant*.

Police protection?

Implementation of the proposed project would result in the development of one new single-family residence that would result in a negligible population increase of approximately three people. Due to the limited scale of the proposed development and associated growth, the project would result in a limited increase in demand on police protection services. The project would be subject to standard Public Facilities Fees to offset the project's demand on existing police protection services. Based on the limited population increase and payment of Public Facilities Fees, the project would not require or otherwise facilitate the need for additional or expanded police protection services; therefore, impacts would be *less than significant*.

Schools?

As discussed in Section XIV, *Population and Housing*, the project would not induce a substantial increase in population growth and would not result in the need for additional school services or

facilities to serve new student populations; therefore, potential impacts would be *less than significant.*

Parks?

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

Other public facilities?

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

Conclusion

The project does not propose development that would substantially increase demands on public services and would not directly or indirectly induce substantial population growth that would increase demands on public services. The project would be subject to payment of Public Facilities Fees to offset 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 mitigation measures are not necessary.

Mitigation

None necessary.

XVII. 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 *County of San Luis Obispo General Plan Parks and Recreation Element* (County Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

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 County 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 plan is updated every 5 years and was last updated in 2016. The *2015/2016 County Bikeways 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?

As discussed in Section XIV, *Population and Housing*, the project would result in the development of one new single-family residence that would result in a negligible population increase of approximately three people. Based on the limited scale of proposed development and associated

population growth, the project would not substantially increase demand on any proximate existing neighborhood, regional park, or other recreational facilities. Further, the project would be required to pay park impact fees (Quimby Fees) and Public Facility Fees for maintenance of public recreation facilities. Based on the limited population increase and payment of applicable fees, the project would not increase the use of existing recreational facilities in a manner that could lead to substantial physical deterioration; therefore, impacts would be *less than significant*.

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

The project does not include the development of new or expanded recreational facilities; therefore, *no impact* related to adverse physical effects on the environment as a result of construction or expansion of recreational facilities would occur.

Conclusion

The project would not increase the use of existing recreational facilities in a manner that would result in physical deterioration and does not include the construction of new or expanded recreational facilities that could result in adverse environmental impacts. Therefore, potential impacts related to recreation would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

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XVIII. 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

SLOCOG holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency, SLOCOG is responsible for conducting a comprehensive, coordinated transportation program; preparing an RTP; programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. The 2023 RTP, adopted June 7, 2023, is the San Luis Obispo region's long-term blueprint for a transportation system that enhances quality of life and meets the mobility needs of the region's residents and visitors, now and in the future. This blueprint offers the region's communities a mix of mobility options for people and goods and makes a strong commitment to creating a more sustainable transportation system that maximizes choice, holistically addresses transportation issues, and is both visionary and attainable.

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)). The County has developed a VMT Program (*Transportation Impact Analysis Guidelines* [Rincon Consultants 2020]; *VMT Thresholds Study* [GHD 2021]), which provides interim operating thresholds and includes a screening tool for evaluating VMT impacts.

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The *County of San Luis Obispo Framework for Planning (Coastal Zone)* includes the County LUE and *County of San Luis Obispo General Plan Circulation Element* (County Circulation Element). 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.

The County Public Works Department 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, Los Osos, Templeton, San Miguel, Avila, and North Coast Circulation Studies. Caltrans maintains annual traffic data on state highways and interchanges within the county.

Discussion

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

The County's LUCE and SLOCOG's 2023 RTP includes goals, policies, and ordinances to facilitate consistency between transportation and land use planning and encourages the use of alternative methods of transportation to reduce vehicle trips throughout the region. The proposed project includes infill development of a new single-family residence in the RSF land use designation within the Los Osos Urban Reserve Line. Based on the limited scale of proposed development and associated population growth, the project is not anticipated to generate a substantial number of additional vehicle trips. Additionally, the project would be subject to road improvement fees for maintenance of nearby county roads and transportation facilities. Therefore, the project would be consistent with the County's LUCE and the 2023 RTP, and impacts would be *less than significant*.

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

The County has developed a VMT Program (*Transportation Impact Analysis Guidelines* [Rincon Consultants 2020]; *VMT Thresholds Study* [GHD 2021]), which provides interim operating thresholds and includes a screening tool for evaluating VMT impacts. The project would be limited to the construction of one new single-family residence and would generate less than 110 trips per day, which is the suggested screening threshold identified in the state guidance (*Technical Advisory on Evaluating Transportation Impacts in CEQA* [OPR 2018]). Therefore, impacts would be *less than significant*.

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

The project site would be accessed via a new 20-foot-wide driveway off Madera Street. The proposed driveway would be constructed in accordance with County Public Works Department and CAL FIRE requirements to ensure adequate emergency access to the site. The project does not include components that would facilitate incompatible uses (e.g., farm equipment) along proposed or nearby roads that could increase hazards. Based on required compliance with County Public Works Department and CAL FIRE requirements, the project would not substantially increase hazards due to a geometric design feature or incompatible uses; therefore, impacts would be *less than significant*.

(d) Result in inadequate emergency access?

The project includes the construction of a new single-family residence on an existing parcel. Construction activities would not require traffic controls or road closures and emergency access to the project site and surrounding areas would be maintained throughout the construction period. The project site would be accessed via a new 20-foot-wide driveway off Madera Street. The proposed driveway would be constructed in accordance with County Public Works Department and CAL FIRE requirements to ensure adequate emergency access to the site; therefore, impacts related to emergency response and evacuation would be *less than significant*.

Conclusion

The project would not alter existing transportation facilities or result in a substantial number of additional vehicle trips or VMT. The project would not interfere with short- or long-term emergency access or create hazards through road or other project component design. Payment of standard development fees and compliance with existing regulations would ensure potential impacts are reduced to less than significant. Therefore, potential impacts related to transportation would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

XIX. 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 PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in 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 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.

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)?*

(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.*

Pursuant to AB 52, the County provided notice to local California native tribes with geographic and/or cultural ties to the project region. Referral letters were sent to tribal representatives on June 29, 2023. No tribes requested consultation or provided information regarding significant tribal cultural resources to date.

According to the County's Land Use View, the project site is not located in an Archaeologically Sensitive Area and is surrounded by existing residential development and associated infrastructure; therefore, the likelihood to encounter previously unknown cultural resources during ground disturbing activities is low. In the unlikely event that unknown cultural resources are encountered during construction activities, the project would be required to comply with County CZLUO Section 23.05.140 (Archaeological Resources Discovery), which requires work be stopped, the County be notified, and the discovery evaluated by an archaeologist. Additionally, the project would be required to comply with the protocol identified in California Health and Safety Code Section 7050.5 for inadvertent discovery of human remains. Based on the low archaeological sensitivity of the project site and required compliance with County CZLUO Section 23.05.140 and California Health and Safety Code Section 7050.5, the project would not adversely affect tribal cultural resources; therefore, impacts would be *less than significant*.

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Conclusion

Based on the low archaeological sensitivity of the project site and required compliance with County CZLUO Section 23.05.140 and California Health and Safety Code Section 7050.5, the project would not adversely affect tribal cultural resources, and mitigation measures are not necessary.

Mitigation

None necessary.

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XX. 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 Public Works Department provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater "will-serve" letters. The County Public Works Department 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).

Per the County's Stormwater Program, the County Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans

incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 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 San Luis Obispo County.

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 would be served by Mission Country Disposal.

Discussion

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

The project includes the construction of a new on-site septic system and the extension of existing utility infrastructure, including gas, electrical, and water lines within the footprint of the proposed project. As evaluated throughout this Initial Study/Mitigated Negative Declaration (IS/MND), implementation of the proposed project has the potential to result in environmental impacts. Mitigation has been included in individual resource sections to ensure potential environmental impacts associated with development of the project are mitigated to a less-than-significant level. Mitigation Measures AQ-1 and AQ-2 and BIO-1 through BIO-6 have been included to reduce potential environmental impacts associated with the expansion and installation of utility infrastructure to serve the project; therefore, impacts would be *less than significant with mitigation*.

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

The County estimates the potable water demand for new single-family dwellings in Los Osos to be 128 gallons per day, which would be provided by GSWC. GSWC has provided a will-serve letter for the project (GSWC 2022). The project site is located within the Los Osos Area Subbasin of the Los Osos Valley Groundwater Basin, which is a low-priority subbasin under the SGMA (Basin No. 3-08.01). According to the County, the SGMA does not apply to the Los Osos Area subbasin because requirements have been met by the Los Osos Basin Management Committee (County of San Luis Obispo 2023a).

On April 22, 2008, the County Board of Supervisors approved two plumbing retrofit ordinances for the Los Osos area. The ordinances address sea water intrusion into the lower aquifer zone of the Los Osos Groundwater Basin. To manage this serious problem, the ordinances require both new and existing development to help address this problem by retrofitting older, non-conserving fixtures with those that are water efficient. The Board of Supervisors adopted amendments to the Title 19 retrofit ordinance on February 27, 2024. The amendments replace the 2:1 offset of new water demand and establish different rates based on whether or not a parcel is served by a water purveyor. The current offset required by the Department for a single-family dwelling using community water is 256 gallons per day (2:1 offset). The applicant has agreed to retrofit at a 2:1 ratio and is required to provide a certificate of retrofit prior to issuance of construction permits; therefore, impacts 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 does not include connection to a wastewater treatment provider; therefore, *no impact* 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?*

Solid waste, recycling, and green waste services would be provided by Mission Country Disposal and waste materials would be disposed of at the Cold Canyon Landfill. According to the California Department of Resources Recycling and Recovery (CalRecycle), Cold Canyon Landfill has a maximum permitted capacity of 23,900,000 cubic yards and maximum capacity of 1,650 tons of solid waste per day. The estimated closure date of Cold Canyon Landfill is December 2040 (CalRecycle 2020).

During construction, the project would result in a short-term increase in construction-related solid waste. According to the County's Integrated Waste Management Authority (IWMA), construction waste would be subject to CALGreen Sections 4.408 and 5.408, which requires diversion of at least 75% of construction waste (IWMA 2022). Based on required compliance with CALGreen regulations, construction of the project would not generate solid waste in excess of local infrastructure capacity.

The project would facilitate the infill development of a new single-family residence. According to the CalRecycle Estimated Solid Waste Generation Rates, operation of a new single-family residence would result in a limited increase in long-term solid waste of approximately 12.23 pounds per day (CalRecycle 2019). In addition, the project would be required to comply with County-implemented recycling and organic waste disposal programs during operation, which would reduce the amount of solid waste taken to Cold Canyon Landfill. Cold Canyon Landfill would have adequate available capacity to support the increase of solid waste; therefore, 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 be serviced by Mission Country Disposal and Cold Canyon Landfill, which are fully compliant with existing state and local regulations related to disposal of solid waste. As evaluated above, construction and operation of the project is not expected to generate solid waste in excess of state or county regulations for solid waste. In addition, the project would be required to comply with CALGreen regulations during construction and County-implemented recycling and organic waste disposal programs during operation, which would be consistent with federal, state, and local solid waste reduction goals; therefore, impacts would be *less than significant*.

Conclusion

Mitigation Measures AQ-1 and AQ-2 and BIO-1 through BIO-6 would be required to avoid or reduce potential impacts related to installation of expanded utility infrastructure. The project would not result in significant increased demands on water, wastewater, or stormwater infrastructure and facilities. The project would not result in a substantial increase in solid waste generation. Therefore, potential impacts related to utilities and service systems would be less than significant with mitigation.

Mitigation

Implement Mitigation Measures AQ-1 and AQ-2 and BIO-1 through BIO-6.

XXI. 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 roughly from May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. CAL FIRE defines FHSZs 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. FHSZs throughout San Luis Obispo 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 FHSZ is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The Moderate designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has "fire weather" is less than in High or Very High FHSZs. According to the CAL FIRE FHSZ Viewer, the project site is located in a Very High FHSZ (CAL FIRE 2023).

San Luis Obispo County Emergency Operations Plan

The County has prepared the *San Luis Obispo County Emergency Operations Plan* (County EOP) to outline the emergency measures that are essential for protecting the public health and safety (County of San Luis Obispo 2016). These measures include, but are not limited to, public alert and notifications, emergency public information and protective actions. The County EOP also addresses policy and coordination related to emergency management. The County 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.

County of San Luis Obispo General Plan Safety Element

The County 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, the development and implementation of mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

California Fire Code

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

Discussion

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

The project site is located in a very high FHSZ (CAL FIRE 2023). The project would result in the construction of a new single-family residence and associated site improvements. Construction activities would not require traffic controls or road closures and emergency access to the site and surrounding areas would be maintained throughout construction. The project site would be accessed via a new 20-foot-wide driveway off Madera Street. The proposed driveway would be constructed in accordance with County Public Works Department and CAL FIRE requirements to ensure adequate emergency access to the site. Based on required compliance with County Public

Works Department and CAL FIRE requirements, impacts related to emergency response and evacuation would be *less than significant*.

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

The project site is located within a very high FHSZ and is currently undeveloped and consists of gently to moderately sloping topography and non-native grasses and shrubs. Implementation of the proposed project would result in the construction of a new single-family residence on the 0.52-acre parcel. The project would be constructed in accordance with CAL FIRE, CFC, CBC, and PRC requirements to reduce risk associated with fire ignition and exposure of project occupants to wildfire risk and to ensure adequate emergency access to the site. Based required compliance with CAL FIRE, CFC, CBC, and PRC requirements, the project would not significantly exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; therefore, 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 result in the construction of a new single-family residence and associated site improvements, including construction of an on-site septic system and extension of utility infrastructure, including a natural gas, water, and electricity line. Proposed utility infrastructure would be constructed below ground, which would reduce the potential for fire ignition at the project site. In addition, proposed development would be required to comply with applicable County, CBC, CFC, and PRC standards and regulations to reduce risk associated with fire ignition at the project site; therefore, 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?

Based on the County Safety Element Landslide and Liquefaction Hazards Maps, the project site is located in an area with low risk for landslide and liquefaction. In addition, the project site is not located within an area at risk for flooding (FEMA 2017). The project would be required to comply with all applicable CBC and other engineering standards to reduce potential risk associated with development on unstable soils within a very high FHSZ. Therefore, impacts would be *less than significant*.

Conclusion

The project would not expose people or structures to new or exacerbated wildfire risks and would not require the development of new or expanded infrastructure or maintenance to reduce wildfire risks. Therefore, potential impacts associated with wildfire would be less than significant, and mitigation measures are not necessary.

Mitigation

None necessary.

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XXII. 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?*

Based on the analysis provided in the resource sections above, the project has the potential to disturb sensitive biological resources and unknown cultural and/or tribal cultural resources. Mitigation Measures BIO-1 through BIO-6 have been identified and would reduce potential impacts related to sensitive biological resources to less than significant. Additionally, adherence to County CZLUO Section 23.05.140 and California Health and Safety Code Section 7050.5 would reduce

impacts to unknown cultural and/or tribal cultural resources if present within the project area. Therefore, potential impacts would be *less than significant with mitigation*.

(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)?

Based on the nature of proposed development and the analysis provided in the resource sections above, the project would have the potential to result in environmental impacts associated with air quality and biological resources that could have a cumulative effect with other development projects in the project region. Mitigation Measures AQ-1 and AQ-2 and BIO-1 through BIO-6 have been identified to reduce potential environmental impacts associated with the project to a less-than-significant level. Other past and future development projects requiring a discretionary permit in the project region would also be subject to applicable mitigation measures to reduce potential impacts associated with these impact issue areas. Therefore, based on the implementation of project-level mitigation measures and discretionary review and CEQA review of other projects within the project area, potential impacts would be *less than cumulatively considerable with mitigation*.

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

Based on the nature and scale of proposed development and the analysis provided in the resource sections above, the project has the potential to have environmental effects that could result in substantial adverse effects on human beings. Potential impacts associated with air quality would be reduced to less-than-significant levels with the implementation of Mitigation Measures AQ-1 and AQ-2. Therefore, potential impacts associated with environmental effects that would cause substantial adverse effects on human beings 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.

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	**Not Applicable**
☐	County Agricultural Commissioner's Office	**Not Applicable**
☐	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	**None**
☒	CA Department of Fish and Wildlife	**None**
☒	CA Department of Forestry and Fire Protection	**In File****
☐	CA Department of Transportation	**Not Applicable**
☐	Community Services District	**Not Applicable**
☒	Other Los Osos Community Advisory Council	**In File****
☒	Other Golden State Water Company	**In File****

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

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

- ☒ 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
- ☒ Estero Area Plan
- ☐ 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 Los Osos Community Plan

Initial Study – Environmental Checklist

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

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Exhibit B – Mitigation Summary & Developer's Statement (MMRP)

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