



**Dowden Minor Use Permit (N-DRC2022-00038 - ED23-012)**

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

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

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

Mason Denning		Planner	07/23/2024
Prepared by (Print)	Signature		Date
Eric Hughes		Principal Environmental Specialist	07/23/2024
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:** Request by **John and Tia Dowden** for a Minor Use Permit ([MUP] N-DRC2022-00038) to authorize major grading for the purposes of constructing of a 2,415-square-foot (sf) single-family residence with a 1,118-sf attached garage, 878-sf attached patio, and associated site improvements. The project would result in the disturbance of approximately 50,647 sf (1.16 acres), including approximately 602 cubic yards of cut and 437 cubic yards of fill, and on a 4.9-acre parcel. The project is within the Residential Rural land use category and is located at 390 Aloma Way, an undeveloped parcel approximately 2.5 miles south of the Arroyo Grande city limits. The project is within the South County Inland Sub-Area of the South County Planning Area.

#### **Expanded Project Description**

The project includes authorization for major grading to construct a single-story, 2,415-square-foot single-family residence with a 1,118-square-foot attached garage, 878-square-foot attached patio, and associated site improvements, including construction and improvements to an unpaved driveway to meet CAL FIRE/County Fire Department (County Fire) standards, and installation of utility infrastructure, including a 5000-gallon water tank and 1,200-gallon septic tank. Construction would include the development of the proposed residence, located in the southwestern portion of the parcel. The residence would have a maximum height of 19 feet 4 inches, and construction would occur in a single phase.

The project site is currently accessed from Aloma Way via an existing unpaved driveway on an existing access easement that serves both the project site and an intervening parcel. The project includes the grading and improvement of a driveway that would generally align with the existing unimproved driveway serving the proposed project site and neighboring parcel. The access and utility easement is 24 feet wide and encompasses the proposed driveway. The driveway and associated extends approximately 985 feet from the connection to Aloma Way, northwest through the intervening parcel (Assessor's Parcel Number [APN] 075-232-067), into the property in question, where it terminates to into a hammerhead turn and serves the proposed single-family residence. The regional location of the project site is shown in Figure 1; an aerial view of the project site and vicinity is provided in Figure 2.

## Initial Study – Environmental Checklist

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### **Baseline Conditions**

The 4.67-acre property is located in a rural area of the County where the dominant land use is low density residential development on parcels ranging in size from 5 to 10+ acres. Surrounding land uses include scattered single-family residences and accessory structures to the north, south, west, and east. The project site is characterized by gently sloping topography and consists of oak woodland, non-native grassland, and disturbed/ruderal areas. The project site is primarily undeveloped except for an unpaved driveway that generally traverses the site along the same alignment as the existing driveway and sea train placement area located in the northern corner of the parcel. Historical aerial imagery between 2015 and 2021 indicates there was potentially extensive clearcutting of native oak trees and grading in the area of the proposed project, with no record of a grading permit being issued.

ASSESSOR PARCEL NUMBER(S): 075-232-066

Latitude: 35° 4' 46.03" N      Longitude: 120° 33' 59.08" W      SUPERVISORIAL DISTRICT # 4

### **B. Existing Setting**

Plan Area: South County      Sub: South County      Comm: NA

Land Use Category: Residential Rural

Combining Designation: Renewable Energy Overlay

Parcel Size: 4.67 acres

Topography: Gently sloping

Vegetation: Oak woodland, Ruderal, Grasses

Existing Uses: Undeveloped, unpaved driveway

Surrounding Land Use Categories and Uses:

North:	Residential Rural; single-family residence(s) accessory structures ; agricultural uses	East:	Residential Rural; single-family residence(s) accessory structures
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South:	Residential Rural; single-family residence(s) accessory structures	West:	Residential Rural; single-family residence(s) accessory structures
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# Initial Study - Environmental Checklist



Figure 1 - Project Vicinity Map

# Initial Study - Environmental Checklist

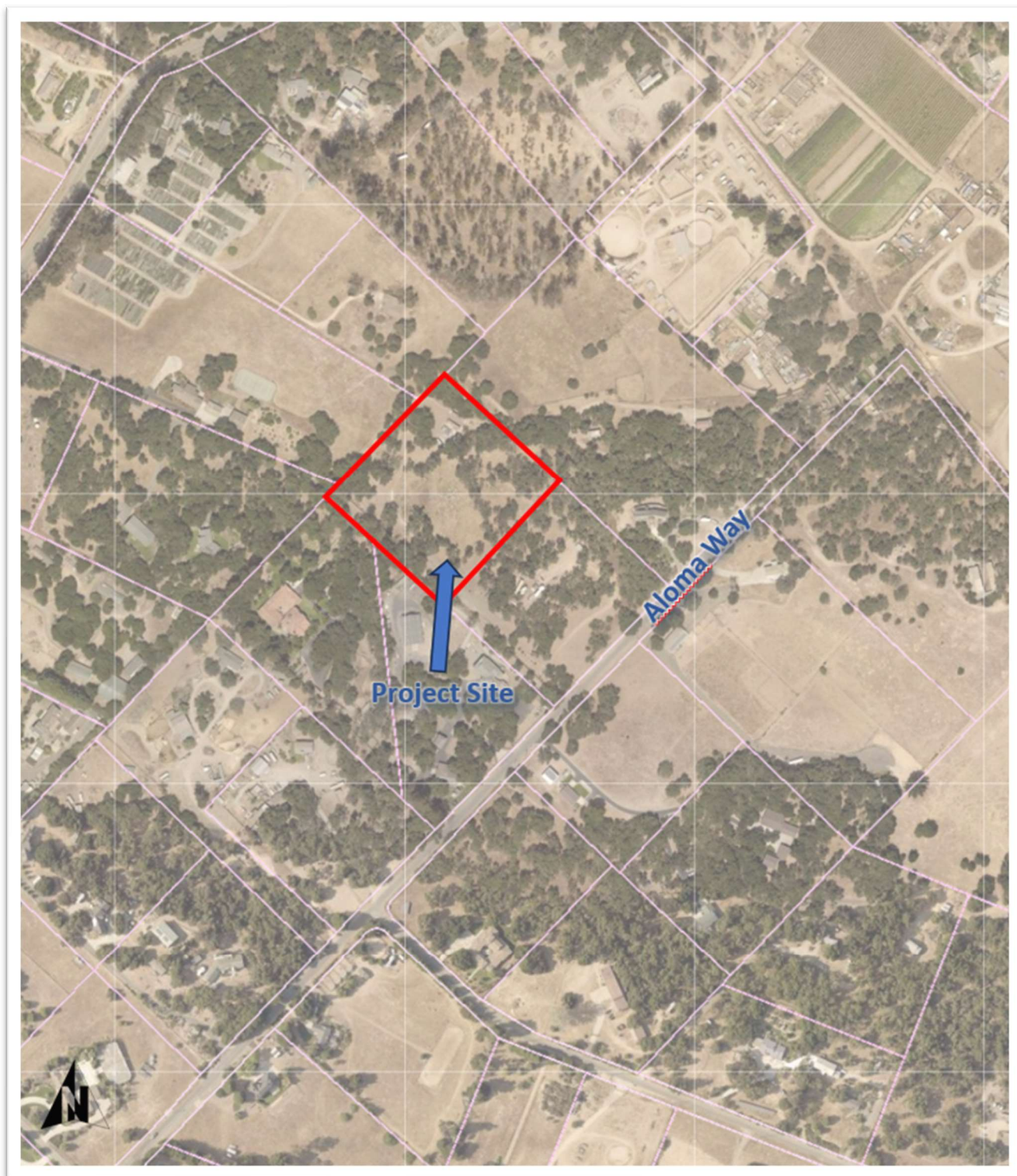


Figure 2 - Project Boundary Aerial

## Initial Study – Environmental Checklist

### C. Environmental Analysis

#### I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Setting

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

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A proposed project’s potential effect on a scenic vista is largely dependent upon the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista. Due to parcel topography, the visual qualities of the project site from the nearest public right-of-way (Aloma Way), a County maintained road, are obscured by the intervening parcel.

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### *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. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic Highways within San Luis Obispo County include U.S. Highway 101 (US 101), State Route 46 (SR 46), portions of State Route 41 (SR 41), State Route 1 (SR 1), and Lake Nacimiento Drive.

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

The *County of San Luis Obispo General Plan Conservation and Open Space Element* (COSE) identifies several goals for visual resources in rural parts of the county, listed below:

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

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

### *Countywide Design Guidelines*

The Countywide Design Guidelines identify objectives for both urban and rural development. Rural area guidelines are intended to help protect the attractive rural character and address the visual impacts of rural building construction and related grading. Applicable guidelines to the project include the following:

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

### *County of San Luis Obispo Land Use Ordinance*

The County of San Luis Obispo Inland Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), setbacks (LUO 22.10.140), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element (LUE).

The County LUO also defines Highway Corridor Design Standards (HWY) and Sensitive Resource Area (SRA) combining designations that apply to areas having high environmental quality and special ecological or educational significance. Since these designated areas are considered visual resources by the County, the County LUO establishes specific standards for projects located within these areas. The project is not located within either combining designation.

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### 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 designated as an SRA or HWY by the County LUO, is not located in the view of an identified scenic vista, visually sensitive area, scenic corridor, or an area of high scenic quality seen from key public viewpoints; therefore, *no impacts would occur*.

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

The project site is located approximately 2 miles southwest of US 101 and 2 miles east of SR 1. At this location US 101 is eligible for designation, though not classified, as a scenic highway, while SR 1 is not designated as eligible for a scenic highway (California Department of Transportation [Caltrans] 2018). Viewshed data procured via Google Earth Pro for a 6.5-meter-tall structure within the project area indicates that the project site is not visible from either of these highways due to distance, intervening topography, vegetation, and development. Therefore, implementation of the project would not be visible within the viewshed of a designated state scenic highway, and *no impacts would occur*.

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

The project site is located in a rural area and is primarily undeveloped with the exception of an unpaved driveway road from Aloma Way to the southeast. Surrounding land uses include scattered single-family residences and accessory structures to the north, south, west, and east. The subject property is characterized by gently sloping topography and consists of oak woodland, non-native grassland, and disturbed/ruderal areas.

The proposed project would be consistent with the density and use of surrounding areas and would not introduce new features that would detract from the existing visual character of the project area. In addition, the project would be required to comply with design standards established in the County LUO for development within the Residential Rural land use designation, including height limitations, and lighting requirements. Based on required compliance with the County LUO and associated policies, implementation of the project would be consistent with the level and scale of surrounding development and would not introduce new architectural or design features that could detract from the existing visual character of the project area. Therefore, the project would not result in the degradation of the existing visual character or quality of public views of the site and its surroundings, and *no impacts would occur*.



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

The project site is located in a rural area and existing nighttime lighting within the project area primarily consists of lighting from surrounding low-density, single-family residential dwellings and accessory structures. Future buildout of a new single-family residence attached garage, and patio cover would result in a limited increase of nighttime lighting in the area, which would be consistent with the scale of lighting from other low-density residential development and accessory structures. In addition, installation of exterior lighting would be required to comply with County LUO Section 22.10.060, which requires exterior lighting sources to be used for illumination purposes only and to be designed to direct light away from surrounding areas, minimize light intensity, and shield the light source from off-site areas. Based on the limited scale of proposed development and adherence to County LUO Section 22.10.160, implementation of the project would avoid creating a substantial new source of light or glare within the project region; therefore, potential impacts would be *less than significant*.

### *Conclusion*

The project site is not located within a scenic vista, is not within the viewshed of a designated scenic highway and would not result in a substantial change to scenic resources in the area. Implementation of the project would not result in an adverse change in the existing visual character of the project area or affect day or nighttime views, and any new sources of light will be subject to compliance with the County's exterior lighting standards as prescribed in LUO Section 22.10.060. Further, the project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Therefore, potential impacts related to aesthetic resources would be *less than significant*.

### *Mitigation*

Mitigation is not necessary.

## Initial Study – Environmental Checklist

### II. AGRICULTURE AND FORESTRY RESOURCES

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

#### Setting

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

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of Local Important, and Grazing Land as “agricultural land”. According to the FMMP, the project site is located on land designated as Grazing Land and Farmland of Local Potential (DOC 2018).

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

Chapter 6 of the County COSE identifies resource management goals, policies, and strategies to protect agricultural soils from conversion to urban and residential uses. Important agricultural soils within the county that meet the definition of prime farmland are identified in Table SL-2 of the COSE, and Policy SL 3.1 states that proposed conversion of agricultural lands to non-agricultural uses shall be evaluated using the applicable policies in the County COSE and *County of San Luis Obispo General Plan Agriculture Element*.

According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) *Soil Survey of San Luis Obispo County, California* and the NRCS Web Soil Survey, the project site is underlain by the following soil types (NRCS 2023):

- **(184) Oceano sand, 0 to 9 percent slopes.** This excessively drained soil has a very slow runoff class, very poorly developed surface drainage pattern, rapid permeability, and a depth to restrictive feature of 80 inches. The typical soil profile consists of sand or loamy sand throughout, and rock fragments are lacking. This soil is designated as Farmland of Statewide Importance in Table SL-2 of the County COSE.
- **(185) Oceano sand, 9 to 30 percent slopes.** This excessively drained soil has a very slow runoff class, very poorly developed surface drainage pattern, rapid permeability, and a depth to restrictive feature of 80 inches. The typical soil profile consists of sand or loamy sand throughout, and rock fragments are lacking. This soil is designated as Other Productive Soils in Table SL-2 of the County COSE.

Forestland is defined in California Public Resources Code (PRC) Section 12220(g) 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. The project site has historically supported, and portions of the project site continue to support dense oak woodland that provides benefits to wildlife habitat, biodiversity, and aesthetics.

Timberland is defined in PRC Section 4526 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 any commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any timberland.

### Discussion

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

The project site is designated as Grazing Land and Farmland of Local Potential by the FMMP (DOC 2016). Therefore, implementation of the project would not result in conversion of Prime

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Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use and *no impacts would occur*.

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

The project site is not located within the AG land use designation and is not subject to a Williamson Act contract. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract, and *no impacts would occur*.

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

The project site is within the Residential Rural land use designation and does not include land use designations for forest land or timberland. Therefore, the project would not conflict with or cause rezoning/change of land use designation of forestland or land for timber production, and *no impacts would occur*.

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

Based on the current and historical density of oak woodland habitat on-site, the project site may be considered forestland as defined by PRC Section 12220(g). Implementation of the project would result in impacts to existing oak trees and would be required to implement Mitigation Measures BIO-3 and BIO-4, which requires oak tree protection and replanting of removed and/or impacted trees. With implementation of the identified mitigation, the project would not result in the loss of forest land or convert forest land to non-forest use, and impacts would be *less than significant with mitigation*.

(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?*

Soil within the project site is designated as Farmland of Statewide Importance by Table SL-2 of the COSE, which is based on the NRCS soil classification system, as opposed to the FMMP, which takes into account historical agricultural practices. The project site is not within the AG land use designation, is generally surrounded by existing residential development and accessory structures and has not been historically used for agriculture. Based on existing site constraints, the project would not result in a potentially significant impact associated with conversion of the project site to residential land uses.

As evaluated above, implementation of the proposed project would not directly interfere with any existing agricultural, forestland, or timber production activities. The project would not result in substantial long-term groundwater use, dust, or other emissions that could inadvertently reduce water availability for or damage crops within the project area. The project would not introduce incompatible land uses or result in other changes to the environment that could indirectly result in the conversion of farmland to non-agricultural use or forestland to non-forest use; therefore, potential impacts would be *less than significant*.

### Conclusion

The project would not directly or indirectly result in the conversion of farmland or timber land to non-agricultural uses or non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses within the proximity. With implementation of Mitigation Measures BIO-3

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and BIO-4, the project would not result in the conversion or loss of forest land. With implementation of the identified mitigation, potential impacts related to agricultural and forestry resources would be less than significant.

### *Mitigation*

Implement Mitigation Measures BIO-3 and BIO-4.

## Initial Study – Environmental Checklist

### III. AIR QUALITY

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

#### Setting

##### *Criteria Air Pollutants and Ambient Air Quality 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 San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The 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. The CARB adopted the CAAQS developed by the California Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (less than 10 microns in diameter [PM<sub>10</sub>] and less than 2.5 microns in diameter [PM<sub>2.5</sub>]), ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), sulfate, carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), visibility-reducing particles, lead (Pb), hydrogen sulfide (H<sub>2</sub>S), 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 CAAQS): CO, lead, NO<sub>2</sub>, ozone, PM<sub>10</sub> and PM<sub>2.5</sub>, and SO<sub>2</sub>.

California law continues to mandate compliance with the CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with

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NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

### *San Luis Obispo County Clean Air Plan*

The *San Luis Obispo County 2001 Clean Air Plan (CAP)*, prepared by the SLOAPCD, 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<sub>10</sub>. The 2001 CAP presents a detailed description of the sources and pollutants that impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality. 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 Criteria Pollutant Thresholds*

The SLOAPCD has developed and updated their *CEQA Air Quality Handbook* (most recently updated with an administrative update in 2023) 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<sub>x</sub>), reactive organic gases (ROGs), greenhouse gases (GHGs), and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other heavy equipment. The SLOAPCD has established thresholds of significance for each of these contaminants.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (referred to as stationary source emissions). General screening criteria is used by the SLOAPCD to determine the type and scope of air quality assessment required for a particular project (Table 1-1, SLOAPCD CEQA Air Quality Handbook). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or that are within ten percent (10%) of exceeding the screening criteria.

The SLOAPCD has also estimated the number of vehicular round trips on an unpaved roadway necessary to exceed the 25 pounds per day (lbs/day) threshold of significance for the emission of PM<sub>10</sub>. According to the SLOAPCD estimates, an unpaved roadway of one mile in length carrying 6.0 round trips would likely exceed the 25 lbs/day PM<sub>10</sub> threshold.

### *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

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centers, nursing homes, hospitals, and residences. The nearest sensitive receptor locations are several single-family residential dwellings located adjacent to the parcel and approximately 400 feet from the project site.

### *Naturally Occurring Asbestos*

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the CARB. Serpentine and other ultramafic rocks are common throughout San Luis Obispo County and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. The project site is not located in a buffer area identified as having the potential for NOA containing soils and/or rocks by the SLOAPCD and has received a NOA Construction and Grading Project Exemption (GeoSolutions, 2019; SLOAPCD 2022, 2023).

### *Developmental Burning*

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

### *Discussion*

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

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 CAP and be generally consistent with the population projections the plan was based on (SLOAPCD 2012). Adopted land use planning strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing.

The project does not include development of retail or commercial uses that would be open to the public; therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project would include the construction of one primary single-family residence that would typically be occupied by approximately 2.51 new residents based on an average of 2.51 persons per household in San Luis Obispo County (U.S. Census Bureau 2021). Therefore, the project would not generate a substantial increase in population and employment opportunities and would not result in a significant increase in vehicle trips or affect the local jobs and housing balance.

Based on the limited scale of the proposed residential development and associated marginal population increase, the project would not generate vehicle miles traveled (VMT) in a manner that would exceed regional thresholds and transportation control measures identified in the 2001 CAP that would generally not be applicable to the project. Therefore, implementation of the proposed project would not conflict with or obstruct implementation of the 2001 CAP, and potential impacts would be *less than significant*.



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

The SCCAB is currently designated as “non-attainment” (exceeding acceptable thresholds) for ozone and particulate matter (PM<sub>10</sub> and fugitive dust) under the CAAQS (CARB 2020).

Construction Emissions

The project will have an approximate area of disturbance of 50,467 sf (1.16 acres), including 602 cubic yards of cut and 437 cubic yards of fill. Construction activities associated with the proposed construction of the residential use and associated access and on-site improvements would result in the generation of criteria air pollutants, including short-term increase in particulate matter emissions (i.e., fugitive dust [PM<sub>10</sub>]) generated by site preparation, as well as CO, ROG, and NO<sub>x</sub> from the use of large diesel-fueled equipment, including scrapers, loaders, bulldozers, haul trucks, compressors, and/or generators. However, construction activities would be short term and would not result in a cumulatively considerable net increase in PM<sub>10</sub>, and the project is small in scale and nature and is not expected to result in any other activities which may otherwise result in a cumulatively considerable net increase in PM<sub>10</sub>.

Based on the project description, SLOAPCD’s *CEQA Air Quality Handbook* was used to estimate the significance of construction-related emission impacts for the project, show in Table 1 below.

**Table 1. Estimated Daily Construction Emissions of Criteria Pollutants**

Pollutant	Maximum Daily Emissions Estimate	SLOAPCD Daily Threshold	Threshold Exceeded?
Ozone Precursors (ROG + NO <sub>x</sub> )	117.41 lbs./day <sup>1</sup> 0.59 tons/quarter <sup>1</sup>	137 lbs./day 2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	5.09 lbs./day <sup>2</sup> 0.03 tons/quarter <sup>2</sup>	7 lbs./day 0.13 tons/quarter	No
Fugitive Particulate Matter (PM <sub>10</sub> )/Dust	0.09 tons/quarter <sup>3</sup>	2.5 tons/quarter	No

Notes:

1. Based on 1,039 cubic yards of material moved and 0.113 pounds of combined ROG and NO<sub>x</sub> emissions per cubic yard of material moved and 10 construction days.
2. Based on 1,039 cubic yards of material moved and 0.0049 pounds of diesel particulate emissions per cubic yard of material moved.
3. Based on 1.16 total acres of disturbance and 0.75 tons of PM<sub>10</sub> generated per acre of disturbance per month and 10 days of construction.

As proposed, the project would not exceed SLOAPCD thresholds for daily or quarterly emissions of combined ROG and NO<sub>x</sub>, DPM, or PM<sub>10</sub>. In addition to the daily emissions thresholds noted above, the SLOAPCD states that projects that disturb more than 4.0 acres of land have the potential to exceed the 2.5-ton PM<sub>10</sub> quarterly threshold. The project would result in a total site disturbance of approximately 1.16 acres (50,467 square feet).

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### Operational Emissions

Operational activities associated with the project would include residential uses, landscape maintenance activities, and vehicle trips to and from the project site. Use of the proposed driveway would be overlain with compacted gravel/decomposed granite and would not generate long-term dust emissions. The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds, that also help screen smaller, single land use development projects that are unlikely to exceed established operational phase significance thresholds (refer to Table 1-1 of the CEQA Handbook) (APCD 2023). Based on Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds as the 2024 Operational Year Screening Criteria for Project Air Quality Standards would require the construction of 43 or 99 single-family dwelling units to exceed GHG and Ozone Precursor significance thresholds, respectively (APCD 2023).

Therefore, the project would not have the potential to exceed air pollutant emissions significance thresholds set forth by the SLOACPD during construction or operation and potential impacts associated with a cumulatively considerable net increase of criteria pollutants for which the region is in nonattainment would be *less than significant*.

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

### Construction Emissions

For projects involving construction and/or grading activities, the LUO requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled to below the 20% opacity limit and to ensure dust is not emitted offsite. The LUO includes a list of primary fugitive dust control measures required for all projects involving grading or site disturbance. All applicable fugitive dust control measures are required to be shown on grading and building plans and monitored by a designated monitor to minimize dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (LUO 22.52.160.C).

According to the SLOAPCD *CEQA Air Quality Handbook*, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions (SLOAPCD 2012). There are several sensitive receptor locations, including single-family residential dwellings, within 1,000 feet of the project site. Construction activities associated with the proposed residential uses and on-site improvements including access and utilities, would result in the generation of air pollutants that can cause adverse health impacts, including ozone precursors, fugitive dust, and particulate matter emitted by exhaust from diesel vehicles less than 2.5 micrometers in size or smaller (herein referred to as Diesel Particulate Matter DPM).

Based on the information provided within Table 1 above, the project would not have the potential to exceed SLOACPD's daily or quarterly emissions thresholds for combined ROG and NO<sub>x</sub>, fugitive dust (PM<sub>10</sub>), or DPM. However, based on the project site's location within 1,000 feet of sensitive receptor locations, the SLOAPCD states that implementation of the expanded list of fugitive dust mitigation measures is needed to reduce the potential for adverse health effects for nearby sensitive receptors. Mitigation Measure AQ-1 has been identified to require implementation of the SLOAPCD's expanded list of fugitive dust mitigation measures and for these measures to be shown on project grading and construction plans.

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As shown in Table 1 above, the project would not exceed daily or quarterly emissions thresholds for DPM during construction. However, based on the project site's location within 1,000 feet of sensitive receptor locations and proposed use of diesel-powered equipment, the SLOAPCD states that implementation of limits on idling during the construction phase are needed to reduce the potential for adverse health effects for nearby sensitive receptors. Mitigation Measure AQ-2 has been identified to require implementation of idling limits for diesel-powered equipment during construction activities and for these measures to be shown on project grading and construction plans. The project would not include demolishing or remodeling, sandblasting, removing paint with a heat gun, or other activities that may result in other air emissions with the potential to adversely affect surrounding sensitive receptors.

Therefore, with implementation of Mitigation Measures AQ-1 and AQ-2, potential impacts to sensitive receptors associated with construction activities would be *less than significant with mitigation*.

### Operational Emissions

Operational activities associated with the project would include residential uses, landscape maintenance activities, and vehicle trips to and from the project site. Use of the proposed driveway would be overlain with compacted gravel/decomposed granite and would not generate long-term dust emissions. The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds, that also help screen smaller, single land use development projects that are unlikely to exceed established operational phase significance thresholds (refer to Table 1-1 of the CEQA Handbook) (APCD 2023). Based on Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds as the 2024 Operational Year Screening Criteria for Project Air Quality Standards would require the construction of 43 or 99 single-family dwelling units to exceed GHG and Ozone Precursor significance thresholds, respectively (APCD 2023).

Based on the analysis provided above and the implementation of Mitigation Measures AQ-1 and AQ-2, the project impacts associated with exposure of sensitive receptors to substantial pollutant concentrations would be *less than significant with mitigation*.

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

Construction activities generally 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. The project is not located in an area with known potential for NOA (GeoSolutions, 2019; SLOAPCD 2022, 2023). Therefore, construction activities would not have the potential to expose workers or surrounding land use occupants to harmful levels of NOA.

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. Based on the analysis provided above and project impacts associated with other emissions, potential odor related impacts adversely affecting a substantial number of people would be *less than significant*.

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### Conclusion

Project impacts associated with consistency with an adopted clean air plan, cumulatively considerable net increases in criteria air pollutants, and other emissions would be less than significant. Project impacts associated with exposure of sensitive receptors to substantial pollutant concentrations would be reduced to less than significant with implementation of mitigation measures identified below. Upon implementation of the identified mitigation measures, potential impacts related to air quality would be less than significant.

### Mitigation

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

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible; When water use is a concern due to drought conditions, the contractor or builder shall consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control;
- c. All dirt stock-pile areas shall be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- e. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114.
- f. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.
- g. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- h. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name

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and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact the Compliance Division at 805-781-5912).

- i. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities.
- j. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.
- k. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advanced by the APCD.
- l. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
- n. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

**AQ-2 ROG, NO<sub>x</sub>, DPM Emissions.** *Prior to issuance of construction permits*, the following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO<sub>x</sub>), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

- a. Implement Mitigation Measure AQ-1, as identified above.
- b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
  - i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
  - ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).

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- e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and comply with the State Off-Road Regulation.
- f. Use on-road heavy-duty trucks that meet the CARB's 2010 or cleaner certification standard for on-road heavy-duty diesel engines and comply with the State On-Road Regulation.
- g. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and/or job site to remind drivers and operators of the no idling limitation.
- h. Electrify equipment when possible.
- i. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
- j. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

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### IV. BIOLOGICAL RESOURCES

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

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### *Setting*

#### *Federal and State Endangered Species Acts*

The Federal Endangered Species Act (FESA) of 1973 provides legislation to protect plant and wildlife species listed as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS). The California Endangered Species Act (CESA) of 1984 ensures legal protection for plants listed as threatened or endangered by the California Department of Fish and Wildlife (CDFW) and wildlife species formally listed as endangered or threatened. In addition, CDFW maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats. CDFW also maintains a Watch List (WL) for species that were previously SSC but no longer merit SSC status, or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

In addition, the California Native Plant Society (CNPS) maintains a list of plant species ranging from presumed extinct to limited distribution, based on the following:

- California Rare Plant Ranks (CRPR)
  - 1A: Plants presumed extirpated in California and either rare or extinct elsewhere
  - 1B: Plants rare, threatened, or endangered in California and elsewhere
  - 2A: Plants presumed extirpated in California, but common elsewhere
  - 2B: Plants rare, threatened, or endangered in California, but more common elsewhere
  - 4: Plants of limited distribution – a watch list
- California Rare Plant Threat Ranks
  - 0.1: Seriously threatened in California
  - 0.2: Moderately threatened in California
  - 0.3: Not very threatened in California

#### *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 USFWS, and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA. Several raptors and many nesting birds protected under the MBTA could potentially occur on a seasonal basis on the property (KMA 2023).

#### *California Fish and Game Code*

California Fish and Game Code Sections 3511, 4700, 5050 and 5515 identify a Fully Protected Species (FPS) classification to identify and provide additional protection to those wildlife species that were rare or faced possible extinction. FPS may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for scientific research, for relocation of the bird species for the protection of livestock, or if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (NCCP).



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### *Clean Water Act and State Porter-Cologne Water Quality Control Act*

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland 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 the CWA and the 2015 Clean Water Rule, the USACE regulates activities in waters that are jurisdictional by rule in all cases; jurisdictional by rule, as defined; and waters requiring a case-specific evaluation. Traditional navigable waters (TNW), interstate waters, the territorial seas, and impoundments of these waters are jurisdictional by rule. Tributaries and adjacent waters are jurisdictional by rule, if they meet certain definitions as defined in the 2015 Clean Water Rule. Waters such as vernal pools, coastal prairie wetlands, prairie potholes, waters that are within the 100-year flood plain of a TNW, and waters within 400 feet of the high tide line require a case specific evaluation to determine jurisdictional status.

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate discharge of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit or fall under other federal jurisdiction and have the potential to impact waters of the State.

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

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

- **Goal BR 1:** Native habitat and biodiversity will be protected, restored, and enhanced.
- **Goal BR 2:** Threatened, rare, endangered, and sensitive species will be protected.
- **Goal BR 3:** Maintain the acreage of native woodlands, forests, and trees at 2008 levels.
- **Goal BR 4:** The natural structure and function of streams and riparian habitat will be protected and restored.
- **Goal BR 5:** Wetlands will be preserved, enhanced, and restored.
- **Goal BR 6:** The County's fisheries and aquatic habitats will be preserved and improved.
- **Goal BR 7:** Significant marine resources will be protected.

### *Sensitive Resource Area Designations*

The County LUO SRA combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the County LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection. The project site is not located in an SRA combining designation.

### *Oak Woodland Ordinance*

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

### *Biological Resources Assessment*

A Botanical Survey Report (BSR) was originally prepared by Holland and Keil in 2015 for an environmental determination for a previous subdivision (SUB2019-00013/CO19-0011) that resulted in the creation of the parcel. Holland and Keil provided a detailed characterization of the property and summarized their survey results, concluding that there were no special-status plants or plant communities present onsite. No specific wildlife evaluation or impact analysis was provided. A subsequent Biological Resources Assessment (BRA) update was prepared by KMA to evaluate potential impacts to biological resources, determine consistency with the previous BSR, and provide an updated assessment that included the following information:

1. An updated analysis of potential impacts specific to the proposed development of a single-family residence;
2. An assessment of impacts that occurred after the lot split project, as it pertains to tree removals, road improvements, and vegetation disturbance;
3. An analysis on project consistency and an impact analysis to determine consistency with the previous biological report;
4. An update on the potential presence of special-status species (both plants and animals) and their listing status since the previous biological report was prepared;
5. An assessment of impacts to oak trees and oak woodland habitat, including a proposed mitigation plan for tree removals that have already occurred onsite; and,
6. An impact assessment for wildlife that may be present onsite or in the area and affected by future construction activities.

The background review conducted for the project included of a review of the 2015 Holland and Keil report, a review of reports prepared within the local area, a query of the CDFW California Natural Diversity Database (CNDDDB) and the CNPS inventory, and other relevant databases and documents to determine plant and wildlife species known to occur within the project region. The National Wetland Inventory and Critical Habitat Portal, maintained by the U.S. Fish and Wildlife Service (USFWS) was reviewed to identify the extent of mapped drainages, wetlands, and critical habitat for federally threatened or endangered species in the immediate area. This research was then combined with field observation and surveys conducted on April 18 and June 23, 2023, to assess special-status wildlife and identify habitat that could potentially support the presence of sensitive biological resources within the project area.

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Holland and Keil noted that between the property disturbance and Veldt grass becoming the dominant plant cover in most of the woodland and open grassland areas to the exclusion of native plants, it would be unlikely that any rare plant species would withstand the current habitat conditions (Holland and Keil 2015). The 2023 KMA update confirmed that the 2015 Holland and Keil report identified all plants present on the site and confirmed no special-status plant species or sensitive habitats were found on the property. The 2023 BRA includes a description of existing conditions of the project site, an evaluation of the potential presence and/or likelihood of sensitive habitat, an evaluation of potential impacts to biological resources, a determination of consistency with the original 2015 BSR, and recommended mitigation measures to avoid and/or minimize potential impacts (KMA 2023).

Site plans prepared by Roberts Engineering, Inc. for the project identify locations of coast live oak trees in proximity to the proposed development, including depicting and describing tree protection measures to be implemented during construction. No tree removal is currently proposed, and approximately 9 oak trees are to be impacted and protected in place during project activities. The primary change since the 2015 BSR was the reduction of coast live oak woodland and increase in annual grassland and ruderal areas, primarily due to human activities on the property (Figure 3 and 4) (KMA 2023). This time series aerial imagery identifies a gradual clearing of coast live oak between 2015 and 2020 throughout the parcel, and notably, within the proposed project area. Due to vegetative clearing, the primary habitat onsite is now grassland dominated by various non-native grasses. An updated Oak Tree Impact Assessment, dated June 18, 2024, examined the extent of impacts to coast live oak trees that may occur during construction (KMA 2024). This assessment concluded that 9 coast live oak trees may be impacted from grading and other potential project-related construction activities, in addition to the 9 oak trees previously identified as impacted and 3 previously identified as removed during parcel improvements related to the previous subdivision (KMA 2023, 2024).

### *Existing Conditions*

The project site is characterized by gently sloping topography and consists of oak woodland, non-native grassland, and disturbed/ruderal areas. The project site is primarily undeveloped except for an unpaved driveway from Aloma Way to the southeast that is proposed, and required, to be improved in compliance with CAL FIRE/County Fire standards via the conditions for the previous subdivision (SUB2019-00013/CO19-0011). Surrounding land uses include scattered single-family residences and accessory structures to the north, south, west, and east.

No sensitive natural communities, drainage features, wetlands, or aquatic habitats/resources are present within (KMA 2023).

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Photo Plate



**Photo 1.** 2015 aerial photograph showing oak woodland throughout the majority of the property consistent with habitat descriptions in the Botanical Survey Report prepared by Holland and Keil.



**Photo 2.** 2017 aerial photograph showing some gradual clearing through the center of the site with the access road visible leading to the storage containers in the northeast corner.

**Figure 3 – 2015 and 2017 Aerial Imagery**

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**Photo 3.** 2020 aerial showing further clearing of oak woodland from the property with the increase in cover of grassland habitat.



**Photo 4.** 2023 aerial showing current condition of the property with open grassland where the home site is proposed and the defined access road leading to northeast corner.

## Figure 4- 2020 and 2023 Aerial Imagery

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### *Special-Status Plants*

Most special status plants in the region are associated with coastal dunes, maritime chaparral, and wetlands along the immediate coastline (KMA 2023). Based on background review of species known to occur within the region, soil conditions, and general habitat conditions of the project area, it was determined that there is no expected suitable habitat present within the project area for any special-status plants (KMA 2023). The 2015 Holland and Keil report reviewed an extensive list of special-status species known to occur within the surrounding 8 7.5 minute/24,000 scale quadrangles, while the updated KMA report focused specifically on 26 special-status plant species known to occur in the Nipomo Mesa and surrounding areas. The 2023 KMA update confirmed that the 2015 Holland and Keil report identified all plants present on site and confirmed, in agreement with Holland and Keil, that no special-status plant species or sensitive habitats were observed in the study area during field work (KMA 2023).

### *Special-Status Wildlife*

Based on a query of the CNDDDB, habitat conditions observed during field surveys of the project site, and the habitat requirements of the special-status wildlife species known to occur within the project region, the BRA identified the potential for the following 9 special-status wildlife species to occur within the project area:

- Special-Status Invertebrates
  - monarch butterfly (*Danaus plexippus*)
  - obscure bumble bee (*Bombus caliginosus*)
- Special-Status Reptiles
  - coast horned lizard (*Phrynosoma blainvillii*)
  - northern California legless lizard (*Anniella pulchra*)
- Special-Status Mammals
  - American badger (*Taxidea taxus*)
  - Pallid bat (*Antrozous pallidus*)
  - Western mastiff bat (*Eumops perotis californicus*)
- Special-Status and Nesting Birds
  - Cooper's hawk (*Accipiter cooperii*)
  - white-tailed kite (*Elanus leucurus*)

During field surveys of the project area, no special-status wildlife species were observed (KMA 2023).

### *Discussion*

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

The project includes ground-disturbing activities for construction of the proposed project, which would have the potential to result in direct removal of special-status plant species if present within the project site during construction. In addition, 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. Based on the findings presented in the BRA, no special-status plant species occur within the project area and there is potential for 9 special-status wildlife species to occur within the project area (KMA 2023). Mitigation

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Measure BIO-2 has been included to require environmental awareness training for construction personnel to be made aware of potential sensitive biological resources that may occur within the area and avoidance measures for those resources. Potential impacts to special-status plant and wildlife species are described in detail below.

### Special-Status Plants

During appropriately timed field surveys conducted in June of 2015 and on April 18 and June 23, 2023, no special-status plant species or evidence of special-status plant species were observed within the project area (Holland and Keil 2015; KMA 2023). Since no special-status plant species occur within the project area, implementation of the project would not adversely affect special-status plant species, and *no impacts would occur*.

### Special-Status Wildlife

As described above, there is potential for two special-status invertebrates, two special-status reptiles, three special-status mammals, and two special-status nesting birds to occur within the project area.

#### *Special-Status Invertebrates*

There is potential for obscure bumble bees and monarch butterfly to occur within the project area; however, these species were not observed within the project area during field surveys. According to the BRA, there is potential for monarch butterfly to periodically fly through the site and feed on flowering plants; however, individuals are not expected to roost within the project area because the oak woodland habitat on-site does not provide sufficient structure and is too far from the coast to provide suitable roosting habitat (KMA 2023). As a result, implementation of the project would not adversely affect roosting individuals or associated habitat. There is also potential for obscure bumble bees to occur onsite, although unlikely due to the regular disturbance of the understory, associated disturbance footprint, and low habitat quality onsite. However, due to the mobility of both species, monarch butterfly and obscure bumble bee individuals would be expected to avoid construction equipment; therefore, tree removal and other construction activities would not result in disturbance to individuals that may periodically fly through the site. Based on the lack of suitable roosting habitat and mobility of these species, implementation of the proposed project would not result in adverse effects to special-status insect species.

#### *Special-Status Reptiles*

There is potential for coast horned lizard and northern California legless lizard to occur within the project area. These species were not observed within the project area during field surveys; however, there is suitable habitat present within the project area. There is presence of suitable sandy soils, coastal oak woodland, and some coastal scrub elements located onsite, and as a result Coast horned lizard and northern California legless lizard could potentially be present in the proposed disturbance area and affected by construction activities (KMA 2023). As such, proposed ground-disturbing activities have the potential to result in direct disturbance to these species if present within the site during project construction. Mitigation Measure BIO-5 has been included to require preconstruction surveys for special-status reptiles prior to the start of construction and identifies the proper protocol to be implemented if these species are observed within the project area. Implementation of the identified mitigation would avoid and/or minimize potential impacts related to special-status reptiles.

#### *Special-Status Mammals*

There is potential for American badger and two special-status bat species to occur within the project area; however, these species were not observed during field surveys conducted at the site. The

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project site includes suitable habitat for American badgers foraging, migrating to other sites, and denning. No dens were specifically identified during field surveys, though a notable prey, ground squirrels, were present onsite (KMA 2023). Human activity, domestic dog presence, and site management likely reduce the potential for the species to occur in the proposed development area. However, proposed ground-disturbing activities have the potential to disturb individuals of this species if present within the project area during construction activities. Mitigation Measure BIO-6 has been included to require preconstruction surveys for American badger prior to the start of construction and identifies the proper protocol if observed within the project area.

There is no suitable roosting habitat for special-status bat species that have the potential to occur onsite. However, species could potentially forage or move through the site, and are expected to move away from any temporary disturbance during construction activities, and would not be directly affected (KMA 2023).

### *Special-Status and Nesting Migratory Birds*

Trees within the project area have the potential to provide suitable nesting habitat for Cooper's hawk, white-tailed kite, and other nesting migratory birds. As such, proposed tree removal and other construction activities have the potential to result in direct and indirect disturbance to special-status and nesting bird species if present within the project area during project construction. Mitigation Measure BIO-8 has been included to require preconstruction nesting bird surveys and identifies the proper protocol to be implemented if birds are found nesting within the project area. Implementation of the identified mitigation would avoid and/or minimize potential impacts related to special-status and nesting migratory birds.

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 U.S. Fish and Wildlife Service?*

The project area consists of oak woodland, non-native grassland habitat, and disturbed/ruderal areas. There are no surface water or drainage features located on the project site or within the project limits. No riparian habitat nor vegetation was observed on-site during field surveys (KMA 2023). Additionally, there are no other CDFW sensitive natural communities or USFWS/NMFS critical habitat located within the project area that could be adversely affected by implementation of the proposed project (KMA 2023). Therefore, implementation of the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community, and *no impacts would occur*.

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

As described above, there are no surface water or drainage features located within the project area. The project site does not support riparian habitat or other sensitive natural communities, includes no mapped blue line creek, and does not support state or federal wetlands or other jurisdictional areas and implementation of the proposed project would not result in direct or indirect disturbance to any protected wetlands; therefore, *no impacts would occur*.



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- (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 site is in a rural area of southern San Luis Obispo County. According to the CDFW, the project site is not located in an essential habitat connectivity area (CDFW 2022). Land cover within and adjacent to the project site consists of a mix of natural sloped woodland, grassland, and disturbed/ruderal areas. Surrounding land uses consist of fencing, access roads, rural residences, agricultural operations, and other features that reduce habitat connectivity within the area. While the project may reduce the quality of natural habitat on site, it is not expected to substantially increase the current level of habitat fragmentation in the region nor is it expected to create a significant barrier to wildlife movement. The project site does not include drainage features, wetlands, or aquatic habitats/resources (KMA 2023).

Trees within the project area have the potential to provide nesting habitat for migratory bird species. The project would result in impacts to 9 existing oak trees and previous site preparation resulted in impacts to 9 and removal of 3 existing oak trees for public improvements on site. Mitigation measures are proposed to require replanting of removed and/or impacted trees, which would ensure long-term migratory nesting bird habitat would remain within the project area. Based on implementation of the identified mitigation, the proposed project would not reduce the availability of nesting habitat for migratory birds within the project area. Therefore, potential impacts would be *less than significant with mitigation*.

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

County LUO Chapter 22.58 establishes regulations for clear-cutting oak woodlands. Subdivision related improvements on the parcel previously resulted in the removal of 3 oak trees and an impact to an additional 9 oak trees. The proposed project would result in additional impacts to approximately 9 existing oak trees for development of the site and would have the potential to result in impacts within the critical root zone of other oak trees located on-site. Because the project would not remove greater than 1 acre of contiguous oak woodland canopy, project impacts to oak woodland on-site would not meet the criteria to be considered clear-cutting.

However, the County considers native oak trees and oak woodland to be a locally important biological resource and has established standard mitigation measures to reduce and compensate for loss of native oak trees within the county. Mitigation Measure BIO-7 has been included and requires identification of all existing oak trees to be removed, impacted, or protected in place within 30 feet of all project activities prior to issuance of construction and grading permits. Mitigation Measure BIO-3 has been included to require preparation and implementation of an Oak Tree Mitigation Plan, which would include replacement plantings of removed trees at a 4:1 ratio and impacted oak trees at a 2:1 ratio within suitable space available on-site. Lastly, Mitigation Measure BIO-4 has been included to require compensatory mitigation for the remainder of 50% of impacted oak trees through payment into the California Wildlife Conservation Board's Oak Woodlands Conservation Program, which would be used to plant oak trees and conserve oak woodland throughout the state for any trees unable to be replaced at the project location. Upon implementation of the previous mitigation measures discussed, the project would be consistent with County regulations and standards pertaining to the protection and mitigation of native oak tree removal; therefore, impacts would be *less than significant with mitigation*.

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

The project does not overlap with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plans. Therefore, the project would not conflict with any approved local, regional, or state habitat conservation plans, and *no impacts* would occur.

### Conclusion

Mitigation Measures BIO-1 through BIO-8 have been included to avoid and/or minimize potential impacts related to special-status wildlife species and oak trees. The project would not conflict with a Habitat Conservation Plan. Upon implementation of the identified mitigation measures, potential impacts related to biological resources would be *less than significant*.

### Mitigation

- BIO-1** **Contract. Prior to issuance of grading and/or construction permits,** the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for biological resources.
- BIO-2** **Environmental Awareness Training. Prior to the start of grading or construction,** mobilization of any equipment on the project site, and installation of project limit fencing/flagging for project construction, a qualified biologist shall conduct an environmental sensitivity training for all project personnel during the project kick-off meeting. The purpose of the training is to educate the personnel on the identification of special-status wildlife species that may occur within the project area and to provide an overview of the avoidance and minimization measures to be adhered to during the project. Specifically, the training shall emphasize on all special-status wildlife species that would be expected to occur within the project limits, applicable regulatory policies and provisions regarding their protection, and a review of measures being implemented to avoid and/or minimize impacts to the species and their associated habitat. Crew members shall be briefed on the reporting process in the event that an inadvertent injury should occur to a special-status species during construction.
- BIO-3** **Oak Tree Mitigation Plan. At the time of application for grading and/or construction permits,** the following measures shall be implemented to reduce project effects on oak trees:
- 1. Employ a certified arborist for oak tree trimming.** The applicant shall employ the services of a County of San Luis Obispo-qualified, certified arborist to trim trees and roots as necessary for clearance. The arborist shall record the number of oak trees that require extensive canopy trimming (i.e., over 30% of the canopy), and incorporate these trees into the mitigation plan in Mitigation Measure BIO-3.3, below.
  - 2. Install protective fencing around the dripline and critical root zone of oak trees.** Project site plans show tree locations around the proposed disturbance footprint. Within two weeks prior to the initiation of work to improve the driveway and construct the house, protective fencing shall be installed around oak trees within the 30-foot buffer distance that are to remain undisturbed. The project biologist or certified arborist shall work with the project engineer and grading contractor to provide information on how to avoid and minimize impacts of fill and/or grading within the critical root zone of oak trees. The protective fencing shall be orange plastic construction fencing or similar material and staked into the ground delineating each

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tree's critical root zone. Fencing or stakes should be installed and maintained throughout construction and removed only after there is no potential for construction-related impacts. For any work that will impact the area within the critical root zone of oak trees, Mitigation Measure BIO-3.3 is required.

3. **Prepare and Implement an Oak Tree Mitigation Plan.** The following Oak Tree Mitigation Plan shall be implemented by the applicant and overseen by a qualified botanist or arborist for all replacement oak trees. The plan incorporates by reference and shall follow current County guidelines and mitigate removed trees at a 4:1 ratio (i.e., 4 trees planted for every tree removed). For trees that were impacted through extensive trimming (i.e., over 30% of the canopy), grading or placement of fill or structures within the critical root zone, a mitigation ratio of 2:1 shall be employed. The following are the minimum requirements of the mitigation plan:

- Replacement trees shall be coast live oaks acquired from a native plant nursery with container stock from the southern San Luis Obispo County region.
- The mitigation sites shall be located along the perimeter of the property away from development and identified in the field through appropriate flagging or fencing.
- Planting areas shall be prepared prior to container stock installation and have all non-native plant cover removed from the planting site through hand pulling or use of hand or mechanical equipment.
- Replacement trees shall be planted approximately 10 to 20 feet on center to emulate conditions onsite.
- Caging of plants and rootballs shall be done as needed to avoid herbivory and gopher/ground squirrel damage.
- A low nitrogen, slow-release fertilizer may be used as well as a mycorrhizal inoculant to promote successful establishment.
- Plantings shall be irrigated by hand or with a drip irrigation system, and mulched (compost or wood chips) to promote appropriate soil conditions. Irrigation shall occur regularly for a minimum of two years and then tapered off during the third rain season as determined by the qualified botanist/arborist.
- Container plants shall be tagged and numbered following installation and mapped with a GPS unit to track their establishment.
- An as-built Planting Plan shall be prepared with the GPS data to track the replacement trees.
- Maintenance shall occur on a weekly to monthly basis following installation and then gradually reduced as determined by the qualified botanist/arborist.
- Monitoring shall occur at least twice a year (spring and fall) for a seven-year period to document establishment and guide maintenance activities.
- Annual Reports detailing monitoring of the mitigation effort shall be prepared by a qualified botanist or arborist and submitted to the County by December 31<sup>st</sup> of each year following planting.

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- All replacement trees shall be maintained and monitored for a minimum of seven (7) years to ensure successful establishment of a minimum of 30 replacement trees based on current numbers removed and trimmed. If additional trees are impacted during construction of the project, the replacement number shall be adjusted accordingly.
- The goal of the plan is to have at least 30 healthy coast live oak trees with no need for supplemental irrigation. There shall be no signs of necrosis or plant damage, and all planted specimens shall show signs of new growth.

**BIO-4**      **Oak Tree Mitigation Plantings.** *At the time of application for construction or grading permits*, if replacement mitigation plantings are unable to be satisfactorily implemented, the applicant shall coordinate with the County of San Luis Obispo Planning and Building Department to determine the appropriate fee and submit payment to the California Wildlife Conservation Board's Oak Woodlands Conservation Program to mitigate for up to 50% of oak trees impacted by the project that have not mitigated through on-site replacement plantings (as described in Mitigation Measure BIO-3.3, above). Contribution to the Oak Woodlands Conservation Fund shall be paid in full prior to issuance of grading or construction permits. The cost of each tree will be determined at the time of application for building permits.

**BIO-5**      **Preconstruction Surveys for Reptiles.** The following measures shall be implemented to reduce project effects on special-status reptile species during the proposed development:

1. **Prior to the start of grading or construction**, conduct a preconstruction survey and avoid construction in any areas with special-status reptile species. Immediately prior to the start of vegetation removal or grading, a qualified biologist shall survey permanent and temporary impact areas for special-status reptile species. Raking surveys in areas with leaf litter under shrubs and trees shall be used to detect the northern California legless lizard, as well as searches under lumber or other cover objects. Visual surveys of the disturbance areas shall be conducted for the horned lizard. Construction activities may begin once it has been determined that there are no special-status reptile species within impact areas. If any individuals are found within the impact area or would otherwise be at risk during construction, work activities shall be delayed in that particular area and the wildlife allowed to leave the work zone on its own volition or relocated by the qualified biologist. The biologist shall confirm when individuals of special-status species have left and work can commence.
2. **During all ground-disturbing activities**, conduct biological monitoring for special-status wildlife species. A qualified biologist shall monitor vegetation removal and site grading to search for unearthed northern California legless lizards and coast horned lizards. The biologist shall be on-site daily until all vegetation has been cleared. The biologist shall monitor construction activities from a safe distance using binoculars and walk through the site to look for disturbed wildlife during breaks. Any animals found shall be moved out of harm's way or allowed to move to an undisturbed location on their own volition. As necessary, appropriate regulatory agency permits and/or approvals shall be obtained to allow relocation of special-status species from the project area.
3. **During grading and construction**, employ measures to prevent entrapment of reptiles in open excavations and trenches. During the period in which there are open trenches

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or excavations more than six (6) inches deep, such as during the excavation for building foundations or utility lines, escape ramps shall be installed so that reptiles and other wildlife that may have become entrapped have the ability to escape. Escape ramps are to consist of a 2:1 sloped soil area leading from the bottom to ground level. If this is not possible, qualified personnel shall inspect open trenches each day prior to the start of work for entrapped animals. A third option is that trenches/excavations shall be completely covered with plywood or similar material during overnight periods. If a horned lizard is located, a qualified biologist shall be contacted immediately to assist with relocation. Work shall be halted until the entrapped wildlife has been relocated.

**BIO-6** **Preconstruction Den Survey.** *Prior to the start of grading or construction*, conduct a preconstruction den survey and establish no-work buffers around potential dens. Within 2 weeks prior to the start of ground-disturbing activities, a qualified biologist shall survey the project impact area, including areas to be used for stockpiling materials or storing equipment plus a 100-foot buffer within the parcel, for potential American badger dens. If no potential dens are found, work may proceed. Any potential dens found shall be identified with flagging or stakes, and a 100-foot no-work buffer shall be flagged. If the potential den cannot be avoided during all work activities with at least a 100-foot buffer, Mitigation Measure BIO-6.1 would be required.

1. If any potential American badger dens are found that cannot be avoided including buffer area, employ standard measures to determine whether the dens are active and excavate non-maternal dens to prevent re-occupation. A qualified biologist shall install wildlife trail cameras, install tracking media, or use a fiber optic scope to determine whether the potential dens on-site are actively being used by a badger. Potential dens shall be monitored daily for at least three (3) days to determine whether they are currently occupied. If the work takes place in the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 200 feet of maternal dens until the young have left the den. Dens occupied by a single adult badger can be avoided with a 50-foot buffer. If any active dens occupied by a single adult are found and cannot be avoided with the 50-foot buffer, the burrow opening should be gradually covered with sticks and debris to deter the individual from using the den. The biologist shall place sticks and debris over the entrance for 3 to 5 days to discourage the badger from using the den. Only after the badger has left the den, as determined by the qualified biologist implementing the wildlife camera and/or tracking medium methods, can the burrow be excavated, and work proceed.

Destruction of a den is typically done by incrementally excavating the burrow until it is confirmed that no wildlife are occupying it. Excavation using hand tools is the recommended method for destroying a den. Use of excavating equipment can be done with extreme caution and while being monitored by a qualified biologist. After the den is destroyed, the excavation is to be filled with dirt and compacted to make sure that burrowing wildlife cannot reenter or use the burrow during construction. If an American badger is discovered inside the den during the excavation activities, excavation should cease immediately and monitoring of the den reinitiated. Den destruction may proceed once it is determined that the wildlife has left the den.

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- BIO-7**      **Oak Tree Delineation.** *At the time of application for construction and grading permits,* final project plans shall clearly delineate all trees within 50 feet of the proposed area of disturbance, and indicate which trees are to be removed or impacted and which trees are to remain unharmed.
- BIO-8**      **Preconstruction Survey for Nesting Birds.** *Prior to initiation of any site preparation/construction activities,* if work is planned to occur between February 1 and September 1, a qualified biologist shall conduct a preconstruction survey for nesting birds within a 250-foot buffer of project impact areas. This survey shall be conducted within seven (7) days before the initiation of construction activities or vegetation trimming/removal. During this survey, the qualified biologist shall search for birds exhibiting nesting behavior (i.e., food or stick carries, territorial displays, courtship, etc.), and inspect all potential nest substrates in the impact and buffer areas. Any nests identified will be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within 50 feet (250 feet for raptors) of the construction area, the biologist shall determine the extent of a buffer to be established around the nest. The buffer will be delineated with flagging, and no work shall take place within the buffer area until the young have left the nest, as determined by the qualified biologist.

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### V. CULTURAL RESOURCES

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Setting

The project is located in an area historically occupied by two Native American tribes—the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is currently the subject of debate, as those boundaries may have changed over time.

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

As defined by CEQA, a historical resource includes:

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

Pursuant to CEQA, a resource included in a local register of historic resources or identified as significant in a historical resource survey shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

The County of San Luis Obispo LUO Historic Site (H) combining designation is applied to areas of the county to recognize the importance of archaeological and historic sites and/or structures important to local, state, or national history. The project site is not located within the Historic Site combining designation. Additionally, the COSE identifies and maps anticipated cultural sensitive areas and historic resources within the county and

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establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native American, or cultural significance. Based on the COSE, the project is not located in a designated Archaeological Sensitive Area or Historic Site. The presence of historic activities of the Native American people increases near reliable water sources. The project parcel is not located within 300 feet of a blue line creek and is approximately 4,000 feet southwest of Los Berros Creek. The distance to the creek supports the unlikelihood that cultural resources are present on site.

State law under Assembly Bill 52 (Public Resources Code Section 21080.3.1) allows California Native American tribes 30 days to request consultation regarding possible significant effects that implementation of the proposed project may have on tribal cultural resources. The project was referred to the Northern Chumash Tribal Council, Salinan Tribe of San Luis Obispo and Monterey, Xolon Salinan Tribe, and Yak Tityu Tityu Yak Tilhini Northern Chumash Tribe (YTT). The YTT Northern Chumash Tribe and the Salinan Tribe of San Luis Obispo and Monterey both requested consultation and subsequent information about the project.

A Phase I Archaeological Surface Survey was prepared for the previous subdivision that resulted in the creation of the current parcel and encompassed the potential for the current development. The Phase 1 survey examined the presence or likelihood of the presence of cultural resources and included the results and findings of background review and a pedestrian survey of the project area (Heritage 2015). The pedestrian field survey was conducted within the project area and no cultural resources or evidence of cultural resources were observed, however the report recommended that an archaeologist be present during initial grading of the property until it could reasonably be determined that subsurface archaeological materials are not present due to the identification of a large prehistoric Chumash archaeological site (CA-SLO-2350) nearby (Heritage 2015). Improvements related to the previously mentioned subdivision were completed as part of the parcel creation and map recordation, with failure to implement archaeological or cultural monitoring and monitoring plan requirements.

A 2023 Albion proposal for archaeological monitoring for the proposed project notes that despite the absence of the previously required monitoring plan, grading for the driveway construction was completed. A post-construction site visit and survey of the entirety of the driveway footprint and vicinity was conducted, with no cultural resources encountered and a determination that there were likely no archaeological materials present to the degree reasonable (Albion 2023). Further, the driveway did not pose a risk of impacting cultural resources and no additional studies are warranted (Albion 2023).

If buried cultural materials are encountered during construction, County Code Sections 19.02.070 and 22.10.040 require that all ground disturbance shall cease until a qualified archaeologist is contacted to evaluate the nature, integrity, and significance of the deposit in compliance with state and federal law.

### Discussion

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

The project site does not contain any buildings or structures and implementation of the project would not require the removal or demolition of any on-site structures that could be eligible for listing as a cultural or historical resource. There are no historical resources within or directly adjacent to the project site, and implementation of the project would not have the potential to cause a substantial 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?*

Construction activities associated with the project would result in approximately 50,647 sf (1.16 acres) of disturbance, including approximately 602 cubic yards of cut and 437 cubic yards of fill. A review of



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site records and reports indicated that one large prehistoric archaeological site (CA-SLO-2350) had previously been recorded in the immediate vicinity of the study area, though there has been a lack of recorded cultural materials in or near the project area in the surrounding Nipomo Mesa (Heritage 2015). Several other surveys had been previously completed in the area, yielding negative findings, leading to the summation that a records search revealed a mixture of positive and negative results for the presence of cultural materials near the study area (Heritage 2015). Additionally, a field survey of the project site was conducted, and no visible surface archaeological resources were found within the study area (Heritage 2015).

The driveway for the project had been previously completed with no monitoring plan or on-site archaeological monitor, as required by the conditions of approval from the previous land division (SUB2019-00013/CO19-0011). During the environmental review process for this project, an Archaeological Monitoring Plan was required and submitted, prepared by Albion Environmental, dated July 10, 2023. The plan included review of previous cultural resource studies and a record search conducted through the California Historic Register Information System, Central Coast Information Center (CCoIC), and identified ten previously recorded cultural resources within a 0.5-mile radius of the project area, with one of the ten sites being the precolonial archaeological site noted previously (CA-SLO-2350) (Albion 2023). Additionally, the previously built driveway was surveyed, and it was determined to the degree reasonable that there were no archaeological materials present within the driveway or vicinity and that the driveway did not pose a risk of impacting cultural resources, and no further archaeological studies were required (Albion 2023).

Based on the results of the Phase I Archaeological Surface Survey previously prepared for the parcel, and the Archaeological Monitoring Plan provided for the current project, there are no known cultural archaeological resources within the project area and no additional archaeological studies are required (Heritage 2015; Albion 2023).

While there are no known archaeological resources within the project area, implementation of the project may potentially result in an adverse change to archaeological resources known to occur in the surrounding area as there is potential for inadvertent discovery of unknown cultural resources if present within the proposed work area. Mitigation Measures CR-1 through CR-5 have been identified and included for the requirement of construction worker training, a monitoring plan and on-site monitoring of initial site disturbing activities, and final monitoring report requirement. In addition, the monitoring requirements from the previous subdivision (SUB2019-00013) are applicable to the proposed project.

Lastly, the project would be required to comply with County LUO Section 22.10.040 for the protection of unknown cultural resources as a result of inadvertent discovery. Per County LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. Based on required compliance with the County LUO, implementation of Mitigation Measures CR-1 through CR-5 and the limited amount of proposed ground disturbance and excavation activities, the project is not anticipated to result in adverse impacts to known or unknown cultural archaeological resources, and impacts would be *less than significant with mitigation incorporated*.

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

The project would require ground disturbance and excavation activities, which have the potential to uncover or disturb unknown human remains if present within the project area. The project would be required to comply with California Health and Safety Code Section 7050.5 and County LUO Section 22.10.040, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the Native American Heritage Council (NAHC). The previous land division (SUB2019-00013/CO19-0011) includes a mitigation measure requiring archaeological monitoring, which was submitted as part of this project, prepared by Albion Environmental, dated July 10, 2023. The plan included review of previous cultural resource studies, a record search conducted through the California Historic Register Information System, Central Coast Information Center (CCoIC), and identified ten previously recorded cultural resources within a 0.5-mile radius of the project area, with one of the ten sites being the precolonial archaeological site noted previously (CA-SLO-2350) (Albion 2023).

Based on the results of the Phase I Archaeological Surface Survey previously prepared for the parcel, and the Archaeological Monitoring Plan provided for the current project, there are no known cultural archaeological resources within the project area and no additional archaeological studies are required (Heritage 2015; Albion 2023). However, implementation of the project may potentially result in a disturbance to human remains that have the potential occur in the surrounding area as there is potential for inadvertent discovery of unknown cultural resources if present within the proposed work area. Mitigation Measures CR-1 through CR-5 have been identified and included for the requirement of construction worker training, a monitoring plan and on-site monitoring of initial site disturbing activities, and final monitoring report requirement. In addition, the monitoring requirements from the previous subdivision (SUB2019-00013) are applicable to the proposed project.

Lastly, the project would be required to comply with County LUO Section 22.10.040 for the protection of unknown cultural resources as a result of inadvertent discovery. Per County LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. Based on required compliance with Health and Safety Code Section 7050.5, County LUO Section 22.10.040, the Archaeological Monitoring Plan, the limited amount of proposed ground disturbance and excavation activities, and implementation of Mitigation Measures CR-1 through CR-5, development of the proposed project is not anticipated to disturb human remains; therefore, potential impacts would be *less than significant with mitigation incorporated*.

### *Conclusion*

There are no known historical or archaeological cultural resources within the immediate project area. Based on required compliance with Health and Safety Code Section 7050.5, County LUO Section 22.10.040, and the provided Archaeological Monitoring Plan, implementation of the proposed project is not anticipated to disturb unknown cultural resources. Mitigation Measures CR-1 through CR-5 have been included to avoid and/or minimize potential impacts related to cultural and historical resources. Upon implementation of the identified mitigation measures, policy, and procedure, potential impacts related to cultural resources would be *less than significant*.

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### Mitigation

- CR-1**      **Contract. Prior to issuance of grading and/or construction permits,** the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for cultural resources.
- CR-2**      **Worker Environmental Awareness Training. Prior to any proposed construction ground disturbing activities within the project area,** project personnel (e.g., contractors, construction workers) shall be briefed by a qualified archaeologist (retained on-call by applicant) about the potential and procedures for inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training shall include established procedures for temporarily halting or redirection of work in the event of a discovery, identification and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.
- CR-3**      **Monitoring Plan. Prior to the start of construction,** the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of frequency of monitoring (e.g., part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g., what is considered “significant” archaeological resources);
  - f. Description of procedures for halting work on the site and notification procedures; and
  - g. Description of monitoring reporting procedures.
- CR-4**      **Cultural Resource Monitoring. During initial ground disturbing construction activities,** the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. After initial ground disturbance, if determined acceptable by the archaeologist and Native American monitor, monitoring frequency may be adjusted to reflect the potential for buried cultural resources. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

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- CR-5      **Monitoring Report.** *Prior to final inspection, and upon completion of all monitoring/mitigation activities*, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all mitigation measures have been met.

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### VI. ENERGY

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

#### Setting

##### Local Utilities

PG&E is the primary electricity provider for urban and rural communities within San Luis Obispo County. The 2022 PG&E electric power mix consists of 40% renewable energy sources including biopower, geothermal, small hydroelectric, and solar and wind power. Overall, 95% of PG&E customers’ electricity came from GHG-free resources (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 via solar projects, though the program is currently on hold per a California Public Utility Commission directive issued on December 16, 2021. The Regional Renewable Choice program enables customers to subscribe to renewable energy from a specific community-based project within PG&E’s service territory. The Regional Renewable Choice program allows a customer to purchase between 25% and 100% of their annual usage from renewable sources.

The Southern California Gas Company (SoCalGas) is the primary provider of natural gas for urban and rural communities within San Luis Obispo County. SoCalGas has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra Energy 2019). Additionally, SB 100 and SB 1020, enacted in 2018 and 2022, respectively, require each California electric utility to procure at least 50% of its annual electric energy requirements from renewable energy sources by 2026, 60% by 2030, 90% by 2035, and 95% by 2040 (Sempra Energy 2022).

##### Local Energy Plans and Policies

The County has adopted the COSE, which establishes goals and policies that aim to reduce VMT, conserve water, increase energy efficiency and the use of renewable energy, and reduce GHG emissions. This element of the general plan provides the basis and direction for the development of the County EnergyWise Plan (EWP), which outlines in greater detail the County’s strategy to reduce government and community wide GHG

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emissions through several goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

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

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources, and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The County LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100). The project is located within the Renewable Energy Area combining designation.

### *State Building Code Requirements*

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2022 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements.

### *Vehicle Fuel Economy Standards*

In October 2012, the USEPA and National Highway Traffic Safety Administration (NHTSA), on behalf of the U.S. Department of Transportation (USDOT), issued final rules to further reduce GHG emissions and improve corporate average fuel economy (I) standards for light-duty vehicles for model years 2017 and beyond. NHTSA's I 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<sub>2</sub>) 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 through 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 2<sup>nd</sup> notice is not USEPA's final agency action, and the USEPA intends to initiate

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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, the 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, the 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 2022).

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB 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<sub>x</sub> 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?*

The project would require the use of fossil fuels, electricity, and natural gas for construction vehicles and equipment during construction of the proposed project. Proposed energy use during construction would be short term and limited in scale and would be required to comply with state and local diesel idling restrictions, which would reduce the potential for wasteful, inefficient, or unnecessary energy consumption during construction of the proposed project.

Implementation of the project would result in a new 2,415-square-foot single-family residence with a 1,118-square-foot attached garage, 878-square-foot attached patio, and associated site improvements. The project's operational electricity needs would be supplied by PG&E, which consists of 40% renewable energy sources and 95% GHG-free energy sources (PG&E 2022). Additionally, natural gas service would be provided by SoCalGas, which has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra Energy 2019). By using electricity from PG&E and natural gas from SoCalGas, the project would reduce the long-term use of non-renewable energy resources as SB 100 and SB 1020 require each California electric utility to

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procure at least 50% of its annual electric energy requirements from renewable energy sources by 2026, 60% by 2030, 90% by 2035, and 95% by 2040 (Sempra Energy 2022).

Proposed building design would be required to adhere to Title 24 of the California Energy Code (CEC) and CBC 2022 Building Energy Efficiency Standards to further reduce operational energy use through implementation of green building and energy efficient building design features. Based on the use of clean energy sources and required compliance with the CEC and CBC, operation of the project would not result in potentially significant environmental impacts due to wasteful or otherwise inefficient use of energy resources during operation. Therefore, the project would not result in unnecessary, wasteful, or inefficient energy use during project construction or operation, and impacts would be *less than significant*.

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

As previously evaluated, proposed construction activities would require the use of energy in the form of diesel fuel and gasoline for construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources, which would be consistent with applicable renewable energy plans.

To be compliant with the County COSE and EWP, the project would be required to reduce GHG emissions where feasible in energy consumption. The project would be provided electricity by PG&E, which sources energy from clean energy resources, including 40% from renewable energy sources and 95% GHG-free energy sources (PG&E 2022). By utilizing PG&E for electricity, the project's energy consumption would be consistent with the County's COSE and EWP. Further, the project would be required to comply with Title 24 of the CEC and CBC 2022 Building Energy Efficiency Standards to ensure compliance with energy efficient building design to reduce operational energy use.

The project site is located within the Renewable Energy Overlay (RE) combining designation. The project does not include the construction of SEFs or other renewable energy facilities that would be applicable to permit streamlining or development standard included in County LUO Section 22.14.100. The RE combining designation does not include development standards that would limit the development of parcels within this designation to only renewable energy facilities but rather identifies areas within the county where renewable energy production may be favorable and provides entitlement streamlining options for those areas.

Based on required compliance with the CEC and CBC and the use of electricity and natural gas from clean energy sources, the project would be compliant with applicable energy efficiency plans, and impacts would be *less than significant*.

### *Conclusion*

The project would be provided energy from GHG-free sources and would be subject to Title 24 of the CEC and CBC 2022 Building Energy Efficiency Standards for energy efficient building design. The project would not result in excessive energy use during construction or operation and would be consistent with applicable energy efficiency plans. Therefore, impacts would be less than significant, and no mitigation is necessary.

### *Mitigation*

Mitigation is not necessary.



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### VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. The County of San Luis Obispo General Plan Safety Element identifies three active faults that traverse through the county and are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San 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, which 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's Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the county. The building site is located approximately equidistant between two late quaternary faults (displacement within the last 700,000 years), the Oceano and Santa Maria River faults, roughly 1.5 miles southwest and northeast, respectively (DOC 2015).

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

Liquefaction is the sudden loss of soils 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. Per the County's Land Use View Mapping Application, the project is located in an area with moderate potential for liquefaction to occur.

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

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beginning development. Per the County's Land Use View Mapping Application, the project is located in an area with a low potential for landslides.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. The extent of shrinking and swelling is influenced by the amount and type 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. Typically, soils that are comprised of clay or clay materials are considered expansive soils. As discussed above under Section II, Agriculture and Forestry Resources, the project site is underlain by Oceano sand, 0 to 9 percent slopes and Oceano sand, 9 to 30 percent slopes (NRCS 2023). These soils consist of sand and loamy sand throughout and are considered to have low shrink/swell potential.

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

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

In the county, the Coastal Franciscan domain generally lies along the mountains and hills associated with the Santa Lucia Range. Fossils recorded from the Coastal Franciscan formation include trace fossils (preserved tracks or other signs of the behaviors of animals), mollusks, and marine reptiles. Nonmarine or continental deposits are more likely to contain vertebrate fossil sites. Occasionally vertebrate marine fossils such as whales, porpoise, seal, or sea lions can be found in marine rock units such as the Miocene Monterey Formation and the Pliocene Sisquoc Formations known to occur throughout Central and Southern California. Vertebrate fossils of continental materials are usually rare, sporadic, and localized. The County COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Where substantial subsurface disturbance is proposed in paleontologically sensitive units, Implementation Strategy CR 4.5.1 (Paleontological Studies) requires a paleontological resource assessment and mitigation plan be prepared, to identify the extent and potential significance of resources that may exist within the proposed development and provide mitigation measures to reduce potential impacts to paleontological resources. The project site is underlain by quaternary (late Pleistocene) old eolian deposits (U.S. Geological Survey [USGS] 2013).

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### Discussion

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

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

The nearest Alquist-Priolo Act fault zone is the Los Osos Fault zone 14.5 miles north/northeast, and there are associated late quaternary faults located approximately 1.5 miles southwest and northeast of the project site (DOC 2015). The project site is not underlain by an Alquist-Priolo Act fault zone; therefore, rupture of a known Alquist-Priolo Act fault would not occur under the project site. Additionally, future residential development associated with the project would be required to comply with Section 1613 of the 2022 CBC and other applicable engineering standards to adequately withstand earthquake loads and associated hazards. Adherence to these regulations, standards, and practices would reduce the risk of loss, injury, or death associated with development near late quaternary faults associated with the Los Osos Fault zone; therefore, 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 to occur. The Los Osos Fault zone is located approximately 14.5 miles northwest of the project site and other nearby late quaternary faults include the Oceano and Santa Maria River faults, located approximately 1.5 miles southwest and northeast of the project site, respectively (DOC 2015). Future residential development would be required to be constructed in accordance with seismic design standards included in Section 1613 of the 2022 CBC and other engineering standards to adequately withstand earthquake loads and associated risk, including seismic ground shaking. Adherence to the 2022 CBC and other applicable engineering standards would reduce and minimize the risk of loss, injury, or death associated with seismic ground shaking; therefore, impacts would be *less than significant*.

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

According to the County Safety Element Maps, the proposed project site is located in an area with moderate potential for liquefaction to occur. Future residential development would be required to comply with seismic design standards included in Section 1613 of the 2022 CBC and other engineering standards to adequately withstand earthquake loads and associated risk, including liquefaction. The site does not lie within an Earthquake Fault Zone identified on a State of California Earthquake Fault Zone Map, and the quality and conditions of the in-place soils, including absence of groundwater in the boring explorations, indicate that the potential for liquefaction and/or lateral spreading is low at the project location (Beacon 2022). Adherence to the 2022 CBC and other applicable engineering standards would reduce and minimize the risk of loss, injury, or death associated with liquefaction; therefore, impacts would be *less than significant*.

(a-iv) *Landslides?*

The project area is characterized by gently sloping topography, and according to the County Safety Element Maps, the project site is located in an area with low potential for landslides. Additionally, the

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site topography and exposed soil types indicate that the potential for landslides at the site is minimal, and no evidence of previous landslides was observed (Beacon 2022). The project would require ground-disturbing activities within flat to gently sloped areas for implementation of the proposed project and associated site improvements. The project would be required to comply with the CBC and other applicable engineering practices and standards during project construction and operation to reduce risk associated with landslides. Based on required compliance with the CBC, new development would not result in the risk of loss, injury, or death associated with landslides; therefore, impacts would be *less than significant*.

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

Construction of the proposed project would result in approximately 50,647 sf (1.16 acres) of site disturbance, including approximately 602 cubic yards of cut and 437 cubic yards of fill. In addition, grading will take place on slopes in excess of 10 percent. Grading has the potential to increase erosion and siltation at the site, which could runoff into the on-site drainage channels or surrounding areas, and construction of the proposed access driveway and residence will increase surface stormwater flows on the site.

In accordance with County LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects 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. Lastly, pursuant to LUP Section 22.52.130, the project would be subject to RWQCB requirements for the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which may include the preparation of a Storm Water Control Plan to further minimize on-site erosion. A SWPPP was provided with the application for the project, dated February 20, 2023, and prepared by Vincente Bravo of La Firma, Inc. The operation of the project does not include any components or features that would generate long-term erosion or siltation at the project site. Based on required compliance with the County LUO, the project would not result in substantial erosion or siltation on- or off-site; therefore, 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 previously described, the project site is located in an area with low potential for landslides and moderate potential for liquefaction to occur. Additionally, the project site is not located in an area with known land subsidence (USGS 2022). The project would be constructed in accordance with the most recent CBC to adequately withstand and minimize risk associated with potential ground-failure events; therefore, potential impacts related to ground failure 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?*

Soils at the project site consist of sand and loamy sand of the Oceano series and are determined to have very low potential for soil expansion (Beacon 2022). Further, the project would be required to comply with Section 18 of the CBC, which requires geotechnical investigations to be conducted by a qualified engineer prior to development to determine soil conditions at the site and provide design recommendations to be implemented in final design and construction plans. A geotechnical engineering report was submitted with the project, prepared by Beacon Geotechnical, dated

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September 28, 2022. Based on existing site conditions and required compliance with the CBC, new development would not result in the risk to life or property as a result of development on expansive soils; therefore, impacts would be *less than significant*.

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

The project includes the construction of a new septic system to serve the proposed residence. The septic leach field would be required to be designed and constructed in accordance with the County LAMP, which develops minimum standards for the treatment and disposal of sewage through on-site wastewater treatment systems. The final design of the septic leach field would be subject to County approval prior to implementation on-site, and is recommended to be designed by a Civil Engineer (Beacon 2022). Therefore, installation of the septic leach field would be designed in a manner that is consistent with soil conditions at the site, and impacts would be *less than significant*.

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

The project site is underlain by quaternary (late Pleistocene) old eolian deposits, specifically sand and loamy sand of the Oceano series, 184 and 185 (NRCS 2023; USGS 2013). The project would require approximately 50,647 sf (1.16 acres) of ground disturbance with a maximum cut of 5 feet deep. Soils at the project site have a depth to restrictive feature of approximately 6 feet to paralithic bedrock (NRCS 2023). No known paleontological resources are known to exist in the project area and the project site does not contain any unique geologic features. The project does not include substantial grading or earthwork that would disturb the underlying geologic formation in which paleontological resources may occur. Therefore, potential impacts on paleontological resources would be *less than significant*.

### Conclusion

The project is not within the GSA combining designation or in an area of high risk of landslide, liquefaction, subsidence, or other unstable geologic conditions. Based on required compliance with the most recent CBC, other engineering standards, the technical reports provided with the application, and the standard LUO requirements, the project would not result in risk of loss, injury, or death associated with seismic activity, ground-failure, or development on expansive soils. As a result, the impacts related to a short-term increase in erosion would be less than significant. The proposed septic leach field would be required to be designed in accordance with conditions observed during percolation testing and final design would be subject to County approval. Therefore, upon implementation of the identified mitigation, potential impacts related to geology and soils would be *less than significant*.

### Mitigation

Not necessary.

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### VIII. GREENHOUSE GAS EMISSIONS

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

#### Setting

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 CO<sub>2</sub>, methane (CH<sub>4</sub>), NO<sub>x</sub>, 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<sub>2</sub> 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.

The CARB *Draft 2022 Scoping Plan Update*, dated May 10, 2022, identifies a plan to reach carbon neutrality by 2045 or earlier. The Draft 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 Senate Bill (SB) 32 and laid out in the 2017 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.

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- 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 a 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.

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 most recent update released by the CARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

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 2012 *CEQA Air Quality Handbook*. The handbook recommended applying 1,150 metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2e</sub>) 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. Instead, the following threshold options are recommended for consideration by the lead agency:



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- **No-net Increase:** The 2017 Scoping Plan states that no-net increase in GHG emissions, relative to baseline conditions, “*is an appropriate overall objective for new development*” consistent with the Court’s direction provided by the Newhall Ranch case. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., *de minimis*: too trivial or minor to merit consideration).
- **Carbon Neutrality:** The Draft 2022 Scoping Plan Update 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. Multiple legal tools are open to local jurisdictions to support this approach, including a climate action plan, sustainability plan, or inclusion of a plan for reduction of GHG emissions and climate actions within a jurisdiction’s general plan. Any of these can help align zoning, permitting, and other local tools with climate action.
- **Lead Agency Adopted Defensible GHG CEQA Thresholds:** Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 below 1990 levels by the year 2030. According to the California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators published by the CARB, emissions of GHGs statewide in 2017 were 424 million MTCO<sub>2e</sub>, which was 7 million MTCO<sub>2e</sub> below the 2020 GHG target of 431 million MTCO<sub>2e</sub> established by AB 32. Therefore, application of the 1,150 MTCO<sub>2e</sub> Bright Line Threshold in San Luis Obispo County, together with other statewide and local efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB 32 for the year 2020. It should be noted that the 1,150 MTCO<sub>2e</sub> per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 MTCO<sub>2e</sub> per year would result in impacts that are less than significant and less than cumulatively considerable impacts and would be consistent with state and local GHG reduction goals.

Since SB 32 requires the state to reduce GHG levels by 40% below 1990 levels by the year 2030, the application of an interim “bright line” SB 32-based working threshold that is 40% below the 1,150 MTCO<sub>2e</sub> Bright Line threshold ( $1,150 \times 0.6 = 690$  MTCO<sub>2e</sub>) would be expected to produce comparable GHG reductions “in the spirit of” the targets established by SB 32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, GHG emissions estimated to be less than 690 MTCO<sub>2e</sub> per year are considered *de minimis* (too trivial or minor to merit consideration) and would have a less-than-significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals. This threshold is herein referred to as the County of San Luis Obispo interim GHG threshold.

The County EWP identifies ways in which the community and County government can reduce greenhouse gas emissions from their various sources. Looking at the four key sectors of energy, waste, transportation, and land use, the EWP incorporates best practices to provide a blueprint for achieving greenhouse gas emissions reductions in the unincorporated towns and rural areas of San Luis Obispo County by 15% below the baseline year of 2006 by the year 2020. The EWP includes an Implementation Program that provides a strategy for actions with specific measures and steps to achieve the identified GHG reduction targets including, but not limited to, the following:

- Encourage new development to exceed minimum Cal Green requirements;
- Require a minimum of 75% of nonhazardous construction and demolition debris generated on site to be recycled or salvaged;
- Continue to implement strategic growth strategies that direct the county’s future growth into existing communities and to provide complete services to meet local needs;

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- Continue to increase the amount of affordable housing in the County, allowing lower-income families to live closer to jobs and activity centers, and providing residents with greater access to transit and alternative modes of transportation;
- Reduce potable water use by 20% in all newly constructed buildings by using the performance methods provided in the California Green Building Code;
- Require use of energy-efficient equipment in all new development;
- Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index of 10 for high-slope roofs and 68 for low-slow roofs; and
- Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities.

In 2016 the County published the EnergyWise Plan 2016 Update, which describes the progress made towards implementing measures in the 2011 EWP, overall trends in energy use and emissions since the baseline year of the inventory (2006), and the addition of implementation measures intended to provide a greater understanding of the County's emissions status.

### Discussion

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

Based on the nature of the proposed project and Table 1-1 of the SLOAPCD CEQA Air Quality Handbook, the project would generate less than the SLOAPCD Bright-Line Threshold of 1,150 MTCO<sub>2</sub>e per year of GHG emissions. The project's construction related and operational GHG emissions and energy demands would be minimal. Therefore, the project's potential direct and cumulative GHG emissions would be less than significant and less than a cumulatively considerable contribution to regional GHG emissions.

Projects that generate less than the above-mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the CARB (or other regulatory agencies) and will be regulated by standards implemented by the CARD, the federal government, or other regulatory agencies. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions. Therefore, potential impacts associated with the generation of greenhouse gas emissions would be *less than significant*.

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

Residential development associated with the project would also be required to be constructed in accordance with Title 24 of the CEC and CBC 2019 Building Energy Efficiency Standards to reduce operational energy use, which would minimize operational GHG emissions from building energy use.

As discussed above, the EWP, adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which had a horizon

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year of 2020. While the horizon year for the EWP goals has passed, the policies within the EWP are generally still useful in evaluating a project's consistency with the County's GHG reduction strategies.

The 2019 Regional Transportation Plan (RTP), which was adopted by the San Luis Obispo Council of Governments (SLOCOG) Board in June 2019, 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 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. However, as discussed in Section XVII, *Transportation*, the project is not expected to exceed existing VMT thresholds during construction or operation, which is consistent with the 2019 RTP.

The proposed project would be required to comply with existing state regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion, and other actions adopted to achieve the overall GHG emissions reduction goals identified in SB 32 and EO S-3-05. The project would not conflict with the control measures identified in the CAP, EWP, or other state and local regulations related to GHG emissions and renewable energy. The project would be consistent with the property's existing land use designation and would be designed to comply with the California Green Building Code standards. Based on the analysis provided above, the project would be consistent with applicable state and local policies and programs intended to reduce GHG emissions and potential impacts would be *less than significant*.

### *Conclusion*

The project would not generate GHG emissions in a manner that would result in an adverse effect to the environment and would be consistent with adopted plans and policies aimed at reducing GHG emissions. Although not required to reduce GHG emissions, Mitigation Measure AQ-1 would reduce construction-related GHG emissions by ensuring compliance with diesel idling restrictions. Therefore, impacts related to GHG emissions would be *less than significant*, and no mitigation would be required.

### *Mitigation*

Mitigation is not necessary.

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### IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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### *Setting*

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California 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 sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The SWRCB's GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>.

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 2022; SWRCB 2022). The nearest airport is Oceano County Airport, located approximately 3.34 miles northwest of the project site. The nearest school is Mesa Middle School located approximately 0.84 miles southwest of the project site.

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-resistant 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 (FHSZ). According to the California Department of Forestry and Fire Protection (CAL FIRE) FHSZ viewer, the project site is located within an SRA and is designated as a high FHSZ (CAL FIRE 2022). According to the County's Land Use View, the project site has an estimated response time of approximately 5 to 10 minutes. For more information about fire-related hazards and risk assessment, see Section XX, *Wildfire*.

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

### *Discussion*

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

The proposed project would require limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. during construction, which has the potential to result in an accidental spill or release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling, transport, and storage of hazardous materials, including California Code of Regulations (CCR) Title 22, Division 4.5. Following completion of construction activities, the project would be limited to residential and allowable accessory uses, which may include the transport, use, or disposal of limited amounts of household cleaners, paints, fuel, fertilizers, or other common potentially hazardous substances. Disposal of household hazardous substances would be subject to the County's Household Hazardous Waste Program and would be properly disposed of at local landfills or hazardous waste facilities.

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Based on required compliance with existing regulations, the project would not increase hazard associated with the routine transport, use, or disposal of hazardous materials; therefore, potential 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 include 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 as 22 CCR Division 4.5, to reduce the potential for accidental hazardous material release during construction. Future residential uses on-site would likely utilize limited amounts of household cleaners, paints, fuel, fertilizers, and other common potentially hazardous substances. Storage and use of common household hazardous substances would not be located near any sensitive natural habitats. Disposal of household hazardous substances would be subject to the County's Household Hazardous Waste Program and would be properly disposed of at local landfills or hazardous waste facilities. Therefore, the use of common household chemicals and substances would not result in potentially significant impacts associated with upset or accident conditions.

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. The project site is not located in an area with the potential for NOA to occur and would not require the demolition of existing on-site structures that could release asbestos-containing material (ACM) or lead-based paint if present within the building materials. Based on required compliance with CCR Title 22 and the County's Household Hazardous Waste Program, the project would not create significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment; therefore, 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 nearest school is Mesa Middle School located approximately 0.84 miles southwest of the project site. Therefore, the proposed project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school, and *no impacts* would occur.

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

Based on 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 2022; SWRCB 2022). The project site is not located on or adjacent to a site that is on a list of hazardous materials sites pursuant to California Government Code Section 65962.5; therefore, the project would not create a significant hazard to the public or the environment related to disturbance in a hazardous materials site, and *no impacts* would occur.

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

The project site is not located within an airport land use planning area and the nearest airport is Oceano County Airport, located approximately 3.34 miles northwest of the project site; therefore, the project would not result in airport-related safety or noise hazards, and *no impacts* would occur.

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

The project would not require any temporary or permanent traffic controls that could interfere with emergency response or evacuation efforts within the project area. The project includes construction of a 16-foot-wide, approximately 800-foot-long driveway within a 24-foot-wide access and utility easement that would extend from Aloma Way to provide access to the proposed project. The driveway would be constructed in accordance with County Public Works Department and CAL FIRE/County Fire Department requirements to allow for adequate emergency access and public ingress and egress. Additionally, implementation of the project would generate minimal vehicle trips and additional residents within the area and would not facilitate substantial growth in a manner that could otherwise impede evacuation efforts within the area. Therefore, implementation of the project would not interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be *less than significant*.

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

The project site is located within a high FHSZ in the SRA (CAL FIRE 2022). The project site is characterized by gently sloping topography and consists of oak woodland, non-native grassland, and disturbed/ruderal areas. The project site is primarily undeveloped with the exception of an unpaved driveway. Implementation of the project would result in the development of one single-family residence, with an attached garage and patio cover. The project 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. In addition, the project would be required to implement design recommendations identified by CAL FIRE/County Fire to ensure adequate ability to provide fire protection services to the proposed project. Based on required compliance with CFC, CBC, and CAL FIRE/County Fire requirements, the project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires; therefore, impacts would be *less than significant*.

### Conclusion

Based on required compliance with CCR and County requirements, the project would not result in significant hazards related to the routine transport, use, or disposal of hazardous materials. The project is not located within 0.25 mile of a school, within 2 miles of an airport, or within or adjacent to a previously recorded hazardous materials site. Based on required compliance with CAL FIRE/County FIRE, CFC, and CBC regulations, the project would not result in risk associated with inadequate emergency access, evacuation routes, or wildfire. Therefore, potential impacts related to hazards and hazardous materials would be *less than significant*.

### Mitigation

Mitigation is not necessary.

## Initial Study – Environmental Checklist

### X. HYDROLOGY AND WATER QUALITY

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## Initial Study – Environmental Checklist

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### *Setting*

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 LUO dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10%. Preparation of a drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing. The County LUO also dictates that an Erosion and Sedimentation Control Plan is required year-round for all construction and grading permit projects and site disturbance activities of 0.5 acre or more in geologically unstable areas, on slopes 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 BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB Construction General Permit. The Construction General Permit requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1 acre must implement all required elements within the site's Erosion and Sedimentation Control Plan as required by the County LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and flood damage, including, but not limited to, prohibition of development in areas of high flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FMA) regulations. According to FEMA Flood Insurance Rate Map (FIRM) 06079C1604G (effective date 11/16/2012), the project site is not located in a flood hazard area (FEMA 2020). In addition, the County LUO designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal, or plant life in the event of flooding. The project site is not located within the County's Flood Hazard combining designation.

There is no 'blue line' creek or natural drainage feature located within the project area or identified in the review of data maintained in the USFWS National Wetland Inventory (KMA 2023). The nearest mapped blue line surface feature is Los Berros Creek, approximately 0.75 miles northeast.

## Initial Study – Environmental Checklist

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### Discussion

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

The project would require ground-disturbing activities and equipment and vehicle use during project construction, which has the potential to result in erosion or other polluted runoff from the site. The project location does not include any direct disturbance to on-site drainage channels as there are no existing natural drainage features identified on-site, and the project is not located in proximity to any mapped creek or surface water bodies that could be adversely affected by project construction or operation (KMA 2023).

Construction of the proposed project would result in approximately 50,647 sf (1.16 acres) of site disturbance, including approximately 602 cubic yards of cut and 437 cubic yards of fill. Accordingly, an Erosion and Sedimentation Control Plan, subject to review and approval by the County Building Division, is required pursuant to LUO Section 22.52.120 and will minimize potential impacts related to erosion, sedimentation, and siltation. The project is located outside of a Municipal Separate Storm Sewer System (MS4) and proposes a disturbance area greater than 1.0 acre. As a result, the project will require preparation of a SWPPP by a qualified SWPPP developer to demonstrate compliance with the Federal Clean Water Act, which prohibits certain discharges of stormwater containing pollutants. A SWPPP was prepared and submitted with the application materials for this project, subject to the approval of the County Building Division in accordance with LUO Section 22.52.120 (La Firma, Inc., 2023).

Implementation of the project would not substantially change the volume or velocity of runoff leaving any point of the site or result in a significant increase in impervious surface area. The project site is gently sloping and does not pose a risk to downslope runoff, sedimentation, erosion, or runoff due to required compliance with the aforementioned policies. The project would not substantially affect surface water or groundwater quality. Therefore, potential 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 site is currently undeveloped and consists of natural pervious areas that allow for groundwater recharge at the site. Following implementation of the project, natural areas would be retained that would continue to allow for groundwater recharge at the site. Further, the project does not include alteration of the on-site drainages in a manner that could interfere with groundwater recharge.

The project would be provided with water from an on-site well. Based on a 4-hour pump test conducted in 2017, the on-site well can sustain a consistent flow of 15 gallons per minute (Arroyo Water Well Supply 2017). 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 Sustainable Groundwater Management Act (SGMA). The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project would not interfere with sustainable management of the groundwater basin. Potential impacts associated with groundwater supplies would be *less than significant*.

## Initial Study – Environmental Checklist

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

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

Construction of the proposed project would result in approximately 50,647 sf (1.16 acres) of site disturbance, including approximately 602 cubic yards of cut and 437 cubic yards of fill, which has the potential to increase erosion and siltation at the site that could runoff into adjacent drainage channels and surrounding areas. The project would disturb over 1 acre of soil and would be required to comply with RWQCB general construction permit requirements, including preparation of a SWPPP for the project. Additionally, in accordance with County LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects 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. The operation of the project does not include any components or features that would generate long-term erosion or siltation at the project site. Based on required compliance with the County LUO, the project is not anticipated to result in substantial erosion or siltation on- or off-site; therefore, 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 will include the construction of impervious surfaces associated with the proposed driveway and residence, though it would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could result in flooding on- or off-site. The project parcel does not include existing natural drainage features, and the project is not located in proximity to any mapped creek or surface water bodies. The project site is not located within a MS4 stormwater management area and would not be subject to implementation of an SWCP in accordance with County regulations or RWQCB PCRs for long-term stormwater control measures at the project site.

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

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

As previously evaluated, implementation of the project would increase the amount of impervious surface area on-site. In accordance with County LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan to minimize the amount of short- and long-term erosion at the site that could runoff and contribute to polluted runoff within stormwater drainage systems. Additionally, the project is subject to post-construction stormwater requirements through preparation and implementation of a SWPPP. Based on required compliance with County LUO Section 22.52.120 and adherence with County stormwater control measures, implementation of the project would not substantially contribute runoff water that would exceed the capacity of existing or planned

## Initial Study – Environmental Checklist

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stormwater drainage systems or provide substantial additional sources of polluted runoff; therefore, impacts would be *less than significant*.

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

According to FEMA FIRM 06079C1604G (effective date 11/16/2012), the project site is not located in a flood hazard area (FEMA 2020). In addition, the project is not located within the County's Flood Hazard combining designation. As a result, flood flows are not anticipated to occur within the project area. The project would be subject to standard County requirements for drainage, sedimentation, and erosion control or construction and operation. Proposed stormwater control measures would be subject to County approval prior to implementation. Based on required compliance with County regulations, the project would not impede or redirect flood flows; therefore, *no impacts would occur*.

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

The project site is not located within a mapped flood hazard zone or within the County's Flood Hazard combining designation (FEMA 2020). According to the DOC's San Luis Obispo County Tsunami Hazard Area Map, the project is not within a tsunami hazard area (DOC 2020). Seiches occur as a series of standing waves induced by seismic shaking or land sliding into an impounded body of water. The project site is not located in proximity to any impounded body of water that would be subject to seiche. Additionally, the project site is not located within a dam inundation zone. The project is not within a flood hazard, tsunami, or seiche zone and would not risk release of pollutants due to project inundation; therefore, *no impacts would occur*.

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

The project site is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System, in severe decline by SGMA, and is not subject to a required groundwater sustainability plan or requirements of a groundwater sustainability agency; therefore, implementation of the project would not interfere with sustainable groundwater management. The project site is under the jurisdiction of the Central Coast RWQCB and would be subject to the Basin Plan, which sets water quality objectives and criteria to protect water quality in the Central Coast region (RWQCB 2019). Based on required compliance with RWQCB and County regulations, the project would be consistent with water quality protection efforts included in the Central Coast RWQCB Basin Plan, and impacts would be *less than significant*.

### Conclusion

The project site is not within a 100-year flood zone and does not include existing drainages or other surface water features. 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. The project is not within a flood hazard, tsunami, or seiche zone and would be consistent with the RWQCB Basin Plan. Therefore, with required compliance with RWQCB and the County LUO, the project would not result in adverse impacts related to water quality, groundwater quality, or stormwater runoff, and potential impacts related to hydrology and water quality would be *less than significant*; no mitigation measures are necessary.

### Mitigation

Mitigation is not necessary.

## Initial Study – Environmental Checklist

### XI. LAND USE AND PLANNING

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Setting

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

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

#### Discussion

(a) *Physically divide an established community?*

Implementation of the project would result in the construction of a new single-family residence, and an attached garage and patio. The proposed project would be limited to development on an existing parcel and would not result in the removal or blockage of existing public roadways or other circulation paths and would not otherwise include any features that would physically divide an established community; therefore, *no impacts* would occur.

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

The project site is located within the RR land use category within the South County Inland Sub-Area of the South County Planning Area. As evaluated throughout this Initial Study, the project would be consistent with the property's land use designation and the guidelines and policies for development

## Initial Study – Environmental Checklist

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within the South County Area Plan, County LUO, and COSE. Further, the project was found to be consistent with standards and policies set forth in the County General Plan, the 2001 CAP, and other land use policies for this area. The project would also be required to be consistent with standards set forth by CAL FIRE/County Fire and the County Public Works Department. The project would be required to implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and CR-1 through CR-5 to mitigate potential impacts associated with Air Quality, Biological Resources, and Cultural Resources, which is consistent with the identified plans and policies intended to avoid or mitigate adverse environmental effects. Upon implementation of the identified mitigation measures, the project would not conflict with other local policies or regulations adopted for the purpose of avoiding or mitigating environmental effects; therefore, impacts would be *less than significant with mitigation*.

### *Conclusion*

Implementation of the proposed project would not physically divide an established community. Upon implementation of mitigation measures identified throughout this document, the project would be consistent with the County LUO, COSE, General Plan, South County Area Plan, and 2001 CAP, as well as other applicable documents. Therefore, impacts would be less than significant upon implementation of the identified mitigation measures.

### *Mitigation*

Implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and CR-1 through CR-5.

## Initial Study – Environmental Checklist

### XII. MINERAL RESOURCES

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

#### Setting

The California Surface Mining and Reclamation Act (SMARA) of 1975 requires that the State Geologist classify land into mineral resource zones (MRZs) 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] 2011):

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

1. Mineral or petroleum extraction occurs or is proposed to occur;
2. The state geologist has designated a mineral resource area of statewide or regional significance pursuant to 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. The project site is not located within the EX or EX1 combining designation.

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### Discussion

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

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

Additionally, the site is not located within an extractive resource area or an energy and extractive resource area pursuant to Chapter 6 of the County of San Luis Obispo General Plan Conservation and Open Space Element – Mineral Resources. There are no known mineral resources in the project area, therefore *no impacts would occur*.

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

The project would not be located on land that is zoned or designated for mineral extraction; therefore, the project would not result in the loss of availability of a known mineral resource or result in the loss of availability of a locally important mineral resource recovery site, and *no impacts would occur*.

### Conclusion

*No impacts* to mineral resources would occur as a result of the project, and no mitigation is necessary.

### Mitigation

Mitigation is not necessary.



## Initial Study – Environmental Checklist

### XIII. NOISE

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### *Setting*

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

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

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- Outdoor sports and recreation; and
- Offices.

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

There are several off-site residences located within 1,000 feet of the subject property. The nearest off-site residence is located approximately 250 feet southwest of the southwestern property line. In addition, there is an off-site residence located approximately 250 feet south of the southeast property line and one off-site residence located approximately 500 feet northwest of the northwestern property line.

The County LUO establishes acceptable standards for exterior and interior noise levels and describes how noise shall be measured. Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the Noise Element (Table 2). Exterior noise levels are measured from the property line of the affected noise-sensitive land use.

**Table 2. Maximum Allowable Exterior Noise Level Standards<sup>1</sup>**

Sound Levels	Daytime 7 a.m. to 10 p.m.	Nighttime <sup>2</sup>
Hourly Equivalent Sound Level (L <sub>eq</sub> , dB)	50	45
Maximum level (dB)	70	65

<sup>1</sup> When the receiving noise-sensitive land use is outdoor sports and recreation, noise level standards are increased by 10 db.

<sup>2</sup> Applies only to uses that operate or are occupied during nighttime hours.

### 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?*

Existing ambient noise levels in the project area are limited and primarily dominated by intermittent vehicle noise and surrounding residential land uses. During project construction, noise from construction activities may intermittently dominate the noise environment in the immediate project area. The project would require the use of typical construction equipment (e.g., dozers, excavators, etc.) during proposed construction activities. According to the Federal Highway Administration (FHWA), noise from standard construction equipment generally ranges from 80 dBA to 85 dBA at 50 feet from the source, as shown in Table 3.

**Table 3. Construction Equipment Noise Emission Levels**

Equipment Type	Typical Noise Level (dBA) 50 Feet from Source
Concrete Mixer, Dozer, Excavator, Jackhammer, Man Lift, Paver, Scraper	85
Heavy Truck	84

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Crane, Mobile	83
Concrete Pump	82
Backhoe, Compactor	80

Source: FHWA (2018)

There are several off-site residences located within 1,000 feet of the subject property. The nearest off-site residence is located approximately 250 feet southwest of the southwestern property line. Construction-related noise would be short-term, intermittent, and would not result in a permanent increase in ambient noise within the project area. According to County LUO Section 22.10.120.A.4, 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 County LUO.

The project would not include the development of new incompatible land uses that would generate noise in excess of surrounding residential land uses or the County's noise standards. Therefore, following the development of the proposed residence, operational noise generated by the project would be consistent with the level and scale of surrounding residential land uses. The project would not generate a substantial increase in temporary or permanent ambient noise levels; therefore, potential impacts would be *less than significant*.

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

According to County LUO Section 22.10.170, construction-related vibration is exempt from the County's vibration standards between the hours of 7:00 a.m. and 9:00 p.m. The project does not include pile driving or other high-impact activities that would generate substantial groundborne noise or vibration during construction. Standard construction equipment would generate some groundborne noise and vibration during ground disturbance activities; however, these activities would be limited in duration and consistent with other standard construction activities and regulations. In addition, any ground borne noise or vibration generated by short-term construction activities would be limited to the immediate work area and is not anticipated to disturb nearby residential land uses. The operation of the project does not include new features that could generate substantial groundborne noise. 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 project site is not located within an airport land use plan and the nearest airport is Oceano County Airport, located approximately 3.34 miles northwest of the project site; therefore, the project would not expose project occupants to excessive airport-related noise, and *no impacts* would occur.

### Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime hours pursuant to the LUO standards. The project would not generate a substantial increase in permanent ambient noise levels and would not generate groundborne noise in a manner that would result in disturbance.

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The project site is not located within an airport land use plan or within 2 miles of an airport. Operational noise levels are therefore considered *less than significant*, and no mitigation measures are necessary.

### *Mitigation*

Mitigation is not necessary.

## Initial Study – Environmental Checklist

### XIV. POPULATION AND HOUSING

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Setting

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

#### 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 the construction of a 2,415-sf single-family residence with a 1,118-sf attached garage, 878-sf attached patio, and associated site improvements, on a single parcel within the Residential Rural land use designation. The subject property is part of a previous subdivision (CO-19-0011) approved by the Subdivision Review Board on June 03, 2019. As such, proposed buildout of a single-family residence and a garage with an attached ADU would not result in unplanned growth within the area.

Based on an average of 2.51 persons per household in San Luis Obispo County, the project has the potential to generate approximately 2.51 new residents within the county (U.S. Census Bureau 2021). This marginal increase would be consistent with the Residential Rural land use designation and would not represent substantial population growth. In addition, short-term construction activities may increase temporary construction-related employment opportunities; however, temporary employment opportunities generated by the project would primarily be filled by the local workforce and would not result in a substantial population increase within the county. The project does not include the development of new commercial or office land uses that could increase long-term employment opportunities and otherwise facilitate population growth within the county. Additionally, the project would not result in additional resource capacity or removal of a barrier to growth that

## Initial Study – Environmental Checklist

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could otherwise facilitate population growth. Based on the limited scale of proposed residential development, the project would not induce substantial or unplanned population growth, and potential impacts would be *less than significant*.

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

The project site is currently undeveloped; therefore, implementation of the proposed project would not require the demolition or removal of existing housing and would not necessitate the needs for construction of replacement housing elsewhere, and *no impacts* would occur.

### *Conclusion*

The proposed project would not result in substantial or unplanned population growth and would not displace existing housing or necessitate the construction of replacement housing elsewhere. Therefore, potential impacts related to population and housing would be less than significant, and no mitigation is necessary.

### *Mitigation*

Mitigation is not necessary.

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### XV. PUBLIC SERVICES

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

#### Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE/County 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/County Fire responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE/County Fire has 24 fire stations located throughout the county, and the nearest station to the project site would be CAL FIRE/Mesa Fire Department, located approximately 3 miles southwest of the project site. Emergency response times to the project range from 1 to 10 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: Coast Station in Los Osos, North Station in Templeton, and South Station in Oceano. The project would be served by the South Station in Oceano, located approximately 5 miles northwest of the project site.

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

Within the county's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas, which 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 Section 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development, and the development's proportional impact, and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to 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 facilitate the development of a single-family residence and a garage with an attached porch that would result in a population increase of approximately 2.5 people. Based on the limited scale of proposed development and associated population growth, the project would result in a limited increase in demand for 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 establishment of one single-family residence and a garage with an attached porch, which would facilitate a population increase of approximately 2.5 people. Due to the limited scale of the proposed development and associated growth, the project would result in a limited increase in demand for police protection services. The project would be subject to standard Public Facilities Fees to offset the project's demand for 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?*

Implementation of the proposed project would result in a single-family residence and a garage with an attached ADU that could generate a marginal increase in school-aged children. The project would be required to pay School Impact Fees to offset its demand on the LMUSD. Based on the marginal increase of school-aged children and payment of School Impact Fees, the project would not require



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or otherwise facilitate the need for additional or expanded LMUSD facilities; therefore, impacts would be *less than significant*.

### *Parks?*

Implementation of the proposed project would result in a marginal population increase of approximately 2.5 people and would result in a limited increase in demand on existing public recreation facilities. The project would be subject to the payment of standard Public Facilities Fees to offset its demand on existing public recreation facilities. Therefore, 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 public recreational facilities, and impacts would be *less than significant*.

### *Other public facilities?*

Implementation of the proposed project would result in a marginal increase in population of approximately 2.5 people, which has the potential to result in a limited increase in demand on other public facilities within the project region. The project would be subject to the payment of standard Public Facilities Fees to account for an increased demand on existing public services. The project would not facilitate the need for additional or expanded public services; therefore, potential impacts would be *less than significant*.

### *Conclusion*

Implementation of the project would result in limited population growth and would be subject to the payment of Public Facilities Fees to offset its demand on public services and facilities. Therefore, potential impacts related to public services would be less than significant, and no mitigation would be required.

### *Mitigation*

Mitigation is not necessary.

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### XVI. RECREATION

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Setting

The *County of San Luis Obispo General Plan Parks and Recreation Element* establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and recreation facilities and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. Within the county’s unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas, which include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The nearest park is Kathleen’s Canyon Overlook Park, which is maintained by the SLO County Land Conservancy, located approximately 2 miles southwest. The nearest County-operated Park is Nipomo Park, located approximately 5 miles southeast of the project site.

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 Parks and Recreation Element.

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

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### Discussion

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

The proposed project would develop one single-family residence and a garage. As evaluated in Section XIV, *Population and Housing*, based on an average of 2.51 persons per household within the county, the project has the potential to result in a population increase of approximately 2.51 people (U.S. Census Bureau 2021).

The project does not include new commercial or office development that could generate new long-term employment opportunities, and short-term construction-related employment opportunities are expected to be filled by the local workforce. Therefore, the project would result in a limited population increase of up to 2.5 people, which would result in a marginal increase in the use of existing recreational facilities in the area. The project would be subject to the payment of Public Facilities Fees to offset its demand on public recreational facilities. Based on the limited population increase associated with the proposed project and the payment of Public Facilities Fees, the project would not increase the use of existing recreational facilities in a manner that would result in substantial physical deterioration of these facilities; therefore, impacts would be *less than significant*.

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

The project does not include the development of new or expanded recreational facilities; therefore, *no impacts* 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 would not be necessary.

### Mitigation

Mitigation is not necessary.

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### XVII. TRANSPORTATION

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

#### Setting

The County Public Works Department maintains updated traffic count data for all County-maintained roadways. 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 studies include the South County, Los Osos, Templeton, San Miguel, Avila, and North Coast Circulation Studies. Additionally, the County’s Framework for Planning (Inland) includes the LUCE of the County’s General Plan. The framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. Caltrans also maintains annual traffic data on state highways and interchanges within the county.

SLOCOG holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program; preparing an RTP; programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of San Luis Obispo County’s transportation system. The RTP identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County as well as the Cities within the county in facilitating the development of the RTP.

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.

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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, October 2020; *VMT Thresholds Study*; GHD, March 2021). The program provides interim operating thresholds and includes a screening tool for evaluating VMT impacts.

### Discussion

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

The subject property is located in a rural area and would not be applicable to existing mixed-land use development or pedestrian and bicycle accessibility standards included in the 2019 RTP, 2016 Bikeways Plan, and County Circulation Element. The project would result in a single-family residence, attached garage, and attached porch, in the Residential Rural land use designation. Based on the limited scale of proposed development and associated population growth, the project would not generate a substantial number of additional vehicle trips and existing roads would be capable of supporting the limited increase of vehicle trips generated by the project. Based on the limited increase in vehicle trips, potential impacts would be *less than significant*.

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

Based on the *Technical Advisory on Evaluating Transportation Impacts in CEQA*, projects that do not indicate substantial evidence that a project would generate a potentially significant level of VMT, that are consistent with an SCS or general plan, or that would generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact (California Governor's Office of Planning and Research [OPR] 2018).

The County has developed a VMT Program (*Transportation Impact Analysis Guidelines*; Rincon Consultants, October 2020; *VMT Thresholds Study*; GHD, March 2021), which provides interim operating thresholds and includes a screening tool for evaluating VMT impacts. The proposed project would result in the development of a new single-family residence, attached garage, and attached porch. Based on the County VMT Program, the project would be expected to generate a limited increase in vehicle trips that would fall below the suggested screening threshold of 110 trips per day identified in the state guidance; therefore, potential impacts would be *less than significant*.

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

The project includes the construction of a new 16-foot-wide driveway within a 24 foot access, utility, and drainage easement from Aloma Way to provide access to the proposed project. The proposed driveway would be approximately 800 feet in length and would be constructed in accordance with County Public Works Department and CAL FIRE/County Fire requirements to reduce potential hazards related to driveway/road design and to accommodate emergency vehicle access. The project would be consistent with surrounding land uses and would not introduce new incompatible uses (i.e., farm equipment) along nearby roadways. Based on required compliance with County Public Works Department and CAL FIRE/County Fire road design standards, construction of an additional driveway would not substantially increase roadway hazards; therefore, potential impacts would be *less than significant*.

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(d) *Result in inadequate emergency access?*

As previously stated, the project includes construction of a 16-foot-wide, approximately 800-foot-long driveway within an access and utility easement from Aloma Way, which would be constructed in accordance with County Public Works Department and CAL FIRE/County Fire requirements to ensure adequate emergency access to the site. In addition, the project would not result in a substantial number of new residents in the area or vehicle trips to the site that could substantially increase congestion along nearby roadways and otherwise impede emergency access to the site. Based on required compliance with County Public Works Department and CAL FIRE/County Fire requirements, impacts related to emergency access would be *less than significant*.

### *Conclusion*

The project would be consistent with the 2019 RTP, 2016 Bikeways Plan, and County Circulation Element and would not generate vehicle trips that would exceed existing VMT thresholds. In addition, the project would be consistent with County Public Works Department and CAL FIRE/County Fire standards for site access and driveway design; therefore, impacts related to transportation would be less than significant, and no mitigation is required.

### *Mitigation*

Mitigation is not necessary.

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### XVIII. TRIBAL CULTURAL RESOURCES

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

#### Setting

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the 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.

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.

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Recognizing that tribes have expertise regarding 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.

Pursuant to AB 52, the County provided notice to local California native tribes with geographic and/or cultural ties to the project region, including referral to the Salinan Tribe of Monterey and San Luis Obispo Counties, Xolon Salinan Tribe, Yak Tityu Tityu Yak Tilhini Northern Chumash, and the Northern Chumash Tribal Council. Referral letters were sent to tribal representatives on January 18, 2024.

A letter from the YTT Northern Chumash tribe was received on January 19, 2024, requesting to review the Phase I Cultural Resources Inventory prepared for a previous project on the parcel, in addition to the monitoring contract prepared for the current project. The Phase I Cultural Resources Inventory was sent to the YTT Northern Chumash Tribe on January 19, 2024. The YTT Northern Chumash Tribe responded with a series of questions about the project and compliance with the previous entitlement through February of 2024, and on March 6, 2024, it was noted that there were no further comments for the project.

A letter was also received from the Salinan Tribe on January 29, 2024, requesting to review the environmental document for the project. On March 22, 2024, the Salinan Tribe noted that they are able to wait for public circulation of the environmental determination.

### Discussion

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

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

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and the project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law.

Additionally, Mitigation Measures CR-1 through CR-5 have been identified and encompass construction worker training, a monitoring plan and on-site monitoring of initial site disturbing activities, and final monitoring report requirement. Therefore, with the incorporation of Mitigation



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Measures CR-1 through CR-5, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant with mitigation incorporated*.

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

As discussed in Section V, Cultural Resources, the project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO 22.10.040), and implementation of the identified Mitigation Measures CR-1 through CR-5. Therefore, potential impacts would be *less than significant with mitigation incorporated*.

### *Conclusion*

Cultural resources are not expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, compliance with the County LUO and Health and Safety Code Section 7050.5 would reduce potential impacts related to tribal cultural resources to less than significant; therefore, potential impacts to tribal cultural resources would be *less than significant with mitigation incorporated*.

### *Mitigation*

Implement Mitigation Measures CR-1 through CR-5.

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### XIX. UTILITIES AND SERVICE SYSTEMS

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 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 Country 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 BMPs during construction and that site plans incorporate appropriate post-

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construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction General Permit.

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 serviced by South County Sanitary and Cold Canyon Landfill.

### Discussion

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

The project would require the construction of expanded electrical and natural gas infrastructure and installation of a new septic system, which would be installed within the footprint of the proposed project. As evaluated throughout this Initial Study, the project has the potential to result in adverse impacts related to Air Quality, Biological Resources, and Cultural Resources. Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and CR-1 through CR-5 have been included to avoid and/or minimize adverse impacts to less-than-significant levels. Therefore, upon implementation of the identified mitigation measures, installation of utility infrastructure is not anticipated to result in adverse impacts to the environment; therefore, potential 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 project would be supplied water by an existing on-site well via shared well agreement. Based on a 4-hour pump test conducted in 2017, the on-site well can sustain a consistent flow of 15 gallons per minute (Arroyo Water Well Supply 2021). 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. The project would be consistent with existing and planned levels and types of development in the project area. Both construction and operation water demands would be expected to be met through available existing groundwater supplies. Therefore, potential impacts associated with reliable water supplies would be *less than significant*.

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

The project includes the installation of a new septic leach field on-site to serve wastewater generated by the project. The project would not require connection to any local wastewater treatment providers; therefore, *no impacts would occur*.

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

Future residential development would be provided solid waste services by South County Sanitary and 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).

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During construction, the project would result in a short-term increase in construction-related solid waste. According to the San Luis Obispo County Integrated Waste Management Authority (IWMA), construction waste would be subject to CALGreen Sections 4.408 and 5.408, which require 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 development of a new single-family residence with an attached garage. According to the CalRecycle Estimated Solid Waste Generation Rates, operation of one residential unit would result in approximately 12.23 pounds of solid waste per day (CalRecycle 2019). Proposed solid waste calculations are shown in Table 4.

**Table 4. Estimated Solid Waste Generation Rates**

Waste Generation Source	Generation Rate	Unit of Measure	Proposed Development	Total
Residential	12.23	lbs/household/day	1 residential unit	<b>12.23 pounds</b>
<b>Total</b>				<b>12.23 pounds</b>

Source: CalRecycle Estimated Solid Waste Generation Rates (2019)

Implementation of the project would result in a long-term increase in operational solid waste generation. 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 South County Sanitary and Cold Canyon Landfill, which are fully compliant with existing local and state 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

The project would require the expansion and installation of utility infrastructure to support proposed development. Implementation of Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and CR-1 through CR-5 would reduce potential adverse environmental impacts to less-than-significant levels. Based on proposed uses and a recent well pump test, on-site groundwater resources have the capacity to support the project’s water demands during normal, dry, and multiple dry years. The project does not require connection to a local wastewater provider. The project would not generate solid waste in exceedance of state or county regulations. Therefore, upon implementation of the identified mitigation measures, potential impacts would be less than significant.

## Initial Study – Environmental Checklist

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### *Mitigation*

Implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and CR-1 through CR-5.

## Initial Study – Environmental Checklist

### XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting

#### CAL FIRE Hazard Severity Zones

In central California, the fire season typically extends from roughly May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are actively 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 the county have been designated as “Very High,” “High,” or “Moderate.” In San Luis Obispo County, most of the area that has been designated as a “Very High Fire Hazard Severity Zone” is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County, from Monterey County in the north to Santa Barbara County in the south. A lack of 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 moderate, high, or very high FHSZs. According to the CAL FIRE FHSZ and SRA viewers, the project site is located within an SRA and is designated as a high FHSZ (CAL FIRE 2016, 2022).

## Initial Study – Environmental Checklist

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### *On-Site Conditions and Surrounding Land Uses*

In addition to the increased length of fire seasons, topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread. The site consists of gently sloping topography and is comprised of oak woodland, non-native grassland, and disturbed/ruderal areas. The project site is primarily undeveloped with the exception of an unpaved driveway from Aloma Way from the southeast. The project site is located in a rural area with limited development. Surrounding land uses include scattered single-family residences and accessory structures to the north, south, east, and west.

### *County Emergency Operations Plan*

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

- Identifies the departments and agencies designated to perform response and recovery activities and specifies tasks they must accomplish;
- Outlines the integration of assistance that is available to local jurisdictions during disaster situations that generate emergency response and recovery needs beyond what the local jurisdiction can satisfy;
- Specifies the direction, control, and communications procedures and systems that will be relied on 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 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, developing and implementing 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.

## Initial Study – Environmental Checklist

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### Discussion

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

The project site and immediate surrounding area is located within a high FHSZ in an SRA (CAL FIRE 2016, 2022). The project would not require any permanent road closures or traffic controls that could result in notable impacts to emergency response or evacuation efforts in the project area. The project proposes improvements to the unpaved driveway to access the proposed development and will be constructed in accordance with County Public Works Department and CAL FIRE/County Fire requirements to ensure adequate emergency access to the site. In addition, the project would not result in a substantial number of new residents in the area or vehicle trips to the site that could otherwise impede emergency response or evacuation efforts in the area. The project would not interfere with an emergency response or evacuation plan and is being built as the result of a subdivision that required frontage improvements, ultimately improving long-term emergency response and evacuation circulation conditions within the project area; therefore, potential impacts would be *less than significant*.

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

The 4.9-acre project property is characterized by gently sloping topography and consists of oak woodland, non-native grassland habitats, and disturbed/ruderal areas. The project site is primarily undeveloped with the exception of an unpaved access road. Surrounding land uses include scattered single-family residences and accessory structures to the north, south, east, and west. Implementation of the project would result in the development of one single-family residence with an attached garage and covered porch. The project would be constructed in accordance with CFC and CBC requirements to reduce risk associated with fire ignition and exposure of project occupants to wildfire risk. In addition, the project would be required to implement design recommendations identified by CAL FIRE/County Fire to ensure adequate ability to provide fire protection services to the proposed project. Based on required compliance with CFC, CBC, and CAL FIRE/County Fire requirements, the project is not anticipated to significantly exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire in an SRA or a very high FHSZ; 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 site is located within a high FHSZ and is not located within a very high FHSZ (CAL FIRE 2022). The project would require the expansion of utility infrastructure and improvements to the unpaved driveway within the access easement to provide access to the proposed project. The proposed driveway and utility expansions would be constructed in accordance with applicable CFC, CBC, CAL FIRE/County Fire, and County Public Works Department requirements to reduce wildfire risk associated with installation of utility infrastructure and to ensure adequate emergency access to the site. In addition, the proposed electrical and natural gas infrastructure would be installed underground, which would further reduce the risk of accidental wildfire ignition at the project site. Based on required compliance with applicable CFC, CBC, CAL FIRE/County Fire, and County Public Works Department requirements, proposed utility expansions and installation of a new driveway



## Initial Study – Environmental Checklist

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would not exacerbate wildfire risk at the site; therefore, potential impacts would be *less than significant*.

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

The project site is located in a high FHSZ within an SRA and would be sited in an area with low potential for landslides, moderate potential for liquefaction, and low potential for flooding to occur. The project is not located within a flood hazard combining designation, a FEMA designated flood zone, or a geologic study area that would require additional County review. As such, the potential for post-fire landslide and downhill flooding would be low. Additionally, proposed buildings would be constructed in accordance with CBC and CFC regulations to further reduce risk associated with wildfire and post-wildfire events. The project would not be sited in a location that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes within an SRA or very high FHSZ; therefore, impacts would be *less than significant*.

### *Conclusion*

Based on required compliance with CFC, CBC, CAL FIRE/County, and County Public Works Department development requirements for future residential development and associated site improvements, the proposed project and associated activities would not result in significant adverse impacts related to wildfire, and no mitigation is necessary.

### *Mitigation*

Mitigation is not necessary.

## Initial Study – Environmental Checklist

### XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### 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 individual 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-8 have been identified and would reduce potential impacts related to sensitive biological resources to less than significant. Additionally, adherence to County LUO Section 22.10.040 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*.

## Initial Study – Environmental Checklist

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- (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 resource sections above, the project would have the potential to result in environmental impacts associated with air quality, biological resources, and cultural resources that could have a cumulative effect with other development projects in the project region. Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and CR-1 through CR-5 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 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 individual 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 associated with mandatory findings of significance would be *less than significant with mitigation*.

### *Mitigation*

Implement Mitigation Measures AQ-1 and AQ-2, BIO-1 through BIO-8, and CR-1 through CR-5.

## Initial Study – Environmental Checklist

### Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Services	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	None
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	In File**
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other Building Department	None

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

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

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<b>County Documents</b>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<b>Other Documents</b>
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> SLO Airport Land Use Plan	<input checked="" type="checkbox"/> Other
<input checked="" type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> South County Area Plan/South County sub area	

## Initial Study – Environmental Checklist

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

Albion Environmental, Inc. (Albion). 2023. Proposal to Provide Archaeological Monitoring Services for 400 Aloma Way, Arroyo Grande, California. July.

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Arroyo Water Well Supply. 2017. *12 Hour Well Test*. August.

Beacon Geotechnical. (Beacon). 2022. Geotechnical Engineering Report for Proposed Single Family Residence, Aloma Way APN 075-232-066, San Luis Obispo County, California. September.

California Air Resources Board (CARB). 2020. Maps of State and Federal Area Designations. Available at: <https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>. Accessed December 28, 2023.

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California Department of Resources Recycling and Recovery (CalRecycle). 2019. Estimated Solid Waste Generation Rates. Available at: <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#:~:text=Residential%20Sector%20Generation%20Rates%20%20%20Waste,%20Cor%20...%20%208%20more%20rows%20>. Accessed January 12, 2024.

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California Department of Transportation (Caltrans). 2018. California State Scenic Highway System Map. Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. Accessed December 27, 2023.

California Governor’s Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluation Transportation Impacts in CEQA*. December. Available at: [https://www.opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf). Accessed January 18, 2024.

California Geological Survey (CGS). 2011. Update of Mineral Land Classification: Concrete Aggregate in the San Luis Obispo – Santa Barbara Production-Consumption Region, California. Available at: <https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/120384>. Accessed February 27, 2024.

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Federal Highway Administration (FHWA). 2018. Construction Noise Handbook. Available at: <https://www.nrc.gov/docs/ML1805/ML18059A141.pdf>. Accessed February 26, 2024.

GeoSolutions (GeoSolutions). 2019. *Evaluation for Presence of Asbestos*. August.

Heritage Discoveries, Inc. (Heritage). 2015. Phase 1 Archaeological Surface Survey at 400 Aloma Way, Arroyo Grande, California. May 19, 2015.

Holland, V.L. and Keil, David (Holland and Keil). 2015. *400 Aloma Way, Arroyo Grande, San Luis Obispo County, California (Assessor’s Parcel Number 075-232-003 Botanical Report*. June.

La Firma, Inc. (La Firma). 2023. *Stormwater Pollution Prevention Plan*. February.

Kevin Merk and Associates, LLC (KMA). 2023. *390 Aloma Way, Arroyo Grande, San Luis Obispo County, California (Assessor’s Parcel Number 075-232-066 and Access Easement on 075-232-066) Biological Resources Assessment*. August.

Kevin Merk and Associates, LLC (KMA). 2024. *Oak Tree Assessment for 400 Aloma Way, Arroyo Grande, San Luis Obispo County, California (Minor Use Permit N-DRC2022-00038)*. July.

Natural Resources Conservation Service (NRCS). 2022. Web Soil Survey. Available at: <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed December 28, 2023.

Pacific Gas and Electric Company (PG&E). 2022. Exploring Clean Energy Solutions. Available at: <https://www.pge.com/en/about/corporate-responsibility-and-sustainability/taking-responsibility/clean-energy-solutions.html>. Accessed March 14, 2024.

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San Luis Obispo Air Pollution Control District (SLOAPCD). 2023. CEQA Air Quality Handbook. Available at: [https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA%20Handbook%202023\\_Final.pdf](https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA%20Handbook%202023_Final.pdf). Accessed April 9, 2024.

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San Luis Obispo County Integrated Waste Management Authority (IWMA). 2022. Construction and Demolition Guidelines. Available at: <https://iwma.com/business/construction-demolition/>. Accessed December 28, 2023.

Sempra Energy. 2019. Annual Report. Available at: [https://www.sempra.com/sites/default/files/content/files/node-page/file-list/2020/sempra\\_energy\\_2019\\_annual\\_report.pdf](https://www.sempra.com/sites/default/files/content/files/node-page/file-list/2020/sempra_energy_2019_annual_report.pdf). Accessed March 14, 2024.

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U.S. Census Bureau. 2021. Quick Facts; San Luis Obispo County, California, United States. Available at: <https://www.census.gov/quickfacts/fact/table/sanluisobispocountycalifornia,US/PST045221>. March 14, 2024.

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## Initial Study – Environmental Checklist

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### Exhibit B - Mitigation Summary

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

#### Air Quality

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

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible; When water use is a concern due to drought conditions, the contractor or builder shall consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control;
- c. All dirt stock-pile areas shall be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- e. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114.
- f. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.
- g. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- h. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in



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

- i. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities.
- j. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.
- k. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advanced by the APCD.
- l. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
- n. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

**AQ-2 ROG, NO<sub>x</sub>, DPM Emissions. *Prior to issuance of construction permits***, the following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO<sub>x</sub>), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

- a. Implement Mitigation Measure AQ-1, as identified above.
- b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
  - iii. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
  - iv. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).

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- e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and comply with the State Off-Road Regulation.
- f. Use on-road heavy-duty trucks that meet the CARB's 2010 or cleaner certification standard for on-road heavy-duty diesel engines and comply with the State On-Road Regulation.
- g. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and/or job site to remind drivers and operators of the no idling limitation.
- h. Electrify equipment when possible.
- i. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
- j. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

### Biological Resources

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

**BIO-2 Environmental Awareness Training. Prior to the start of grading or construction, mobilization of any equipment on the project site, and installation of project limit fencing/flagging for project construction,** a qualified biologist shall conduct an environmental sensitivity training for all project personnel during the project kick-off meeting. The purpose of the training is to educate the personnel on the identification of special-status wildlife species that may occur within the project area and to provide an overview of the avoidance and minimization measures to be adhered to during the project. Specifically, the training shall emphasize on all special-status wildlife species that would be expected to occur within the project limits, applicable regulatory policies and provisions regarding their protection, and a review of measures being implemented to avoid and/or minimize impacts to the species and their associated habitat. Crew members shall be briefed on the reporting process in the event that an inadvertent injury should occur to a special-status species during construction.

**BIO-3 Oak Tree Mitigation Plan. At the time of application for grading and/or construction permits,** the following measures shall be implemented to reduce project effects on oak trees:

1. **Employ a certified arborist for oak tree trimming.** The applicant shall employ the services of a County of San Luis Obispo-qualified, certified arborist to trim trees and roots as necessary for clearance. The arborist shall record the number of oak trees that require extensive canopy trimming (i.e., over 30% of the canopy), and incorporate these trees into the mitigation plan in Mitigation Measure BIO-3.3, below.
2. **Install protective fencing around the dripline and critical root zone of oak trees.** Project site plans show tree locations around the proposed disturbance footprint. Within two weeks prior to the initiation of work to improve the driveway and construct the house, protective fencing shall be installed around oak trees within the 30-foot buffer distance that are to remain undisturbed. The project biologist or certified

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arborist shall work with the project engineer and grading contractor to provide information on how to avoid and minimize impacts of fill and/or grading within the critical root zone of oak trees. The protective fencing shall be orange plastic construction fencing or similar material and staked into the ground delineating each tree's critical root zone. Fencing or stakes should be installed and maintained throughout construction and removed only after there is no potential for construction-related impacts. For any work that will impact the area within the critical root zone of oak trees, Mitigation Measure BIO-3.3 is required.

3. **Prepare and Implement an Oak Tree Mitigation Plan.** The following Oak Tree Mitigation Plan shall be implemented by the applicant and overseen by a qualified botanist or arborist for all replacement oak trees. The plan incorporates by reference and shall follow current County guidelines and mitigate removed trees at a 4:1 ratio (i.e., 4 trees planted for every tree removed). For trees that were impacted through extensive trimming (i.e., over 30% of the canopy), grading or placement of fill or structures within the critical root zone, a mitigation ratio of 2:1 shall be employed. The following are the minimum requirements of the mitigation plan:

- Replacement trees shall be coast live oaks acquired from a native plant nursery with container stock from the southern San Luis Obispo County region.
- The mitigation sites shall be located along the perimeter of the property away from development and identified in the field through appropriate flagging or fencing.
- Planting areas shall be prepared prior to container stock installation and have all non-native plant cover removed from the planting site through hand pulling or use of hand or mechanical equipment.
- Replacement trees shall be planted approximately 10 to 20 feet on center to emulate conditions onsite.
- Caging of plants and rootballs shall be done as needed to avoid herbivory and gopher/ground squirrel damage.
- A low nitrogen, slow-release fertilizer may be used as well as a mycorrhizal inoculant to promote successful establishment.
- Plantings shall be irrigated by hand or with a drip irrigation system, and mulched (compost or wood chips) to promote appropriate soil conditions. Irrigation shall occur regularly for a minimum of two years and then tapered off during the third rain season as determined by the qualified botanist/arborist.
- Container plants shall be tagged and numbered following installation and mapped with a GPS unit to track their establishment.
- An as-built Planting Plan shall be prepared with GPS data to track the replacement trees.
- Maintenance shall occur on a weekly to monthly basis following installation and then gradually reduced as determined by the qualified botanist/arborist.

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- Monitoring shall occur at least twice a year (spring and fall) for a seven-year period to document establishment and guide maintenance activities.
- Annual Reports detailing monitoring of the mitigation effort shall be prepared by a qualified botanist or arborist and submitted to the County by December 31<sup>st</sup> of each year following planting.
- All replacement trees shall be maintained and monitored for a minimum of seven (7) years to ensure successful establishment of a minimum of 30 replacement trees based on current numbers removed and trimmed. If additional trees are impacted during construction of the project, the replacement number shall be adjusted accordingly.
- The goal of the plan is to have at least 30 healthy coast live oak trees with no need for supplemental irrigation. There shall be no signs of necrosis or plant damage, and all planted specimens shall show signs of new growth.

**BIO-4**      **Oak Tree Mitigation Plantings.** At the time of application for construction or grading permits, if replacement mitigation plantings are unable to be satisfactorily implemented, the applicant shall coordinate with the County of San Luis Obispo Planning and Building Department to determine the appropriate fee and submit payment to the California Wildlife Conservation Board's Oak Woodlands Conservation Program to mitigate for up to 50% of oak trees impacted by the project that have not mitigated through on-site replacement plantings (as described in Mitigation Measure BIO-3.3, above). Contribution to the Oak Woodlands Conservation Fund shall be paid in full prior to issuance of grading or construction permits. The cost of each tree will be determined at the time of application for building permits.

**BIO-5**      **Preconstruction Surveys for Reptiles.** The following measures shall be implemented to reduce project effects on special-status reptile species during the proposed development:

1. **Prior to the start of grading or construction,** conduct a preconstruction survey and avoid construction in any areas with special-status reptile species. Immediately prior to the start of vegetation removal or grading, a qualified biologist shall survey permanent and temporary impact areas for special-status reptile species. Raking surveys in areas with leaf litter under shrubs and trees shall be used to detect the northern California legless lizard, as well as searches under lumber or other cover objects. Visual surveys of the disturbance areas shall be conducted for the horned lizard. Construction activities may begin once it has been determined that there are no special-status reptile species within impact areas. If any individuals are found within the impact area or would otherwise be at risk during construction, work activities shall be delayed in that particular area and the wildlife allowed to leave the work zone on its own volition or relocated by the qualified biologist. The biologist shall confirm when individuals of special-status species have left, and work can commence.
2. **During all ground-disturbing activities,** conduct biological monitoring for special-status wildlife species. A qualified biologist shall monitor vegetation removal and site grading to search for unearthed northern California legless lizards and coast horned lizards. The biologist shall be on-site daily until all vegetation has been cleared. The biologist shall monitor construction activities from a safe distance using binoculars and walk through the site to look for disturbed wildlife during breaks. Any animals found shall be moved out of harm's way or allowed to move to an undisturbed location

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on their own volition. As necessary, appropriate regulatory agency permits and/or approvals shall be obtained to allow relocation of special-status species from the project area.

3. **During grading and construction**, employ measures to prevent entrapment of reptiles in open excavations and trenches. During the period in which there are open trenches or excavations more than six (6) inches deep, such as during the excavation for building foundations or utility lines, escape ramps shall be installed so that reptiles and other wildlife that may have become entrapped have the ability to escape. Escape ramps are to consist of a 2:1 sloped soil area leading from the bottom to ground level. If this is not possible, qualified personnel shall inspect open trenches each day prior to the start of work for entrapped animals. A third option is that trenches/excavations shall be completely covered with plywood or similar material during overnight periods. If a horned lizard is located, a qualified biologist shall be contacted immediately to assist with relocation. Work shall be halted until the entrapped wildlife has been relocated.

**BIO-6 Preconstruction Den Survey. Prior to the start of grading or construction**, conduct a preconstruction den survey and establish no-work buffers around potential dens. Within 2 weeks prior to the start of ground-disturbing activities, a qualified biologist shall survey the project impact area, including areas to be used for stockpiling materials or storing equipment plus a 100-foot buffer within the parcel, for potential American badger dens. If no potential dens are found, work may proceed. Any potential dens found shall be identified with flagging or stakes, and a 100-foot no-work buffer shall be flagged. If the potential den cannot be avoided during all work activities with at least a 100-foot buffer, Mitigation Measure BIO-6.1 would be required.

1. If any potential American badger dens are found that cannot be avoided including buffer area, employ standard measures to determine whether the dens are active and excavate non-maternal dens to prevent re-occupation. A qualified biologist shall install wildlife trail cameras, install tracking media, or use a fiber optic scope to determine whether the potential dens on-site are actively being used by a badger. Potential dens shall be monitored daily for at least three (3) days to determine whether they are currently occupied. If the work takes place in the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 200 feet of maternal dens until the young have left the den. Dens occupied by a single adult badger can be avoided with a 50-foot buffer. If any active dens occupied by a single adult are found and cannot be avoided with the 50-foot buffer, the burrow opening should be gradually covered with sticks and debris to deter the individual from using the den. The biologist shall place sticks and debris over the entrance for 3 to 5 days to discourage the badger from using the den. Only after the badger has left the den, as determined by the qualified biologist implementing the wildlife camera and/or tracking medium methods, can the burrow be excavated, and work proceed.

Destruction of a den is typically done by incrementally excavating the burrow until it is confirmed that no wildlife are occupying it. Excavation using hand tools is the recommended method for destroying a den. Use of excavating equipment can be done with extreme caution and while being monitored by a qualified biologist. After

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the den is destroyed, the excavation is to be filled with dirt and compacted to make sure that burrowing wildlife cannot reenter or use the burrow during construction. If an American badger is discovered inside the den during the excavation activities, excavation should cease immediately, and monitoring of the den reinitiated. Den destruction may proceed once it is determined that the wildlife has left the den.

- BIO-7**      **Oak Tree Delineation. At the time of application for construction and grading permits,** final project plans shall clearly delineate all trees within 50 feet of the proposed area of disturbance, and indicate which trees are to be removed or impacted and which trees are to remain unharmed.
- BIO-8**      **Preconstruction Survey for Nesting Birds. Prior to initiation of any site preparation/construction activities,** if work is planned to occur between February 1 and September 1, a qualified biologist shall conduct a preconstruction survey for nesting birds within a 250-foot buffer of project impact areas. This survey shall be conducted within seven (7) days before the initiation of construction activities or vegetation trimming/removal. During this survey, the qualified biologist shall search for birds exhibiting nesting behavior (i.e., food or stick carries, territorial displays, courtship, etc.), and inspect all potential nest substrates in the impact and buffer areas. Any nests identified will be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within 50 feet (250 feet for raptors) of the construction area, the biologist shall determine the extent of a buffer to be established around the nest. The buffer will be delineated with flagging, and no work shall take place within the buffer area until the young have left the nest, as determined by the qualified biologist.

### Cultural Resources

- CR-1**      **Contract. Prior to issuance of grading and/or construction permits,** the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for cultural resources.
- CR-2**      **Worker Environmental Awareness Training. Prior to any proposed construction ground disturbing activities within the project area,** project personnel (e.g., contractors, construction workers) shall be briefed by a qualified archaeologist (retained on-call by applicant) about the potential and procedures for inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training shall include established procedures for temporarily halting or redirection of work in the event of a discovery, identification and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.
- CR-3**      **Monitoring Plan. Prior to the start of construction,** the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;

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- c. Description of frequency of monitoring (e.g., part time, spot checking);
- d. Description of what resources are expected to be encountered;
- e. Description of circumstances that would result in the halting of work at the project site (e.g., what is considered “significant” archaeological resources);
- f. Description of procedures for halting work on the site and notification procedures; and
- g. Description of monitoring reporting procedures.

**CR-4**      **Cultural Resource Monitoring.** *During initial ground disturbing construction activities*, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. After initial ground disturbance, if determined acceptable by the archaeologist and Native American monitor, monitoring frequency may be adjusted to reflect the potential for buried cultural resources. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

**CR-5**      **Monitoring Report.** *Prior to final inspection, and upon completion of all monitoring/mitigation activities*, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all mitigation measures have been met.