



*Draft* Addendum to the 2019 PEIR  
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San Luis Obispo Council of Governments  
1114 Marsh Street  
San Luis Obispo, CA 93401  
[www.slocog.org](http://www.slocog.org)

Prepared by:  
San Luis Obispo Council of Governments  
and  
County of San Luis Obispo Department of Public Works  
976 Osos Street, Room 206  
San Luis Obispo, CA 93401



# DRAFT ADDENDUM TO THE 2019 PEIR

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## 1. INTRODUCTION

### 1.1 Background

This Addendum serves as an addendum to the previously certified San Luis Obispo Council of Governments (SLOCOG) 2019 Regional Transportation Plan – Sustainable Communities Strategy (RTP-SCS) Program Environmental Impact Report (PEIR), State Clearinghouse (SCH) No. 2018011015. SLOCOG proposes to update the 2019 RTP-SCS with the 2023 RTP-SCS; this Addendum fulfills the California Environmental Quality Act (CEQA) documentation necessary to consider the effects of implementation of the 2023 RTP-SCS. SLOCOG is the lead agency for the environmental review of the proposed 2023 RTP-SCS.

The RTP-SCS is a federally mandated (Title 23 U.S.C. Section 134) comprehensive, long-range (20+ year) regional transportation plan for San Luis Obispo County. The RTP is used to guide development of the Regional and Federal Transportation Improvement Program as well as other transportation planning and programming efforts. The SCS is a major driver of this planning effort, intended to address the issue of climate change, consistent with the California Global Warming Solutions Act of 2006 (AB32) and SB 375 (2008). The RTP-SCS contains goals, objectives, and policies that provide a vision to guide the development of regional transportation projects and funding expenditures.

The 2019 RTP-SCS PEIR was completed in 2019 and certified on June 5, 2019. Program EIRs can be prepared for a series of actions that are characterized as one large action because they are, for example, related geographically, connected with issuance of plans to govern a continuing program, or carried out under the same regulating authority and have similar environmental effects that can be mitigated in similar ways. These factors apply to the RTP-SCS. The RTP-SCS is being updated in accordance with California Government Code Section 65080 et seq., Part 450 of Title 23 of the Code of Federal Regulations (23 CFR 450), and the California Transportation Commission's 2017 Regional Transportation Plan Guidelines for Metropolitan Planning Organizations. State law requires all jurisdictions in San Luis Obispo County to update their RTP-SCS every four years to consider changing requirements and policies.

In accordance with this requirement, recent RTP-SCS updates were prepared in 2010, 2015, and 2019, for which SLOCOG prepared:

- Program EIR for the 2010 RTP-SCS update
- Addendum for the 2014 RTP-SCS update
- Program EIR for the 2019 RTP-SCS update

This has provided a reasonable approach for considering changes in project description, potential for new information, and potential for new circumstances that dictate whether a new EIR must be prepared. As documented in this Addendum, SLOCOG has determined that the circumstances requiring preparation of a subsequent EIR are not met and that an Addendum is the appropriate CEQA document for the 2023 RTP-SCS update.

### 1.2 CEQA Considerations

The basis for the determination to prepare this Addendum is in CEQA Guidelines (Guidelines) Section 15162(a), which states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164 of the Guidelines directs responsible agencies to prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162(a) calling for preparation of a subsequent EIR have occurred.

### **1.3 Organization of the Addendum**

- Section 1 provides background information, CEQA considerations, and organization of the Addendum.
- Section 2 provides the 2023 RTP-SCS project description and a summary of changes from the 2019 RTP-SCS.
- Section 3 summarizes stakeholder outreach and public notice conducted for the preparation of the Addendum.
- Section 4 provides the analysis of each of the provisions of Section 15162(a) of the Guidelines.
- Section 5 provides conclusions.

## **2. PROJECT DESCRIPTION**

### **2.1 Overview of the 2023 RTP-SCS**

The 2023 RTP-SCS is a long-range plan that aims to achieve a coordinated, balanced, and multimodal regional transportation system that speaks to improvements and investments in all modes, which include but are not limited to pedestrian, bicycle, public transit, highway, rail, maritime and harbors, goods movement, and aviation. The RTP must be action-oriented, fiscally constrained, and pragmatic, considering both short-term (FY 2023/24-2028/29), mid-term (FY 2029/30-2035/36), and long-term (FY 2036/37-2045/46) periods.

The RTP includes the following elements:

- **Policy Element** – describes the goals and policies that inform regional transportation planning, programming, and prioritization of projects, programs, and services. The Policy Element informs the Action Element.
- **Financial Element** – determines how much money is likely to be available to maintain, operate, and improve the region's transportation system over a 20+ year period.
- **Action Element** – describes the multimodal investment program of transportation projects, programs, and services that address the region's transportation needs. The Action Element is subject to the funding limits outlined by the Financial Element, resulting in a fiscally-constrained list of projects. The Action Element may also include a list of projects that are determined to fulfill a need but are not expected to be fundable within the 20+ year timeframe of the RTP. This is labeled as an unconstrained list. The Action Element identifies priority corridors, placing an emphasis on the balance of jobs and housing as well as connecting communities.
- **Sustainable Communities Strategy (SCS)** - Pursuant to SB 375 (2008), the Sustainable Communities Strategy (SCS) is an integral part of the RTP. The SCS must identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the RTP, considering net migration into the region, population growth, household formation, and employment growth. The SCS identifies a "forecasted development pattern" for the region, which is informed by the inventory of existing land use throughout the region, along with the identification of sites where future development can be located, while still reducing vehicle-miles traveled (VMT) and greenhouse gas (GHG) emissions. The law establishes an approach to ensure that cities, counties, and the public are involved in the development of regional plans to achieve targets set by the California Air Resources Board (CARB) for reducing GHG emissions.

**Evaluation Factors:** The transportation projects, strategies, and services recommended by the 2023 RTP-SCS must address factors relating to:

- Safety
- Security
- Passenger and Freight Accessibility
- Environmental Protection
- Energy Conservation
- Improved Quality of Life
- Consistency between Transportation Improvements and Planned Growth and Economic Development
- Connectivity and Integration of Various Transportation Modes
- Transportation System Management
- Economic Vitality and Tourism
- Transportation System Preservation and Resiliency

These factors must be addressed for both non-motorized and motorized modes of transportation.

**Alternatives:** The 2023 RTP-SCS considers alternative scenarios that are based on specific assumptions, such as the location and type of residential and employment growth in the region, and the assumed transportation projects to be built over the RTP-SCS planning period.

- **Alternative 1** - No Project Alternative - The No Project Alternative, required by CEQA, addresses the effect of not preparing the 2023 RTP-SCS. This alternative would be in conflict with federal and state

requirements to periodically update the RTP-SCS and would result in the ineligibility of the region to receive federal and state funding and expose the region to litigation for non-compliance with state and federal law.

- **Build Scenarios** - Multiple land use scenarios are modeled in the 2023 RTP-SCS. Scenarios are informed by the 2050 Regional Growth Forecast totals for housing, employment, and population, which vary by housing type (e.g., larger lot housing vs. smaller lot housing) and location of new housing and jobs within the region. An intermodal investment strategy is used to support each scenario; investments may vary based on the scenario.

**Projects:** The 2019 RTP-SCS (Appendix A) lists all planned improvement projects for construction over the 23-year planning period of the report. The project list is included in the RTP-SCS for the purpose of determining compliance with the goals and policies of the RTP-SCS. The project list is confirmed and updated in the 2023 RTP-SCS. Each of these projects will be subject to project-specific CEQA review as part of the project planning, permitting, and implementation process, including stakeholder outreach and opportunity for public comment as appropriate in accordance with the CEQA Guidelines.

## 2.3 Changes from 2019 RTP-SCS

The 2023 RTP-SCS builds on 2019 efforts and formally addresses all requirements specified in Senate Bill 375. Specifically, planning and resource data were updated, scenarios refined, housing supply addressed, and goals, objectives, and strategies revised to achieve targeted greenhouse gas (GHG) reductions.

A number of administrative changes have been made in the 2023 RTP-SCS (Figure 1). These include updating data, language and/or terminology, tools, and programs where there is no associated change in physical impacts and the environmental effects analyzed in the 2019 PEIR.

**Figure 1: Administrative updates to the 2023 RTP-SCS**

RTP Sections	2023 Administrative Updates
1) Executive Summary	Summarizes the 2023 document
2) Introduction and Setting	Updated 2020 census data and added a new tourism section
3) Vision, Goals, and Policies	Language update: goal titles changed to pillars, and updated federal/state alignment
4) Regional Planning Approach	Updated language in the Environmental Justice section
	Updated Disadvantaged Communities Assessment – added definition, new mapping tool, and criteria
	Updates to Public Participation Plan 2021 <ul style="list-style-type: none"> <li>○ Simplified goals: Inform, Involve, Include, and Improve</li> <li>○ Renewed focus on equity</li> <li>○ Emphasis on digital outreach and engagement</li> <li>○ Clarifies the agency’s process and how the public can get involved</li> <li>○ Includes checklists for major deliverables</li> </ul>
5) Measuring Performance	Eliminated Level of Service (LOS) table and updated text and data tables
6) Financial Element	<ul style="list-style-type: none"> <li>○ Updated fund sources, amounts, and escalation rates</li> </ul>

	<ul style="list-style-type: none"> <li>○ Created Gas Tax Tool</li> <li>○ Added 2021 Federal Bipartisan Infrastructure Law (BIL)</li> <li>○ Added new illustrative funding levels (using potential supplemental funding additions)</li> <li>○ Similar to the 2019 RTP, the 2023 Financial Element maintains the prior investment strategy (Balanced Intermodal Investment Strategy), and investments were not fiscally constrained with illustrative funding.</li> </ul>
7) Action Element Overview	<p>Mode of Travel – Updated the Complete Streets/Multi-Modal Corridors text</p> <p>Updated Emerging Technologies and Health in Transportation text</p>
8) Maximizing System Efficiency	Added new section addressing the COVID-19 impact on Travel Behavior and Travel Demand Model (TDM); added new section on Freeway Service Patrol; updated Park & Ride Map
9) Highways, Streets and Roads	Divided selected single improvements into two or more phases
10) Active Transportation	Included SLOCOG's 2021 Active Transportation Plan, a compilation of Active Transportation corridor planning studies and technical reports
	Divided selected single improvements into two or more phases.
	Paso Robles Grand Loop bikeways projects: combined previously separate projects into the single project to complete the connected orbital Class I network on the east side of town
11) Public Transportation	Added new Coordinated Plan Information
12) Goods Movement: Rail, Freight, Aviation and Harbors	Added Caltrans Freight Plan 2021 and updated text and data.
13) Sustainable Communities Strategy (SCS)	Reaffirmed Regional Growth Forecast; tested new scenarios: Transportation Efficiency Analysis (TEA) and 15-Minute Communities Scenario; updated modeling metrics
Appendix A: Consolidated Project Listing and Maps	Updated online map tools and availability
Appendix B: Air Quality Conformity Analysis and Determination	Text changes only with new modeling information using approved Air Quality Tool
Appendix C: Modeling and Technical Documents	<ul style="list-style-type: none"> <li>○ New Technical Methodology</li> <li>○ Added SLOCOG Regional Travel Demand Model Technical Report hyperlink</li> <li>○ Updated ARB data table with reportable modeling metrics</li> </ul>
Appendix D-1: Policy Element Supporting Materials	<p>Similar changes per Chapters 2-5 (above)</p> <p>New Public Engagement activities and findings:</p> <ul style="list-style-type: none"> <li>○ Shifted from one large survey to five bite-sized surveys and three online tools/games (budget game, mapping tool, gas tax estimator tool)</li> </ul>



	<ul style="list-style-type: none"> <li>○ Emphasis on Speakers Bureau to get information to communities – delivered 65 presentations and comments, initially and over 4 dozen with the Draft Plan</li> <li>○ Received 3,300+ responses - cumulative over all tools</li> <li>○ Hosted Virtual Public Meeting that garnered more participation than previous in-person RTP activities</li> <li>○ Featured on Central Coast Voices</li> <li>○ Distributed mailers through Rideshare</li> </ul>
<b>Appendix D-2: Financial Element Supporting Materials</b>	Similar changes per Chapter 6 (above)
<b>Appendix D-4: SCS</b>	<ul style="list-style-type: none"> <li>○ Similar changes to Chapter 13 (above).</li> <li>○ Regional Growth Forecast reaffirmation of prior (2019 RTP) projections</li> </ul>
<b>Appendix E: Acronyms and Terms</b>	Text changes only
<b>Appendix F: RTP Checklist for MPOs</b>	Page number updates
<b>Appendix G: Response to Comments</b>	Responses to new comments received
<b>Appendix H: Resolution of Approval</b>	Text changes only

Revisions in the 2023 RTP-SCS update that have the potential to involve new or expanded projects or changes in physical effects are listed in Figure 2 and described below.

The specific highways, streets, and roads projects identified in the 2023 RTP-SCS are generally the same as those identified in the 2019 RTP-PSCS, though there have been some minor modifications and additions to the projects. The majority of identified projects from the 2019 RTP-SCS have not been constructed and remain SLOCOG implementation goals. Additionally, the 2023 RTP-SCS identifies some new transportation efficiency projects that would assist with improving the regional transportation network and these are listed in Figure 2.

**Figure 2: 2023 RTP-SCS Changes with Potential for Environmental Effects**

RTP Sections	2023 Revisions
7) Action Element Overview	Added new regional Safe Routes for All Policy
	Added new Emerging Technologies
8) Maximizing System Efficiency	Added new physical improvements to Project List: EV charging station installation and regional car share program
9) Highways, Streets and Roads	Added Complete Streets / Safety elements to the 2019 RTP projects
10) Active Transportation	Added two new projects to Highway Project List: Oceano Highway 1/Railroad Street intersection operational

	improvements; and Morro Bay SR 41/Highway 1 southbound ramp operational improvements
	Added new section on urban and rural area safety needs for bicyclists
	Added new section added on green infrastructure environmental benefits
	Added new project: SLO City South Higuera Bikeways
11) Public Transportation	Financial projection and project changes based on Innovative Clean Transit Act (ICT)
	Added two new projects: SLO Transit Electric Vehicle chargers at transit facility and replacement of RTA transit stops
12) Goods Movement: Rail, Freight, Aviation and Harbors	Included two completed projects that were not addressed in the 2019 RTP: Grover Beach Train Station Expansion Project and Narlon Bridge Replacement Project completed by UPRR
	Added four new projects that are not funded by SLOCOG through the RTP but would be the responsibility of other agencies
	Aviation section added new project: Paso Robles Spaceport designation
	Harbor section added several Port San Luis maintenance projects and the Morro Bay capital improvement needs assessment
13) SCS	Added new Transportation Efficient Locations
Appendix D-3: Action Element Supporting Materials	Similar changes per Chapters 7-12 (above).

### 2.3.1 Section 7, Action Element Overview

Section 7, Action Element Overview of the RTP-SCS has been expanded by adding the new regional Safe Routes for All Policy. This policy is aimed at protecting everyone who uses the roads, especially the most vulnerable, through collecting data and prioritizing investments in safe street design. The program is not yet at the level of detail to define specific projects. The anticipated impacts from specific projects would most likely be in urban and suburban/developed areas within the school commute zones.

Additionally, the Action Element Overview, Emerging Technologies section includes a number of new standards, programs, and policies aimed at increasing electrical vehicle use, reducing carbon emissions, and improving air quality (Figure 3). These have the potential for secondary effects, the primary one being improved air quality conditions. Indirect effects could result from increased demand for e-bikes and electric vehicles. This could include things like charging stations and bike racks that are expected to be located in urban/suburban developed areas.

Figure 3: New Emerging Technologies included in the 2023 RTP-SCS

Program	Description
Low Carbon Fuel Standard	A program designed to decrease the carbon intensity of California's transportation fuel pool and provide an increasing range of low-carbon and renewable alternatives
Advanced Clean Truck Standard	A regulation for large entities and fleets to transition to zero-emission trucks

Renewables Portfolio Standard Program	A requirement for 60% of retail electricity sales to be met by renewables in 2030 followed by zero-carbon retail and state electricity by 2045
Charge Ahead California Initiative	AB 2188, passed into law in 2020 and administered by CARB for the purposes of funding projects related to the reduction of criteria air pollutants and improvement of air quality and promoting the use of zero-emission vehicles by providing rebates for the purchase of new zero-emission vehicles
CalBike E-Bike Affordability Program	AB 117, Electric bicycles incentives project established to provide incentives, in the form of vouchers, to income-eligible individuals for the purchase of electric bicycles at participating retailers
SLO Car Free Program	A cooperative partnership initiated and led by County of San Luis Obispo Air Pollution Control District to encourage, through incentives, visitors and residents to choose active transportation or public transport to get around the County
Federal Automated Vehicles Policy	A policy designed to accelerate highly automated vehicle innovation and require safety assurance

### **2.3.2 Section 8, Maximizing System Efficiency**

Section 8, Maximizing System Efficiency of the RTP-SCS has been expanded to add two new physical improvements to the Project List: EV charging station installation and the regional car share program. It is anticipated that the location of any new EV charging stations and Park and Ride Lots would be associated with previously identified projects, and if a stand-alone facility, would be in existing urban and/or developed areas.

### **2.3.3 Section 9, Highways Streets, and Roads**

Section 9, Highways, Streets, and Roads of the RTP-SCS has been expanded to add Complete Streets/Safety elements to the list of projects in the 2019 RTP. The Complete Streets/Safety initiative is the result of the California Complete Streets Act, which requires transportation projects to incorporate multi-modal facilities (e.g., for bicycles, pedestrians, transit users). Facilities could include, for example, designated travel lanes/paths, safety barriers, and signage. These projects could potentially involve expanded project footprints, but all impacts are anticipated to be located in existing rights-of-way.

Additionally, three changes have been made to the project list. One change is the Highway 101 Northbound Pismo Congestion Relief from the 2019 PEIR project list to a phased/interim improvement project from 4<sup>th</sup> Street to Price Street in Pismo Beach. Two new projects have been added: Highway 1/Railroad Street intersection improvements in Oceano, and State Highway 41/Highway 1 southbound ramp operational improvements in Morro Bay. These projects would all involve existing disturbed areas in right-of-way.

### **2.3.4 Section 10, Active Transportation**

Section 10, Active Transportation of the RTP-SCS has new sections pertaining to urban and rural bicycle safety that could result in indirect projects or increased project footprints, similar to the Complete Streets initiatives in Section 9 discussed above.

One new project was added, installing Class IV bikeways along Higuera Street from Marsh Street to the southern city limits in San Luis Obispo. This project would impact existing right-of-way.

Section 10 also introduces new green infrastructure environmental benefits and transportation impact mitigations. The goal of the green infrastructure initiative is to support development of an interconnected green infrastructure network to provide, among others, environmental, social, and recreational benefits. Green infrastructure benefits could include things like maintaining wildlife corridors, optimizing stormwater treatment to protect water quality, and promoting recreational trails. Integrating green infrastructure goals into the planning process has the potential to change the footprint of proposed projects, but is expected to decrease, not increase, environmental impacts of projects.

### **2.3.5 Section 11, Public Transportation**

Section 11, Public Transportation of the RTP-SCS has been expanded to include project changes based on the Innovative Clean Transit Act. The associated Innovative Clean Transit Program consists of efforts to gradually transition public transit agencies to 100-percent zero-emission fleets and to provide innovative first and last-mile connectivity and improved mobility for transit riders. Potential environmental effects include indirect beneficial effects on air quality and construction of new facilities needed for zero-emission vehicles (e.g., charging stations, bike racks). New facilities such as charging stations could be in existing fleet service areas or could include updates to existing transit stations. Impacts are expected to be in existing urban/suburban developed areas.

### **2.3.6 Section 12, Goods Movement**

Section 12, Goods Movement (Rail, Freight, Aviation, and Harbors) of the RTP-SCS has two rail projects added that have already been completed but that were not in the 2019 RTP project list: the Grover Beach Train Station Expansion Project, and the Narlon Bridge Replacement Project completed by the Union Pacific Railroad. These projects were completed in the 2021-2022 timeframe and a project-specific CEQA document was completed for each project.

Four new pending projects or initiatives related to rail service were added. These include:

- Pacific Surfliner increased passenger service and either new service or extension of service from the greater San Francisco Bay Area to San Luis Obispo;
- Amtrak San Luis Obispo Railroad Station rehabilitation;
- Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Central Coast layover facility; and
- Draft CA Intercity Bus Study and draft State Rail Plan with State emphasis on intercity bus networks that align with the rail network and operate on a pulsed schedule.

These are not funded through the RTP but are included in the RTP because they are part of the transportation system. These projects would be the responsibility of other agencies or the State of California, and project-specific CEQA would be conducted by the lead agency. For example, the proposed Central Coast Layover Facility has an Environmental Impact Report in progress.

For Aviation projects, the proposed Paso Robles Municipal Airport Spaceport Designation has been added to the 2023 RTP. The designation requires approval by the Federal Aviation Administration and the proposal is in the early stages of that multi-year process (currently targeted to be completed in 2024). The spaceport designation would allow small launches to occur but is not expected to require airport improvements. The proposed spaceport would

not include rocket launches; rather it would accommodate horizontal departures/return of small planes to be used for launching satellites. Specific details will be developed as part of the project planning process. There is potential the project could lead to indirect or cumulative impacts from associated economic development in the surrounding community. Any such indirect development would be in existing areas close to the airport, which include developed and rural lands. This project would be the responsibility of other agencies and project-specific CEQA would be conducted by the lead agency.

For Harbor projects, three projects have been added to the 2023 RTP that consist of maintenance and repair of existing facilities at Port San Luis in Avila Beach (Underground Storage Tank replacement, Avila Pier rehabilitation, Port San Luis marine storage tank and pier rehabilitation).

Additionally, the Morro Bay Harbor Capital Needs Assessment has been added. Preparing the Assessment was a 2022 goal identified by the City of Morro Bay as part of its public infrastructure improvement goals. The Assessment would address harbor facilities, public/visitor facilities and transportation, and storm water, and could result in potential future projects with impacts related to, for example, marine service, public access, renewable energy, and paid parking facilities. These are expected to be in developed areas in Morro Bay but could impact estuarine and coastal resources. The 2019 PEIR addresses potential impacts under Biological Resources and Water Resources. Renewable energy projects would be the responsibility of other agencies and project-specific CEQA would be conducted by the lead agency.

### **2.3.7 Section 13, Sustainable Communities Strategy**

Multiple land use scenarios were developed and evaluated to guide the 2023 SCS and fulfill the SB 375 requirements. The land use scenarios in the SCS form the basis for the alternatives analysis in the CEQA document, and the 2023 scenarios build on the scenarios analyzed in the 2019 SCS and PEIR. The 2023 SCS analyzes four land use scenarios in detail for selection of the 2035 preferred growth scenario.

These include:

**Scenario A.** No Project. This scenario is based on the 2019 RTP preferred growth scenario with improved jobs-housing balance.

**Scenario B.** Jobs-Housing Balance with Pipeline Residential Projects. This scenario is similar to Scenario A, but aligns with currently proposed residential projects (i.e., pipeline projects), resulting in an increase in smaller-lot housing.

**Scenario C.** Includes the Transportation Efficiency Analysis (TEA). This scenario guides new housing to transportation-efficient and potentially transportation-efficient areas (i.e., areas with sufficient access to interchanges, bikeways, and transit).

**Scenario D.** 15-Minute Communities Scenario. This scenario guides housing to locations where residents would be within a 15-minute walk or bicycle trip from essential services (e.g., existing employment centers, grocery stores, schools).

The environmentally superior alternative, Scenario C, Transportation Efficiency Analysis, was chosen as the 2023 RTP-SCS proposed project and the 2035 preferred growth scenario. This scenario achieves a total of 11% reduction in per-capita GHG emissions relative to 2005 emissions (refer to details in Section 4.2.4, Greenhouse Gas Emissions Analysis).

The criteria used to consider an area "transportation efficient" includes locations within 0.5 mile from a transit stop, 0.5 mile from a bikeway, and 1 mile from an interchange. Areas that provide all three transportation access factors

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are considered transportation efficient. Areas providing 1 or 2 factors are considered potentially efficient. Areas that do not provide any of the factors are considered transportation inefficient.

Each of the alternatives listed above aimed for 30 percent large-lot housing and up to 70 percent small-lot housing. Scenario B would realize an increase in smaller-lot housing due to the projects in the existing project pipeline. Scenarios C and D would also result in an increase in smaller-lot housing due to the nature of suitable locations to meet transportation efficiency rankings (Scenario C) and prescribed commutes (Scenario D). This is expected to guide housing development to existing developed, urban/suburban locations and reduce direct and indirect effects of housing development. The primary focus of the RTP-SCS is identifying the preferred scenario for attaining GHG emissions reduction targets, which is discussed in Section 4.2.4 of this Addendum.

Each of the SCS alternatives could also result in new transportation projects or changes in prioritization of existing transportation projects. New transportation projects could be in developed urban/suburban areas or in less developed, rural areas. New transportation projects would be similar in scope to the existing project list and are expected to involve similar environmental issues and mitigation measures. Each project would be subject to project-specific CEQA analysis.

## 3. STAKEHOLDER OUTREACH AND PUBLIC NOTICE

### 3.1 Notice of Preparation

SLOCOG conducted stakeholder outreach and public notice to support the determination of appropriate CEQA level of analysis and the determinations in this Addendum.

Notice of Preparation (NOP) of an EIR was published on January 13, 2022, with a 34-day comment period ending February 16, 2022. A scoping meeting was held on February 9, 2022.

The NOP, copies of each comment received, and SLOCOG's response to comments is provided in Appendix A.

Comments on the NOP were received from the following entities:

- 1) The Native American Heritage Commission (NAHC), letter dated January 25, 2022, clarifying the SB 18 and AB 52 compliance requirements for the 2023 RTP-SCS.
- 2) The Avila Valley Advisory Committee (AVAC), letter dated February 15, 2022, stating its interest in bus service between San Luis Obispo and Avila Beach.
- 3) The California Department of Transportation (Caltrans), letter dated February 16, 2022, supporting continued coordination to achieve smart growth principles and network connectivity, and specific recommendations regarding use of Vehicle Miles Traveled (VMT), the Transportation Demand Strategies (TDM) plan, the *District 5 Active Transportation Plan*, and consideration of climate change effects on the State Highway System and local roadways.
- 4) California Department of Fish and Wildlife (CDFW), letter dated February 25, 2022, recommending that the CEQA document describe permit requirements, impacts to special-status species, and mitigation for each project listed in the RTP-SCS.

### 3.2 SB 18 and AB 52

SLOCOG requested a tribal notification list from NAHC on August 19, 2022. NAHC provided a list of tribal contacts on October 10<sup>th</sup>, 2022.

SB 18 and AB 52 outreach was conducted by SLOCOG on August 29<sup>th</sup>, 2022, and additional contacts provided by NAHC were contacted on October 10<sup>th</sup>, 2022. The outreach letters provided a 90-day response period in conformance with SB 18 procedures, but requested that tribes provide a response within 30 days if feasible in accordance with AB 52 procedures.

Responses were received from:

- The Santa Ynez Band of Chumash Indians on October 7<sup>th</sup>, 2022 requesting no further consultation on this project.
- The Santa Rosa Rancheria Tachi-Yokut Tribe on November 29<sup>th</sup>, 2022 deferring to tribes that are more local to the area.
- The Northern Chumash Tribal Council requested consultation by email with an attached letter dated October 31, 2022. SLOCOG acknowledged the consultation request by email on November 11<sup>th</sup>, 2022. This correspondence included a link to the draft 2023 RTP-SCS and an invitation for a meeting. No additional response was received. The Northern Chumash Tribal Council have been notified of availability of all draft documents and related comment dates.
- No other responses were received.

### 3.3 Public Meetings

Public meetings were held as follows:

- NOP Scoping meeting was held virtually on February 9<sup>th</sup>, 2022.
- A virtual RTP Outreach meeting was held on February 9<sup>th</sup>, 2022 after the NOP Scoping Meeting.

In addition, substantial outreach has been done in the development of the 2023 RTP-SCS. These efforts are described in Chapter 4 of the RTP-SCS.

### 3.4 Notice of Intent

**[Placeholder for section to be completed after NOI comment period:]**

Pursuant to CEQA Guidelines Section 15164(c), an addendum need not be circulated for public review. However, SLOCOG opted to provide Notice of Intent (NOI) to issue the Addendum at the same time that the Draft RTP-SCS was published for public comment. The NOI was published on February 23, 2023 ending April 6, 2023 which exceeds the 30-day comment period.

**Comments were received from ...]**

### 3.5 Lead Agency Determination

Section 15164(d) of the Guidelines specifies that the decision-making body shall consider an addendum with the final EIR prior to deciding on the project. Therefore, the SLOCOG Board of Directors will consider this Addendum and the certified 2019 PEIR in approving the 2023 RTP-SCS.

## 4. CEQA DETERMINATIONS

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As described in Section 1.2 of the Addendum, the basis for the determination to prepare an addendum to an EIR is in the CEQA Guidelines Section 15162(a). Determinations regarding Sections 15162(a) (1) – (3) are provided in this section of the Addendum.

## 4.1 Substantial Changes to Project

Section 15162(a) (1) states: Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Section 2.2 of this Addendum describes changes to the 2023 RTP-SCS. Most of these are administrative updates (Figure 1) that do not constitute a substantial change.

The 2023 RTP-SCS revisions also include the addition of new standards, programs, policies, and projects that were not included in the 2019 PEIR (Figures 2 and 3). These revisions have the potential for physical environmental effects primarily from the following:

- (a) Plans, programs, and actions to promote multi-modal transportation safety, such as Safe Routes for All, Complete Streets, and urban and rural bicycle safety. These have the potential to result in new projects or expanded project footprints from, for example, separated pedestrian and bicycle lanes, barriers, signage, and sidewalks.

The majority of such projects are expected to be in existing developed urban and suburban locations (e.g., within school commute zones or as new elements to projects to improve existing roads and intersections). Some projects could be in less developed rural areas but are expected to be primarily located along existing roads.

These updates are not expected to cause new significant impacts or substantially increase the severity of previously identified significant impacts from the 2019 RTP-SCS PEIR. New transportation projects added to the 2023 RTP-SCS are expected to result in similar impacts to those disclosed in the 2019 RTP-SCS PEIR and would be subject to the adopted mitigation measures in the 2019 PEIR.

- (b) Plans, programs, and actions to promote alternative modes of transportation and electric vehicles for environmental benefits to air quality, greenhouse gas emissions, and climate change. Examples of projects to promote alternative modes of transportation are described in (a). Examples of projects to promote electric vehicles include the Innovative Clean Transportation Act and the new Emerging Technologies listed in Figure 3.

These have the potential to result in new or expanded projects such as installation of electric vehicle charging stations and Park and Ride lots. Such improvements are expected to be primarily located in existing developed urban and suburban areas, or if in rural areas, associated with existing transportation facilities.

These updates are not expected to cause new significant impacts or substantially increase the severity of previously identified significant impacts from the 2019 RTP-SCS PEIR. New transportation projects added to the 2023 RTP-SCS are expected to result in similar impacts to those disclosed in the 2019 RTP-SCS PEIR and would be subject to the adopted mitigation measures in the 2019 PEIR.

- (c) New transportation projects added to the RTP-SCS project lists with impacts clearly linked to existing infrastructure, including intersection improvements, bikeways (e.g., Paso Robles Grand Loop,



South Higuera Street bikeway), maintenance of existing facilities (e.g., Port San Luis storage tank and pier maintenance), and various rail system improvements.

These activities are anticipated to be in existing developed/urban areas and are expected to have similar physical effects to the list of transportation projects evaluated in the 2019 RTP-SCS.

These updates are not expected to cause new significant impacts or substantially increase the severity of previously identified significant impacts from the 2019 RTP-SCS PEIR. These updates are expected to result in similar impacts to those disclosed in the 2019 RTP-SCS PEIR and would be subject to the adopted mitigation measures in the 2019 PEIR.

(d) New plans or transportation projects added to the RTP-SCS with potential for impacts not evaluated in the 2019 PEIR:

- (i) Paso Robles Spaceport Designation: Spaceport designation has not previously been included in past RTP-SCS CEQA documents. This project would occur within the existing Paso Robles Airport, is not expected to require physical airport improvements, and would involve flight patterns that are similar to existing airplane flight patterns. There is potential for additional effects (e.g., increased airport traffic, noise, hazardous materials storage) that would be refined as more information on the project is developed. However, the project is in the early planning/development phase and information on potential impacts has not yet been developed. With the information currently available, the project's potential impacts are not evaluated in the 2019 RTP-SCS PEIR or this addendum.
- (ii) Green Infrastructure Initiative: This could result in changes in project footprints due to reconfiguring projects to minimize impacts on environmental resources for associated benefits. Green initiatives are expected to reduce impacts to natural areas; therefore, if associated project reconfiguration is required, it is expected that impacts would be to developed/disturbed areas. The Green Infrastructure Initiative could result in a wide range of environmental benefits for things like water quality, bank stability, wildlife habitat, and recreation.

The 2019 PEIR Section 3, Biological Resources, cites 2019 RTP Goals, Policies, and/or Strategies that Serve to Reduce Potential Impacts (2019 RTP Chapter 3, Volume II, Technical Appendices) that include strategies to avoid and minimize impacts to natural and sensitive resources. These have been included in the Action Strategies throughout the 2023 RTP-SCS, with administrative edits to eliminate duplication and clarify language. The Green Infrastructure Initiative would employ many of the same goals, policies and strategies for similar results. Therefore, results of this initiative are not expected to have the potential for significant impacts not evaluated in the 2019 RTP-SCS PEIR.

- (iii) Transportation Efficient Locations: As described in Section 2.2.13, this program uses the transportation network and proposed residential development to determine critical transportation infrastructure needed to accelerate housing development. This program does not result in new transportation projects since it uses the existing RTP-SCS transportation project list but it could alter the future prioritization of transportation projects as a result of development projects proposed by others. New transportation projects could be in developed urban/suburban areas or in less developed, rural areas. Projects would be similar in scope to the existing project list and are expected to involve similar environmental issues

and mitigation measures. Therefore, results of this program are not expected to have the potential for significant impacts not evaluated in the 2019 RTP-SCS PEIR.

These updates are not expected to cause new significant impacts or substantially increase the severity of previously identified significant impacts from the 2019 RTP-SCS PEIR. New transportation projects added to the 2023 RTP-SCS are expected to result in similar impacts to those disclosed in the 2019 RTP-SCS PEIR and would be subject to the adopted mitigation measures in the 2019 PEIR.

Based on this evaluation, the 2023 RTP-SCS update does not involve substantial changes to the project that would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Accordingly, preparation of a subsequent EIR is not required pursuant to Section 15162(a) (1).

## **4.2 Substantial Change in Circumstances**

Section 15162(a) (2) states: Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Potential changes in circumstances since the 2019 PEIR was certified could include, for example, changes in the CEQA regulations, changes in the regulations governing development of the RTP-SCS, changes in the environmental setting, or changes in the environmental conditions evaluated in the 2019 PEIR.

### **4.2.1 Changes in CEQA Guidelines**

The 2019 PEIR was certified in June, 2019. As of January 2019, new 2018 CEQA Guidelines became effective that change how some environmental resources are to be considered. These include adding separate sections of the CEQA document for consideration of mineral resources (formerly addressed under geology and soils), greenhouse gas emissions (formerly addressed under air quality), tribal cultural resources (formerly addressed under cultural resources), and utilities (formerly addressed under public services).

These changes affect the organization, not the substance, of the evaluation of these resources in CEQA documents and while not all of the required organizational changes were made in the 2019 PEIR, each of these resource topics were addressed in the 2019 PEIR. Therefore, these CEQA Guideline revisions are not considered a substantial change in circumstances that would require preparation of a subsequent EIR.

The 2019 changes to the Guidelines also added consideration of three new resources to CEQA documents: forest lands and timberlands (included in the agricultural resource section), energy, and wildfire. These topics are addressed in 2019 PEIR Sections 3.15 (Agriculture), 3.6 (Energy Resources), and 3.4 (Greenhouse Gas Emissions/Climate Change), respectively.

### **4.2.2 Changes in RTP-SCS Requirements**

As described in Section 1, the RTP-SCS is federally mandated pursuant to Title 23 U.S.C. Section 134. The SCS is a mandated by the California Global Warming Solutions Act of 2006 (AB 32) and SB 375 (2008). These remain the current requirements for the 2023 RTP-SCS.

### **4.2.3 Changes in Environmental Setting**

As described in Section 3, SLOCOG conducted extensive stakeholder outreach with local, regional, state, and federal agencies in developing the 2023 RTP-SCS update. As a result of stakeholder outreach and review of the 2019 PEIR, no substantial changes in geographic setting, population, traffic patterns, land use, performance measures, or air quality have occurred since the 2019 PEIR was certified.

### **4.2.4 Changes in Environmental Conditions**

Section 15162(a) (2) states: Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

#### **Environmental Setting:**

The 2019 PEIR Section 3 describes the existing setting for each environmental resource. For some resources, an up-to-date description of the environmental setting would include updated resource lists, including for example:

- The list of eligible scenic corridors in the County (2019 PEIR Section 3.1, Aesthetics),
- The list of special-status species (2019 PEIR Section 3.3, Biological Resources and Table D-1),
- National Register of Historic Places and California State Landmarks (2019 PEIR Section 3.5, Cultural Resources);
- Waterways with approved Total Maximum Daily Loads (2019 PEIR Section 3.14, Water Resources).

These expanded lists of protected resources result in a greater number of RTP-SCS projects with potential significant environmental impact considerations, depending on the project location. However, the expanded resource lists would not change the 2019 PEIR standards of significance, the nature of potential project impacts to such resources, or the mitigation measures for each of these resource topics. Additionally, implementation of individual projects would include revisiting these resource lists for periodic updates. As such, the updated resource information is not a substantial change in circumstances that would require further analysis in the EIR or new mitigation measures.

#### **Emissions Analyses and SCS:**

The VMT and GHG emissions analyses for the 2023 RTP-SCS employed refined/improved models that could be considered a change in circumstances from the 2019 PEIR. The use of updated models has potential implications for air quality and GHG emissions as described in the 2019 PEIR. Accordingly, each of these topics is discussed below. Conclusions are that the updated models do not result in substantial changes that would require revisiting the Air Quality and GHG Emissions analyses in the 2019 PEIR.

Additionally, expanded housing scenarios were evaluated in the 2023 SCS with potential implications for GHG emissions. The GHG Emissions Analyses below address this change from the 2019 PEIR. Conclusions are that the updated SCS housing scenarios do not result in substantial changes that would require revisiting the GHG impacts and need for mitigation measures in the 2019 PEIR.

#### **Air Quality Analyses:**

Federal and state air quality conformity status for criteria pollutants in San Luis Obispo County remain unchanged from the information in the 2019 PEIR. In general, the sources, impacts, and mitigation measures for air quality described in the 2019 PEIR remain the same.

The 2023 RTP-SCS evaluations include updated predictions of criteria pollutant emissions for 2015 to 2045. SLOCOG relies on the Emission FACTor (EMFAC) model developed and used by the California Air Resources Board (CARB) to assess vehicle emissions. The software integrates emissions inventories, meteorological conditions, and scenario analysis with custom vehicle activity to predict criteria pollutant and GHG emissions.

The 2019 RTP-SCS relied on EMFAC 2014. An updated version, EMFAC 2017, was used for the 2023 RTP-SCS estimates of County-wide emissions of criteria pollutants. [A newer iteration of EMFAC became available in late fall 2022 – EMFAC 2021 – but it became available too late in the RTP planning process to be used for the analyses in the 2023 RTP-SCS.] The updated model results in incremental increases in the estimates of emissions of some criteria pollutants - Reactive Organic Gases (ROG), NO<sub>2</sub>, CO, and SO<sub>x</sub>, and decreases in PM<sub>10</sub> and PM<sub>2.5</sub>, for the timeframe 2015 – 2045 compared to results in the 2019 PEIR (refer to Updated 2019 PEIR Table 3.4-7 [Figure 6] in the GHG Emissions Analyses section, and Figure 4 comparisons below). As discussed in the GHG Emissions Section, 2023 increases in GHG emissions are due to model improvements and increases in VMT that result from changes in CARB reporting requirements associated with travel into/out of the County.

**Figure 4: Comparison of estimated criteria pollutant and GHG emissions for 2015 from the 2019 PEIR and 2023 RTP-SCS analyses.**

Constituent	2019 Estimate	2023 Estimate	2023 % Change
GHG	1,246,562 tons/year	1,432,406 tons/year	+15%
ROG	2.56 tons/day	3.04 tons/day	+19%
NO <sub>2</sub>	5.63 tons/day	6.78 tons/day	+20%
PM <sub>10</sub>	0.43 tons/day	0.12 tons/day	-72%
PM <sub>2.5</sub>	0.21 tons/day	0.11 tons/day	-48%
CO	19.68 tons/day	22.33 tons/day	+16%
SO <sub>x</sub>	0.03 tons/day	0.04 tons/day	+25%

In general, quantitative models undergo periodic updates that may include refinement of the model methods and assumptions. Model refinements interfere with the ability to compare discrete numbers between the 2019 and 2023 RTP-SCS. However, model refinements generally result in improved predictions, and in this case, result in the same general trends of decreasing emissions of criteria pollutants for each successive year.

The revised criteria pollutant emissions estimates do not constitute new emissions; they reflect improved model estimates that are incorporated into updated estimates of GHG emissions (refer to the GHG Emissions Analyses section below). As such, they are not a substantial change that would require revisions to the air quality impacts analysis in the 2019 PEIR or new mitigation measures.

**Greenhouse Gas Emissions (GHG) Analyses:**

The 2019 PEIR includes an extensive list of goals, policies, and strategies in the 2019 RTP that serve to reduce potential GHG emissions impacts (2019 PEIR pages 141 – 145). No mitigation measures were required. The same goals, policies, and strategies are incorporated throughout the 2023 RTP-SCS in the Action Strategies although they have been streamlined for clarity (e.g., removal of duplicates, editorial clarifications). These administrative updates do not represent a substantial change.

*Regulations.* The regulatory framework in the 2019 PEIR describes U.S. Environmental Protection Agency (EPA) action under the Trump administration that eliminated California's ability to set its own vehicle GHG emissions standards. In March 2022, the Biden administration issued a notice of decision to reinstate California's waiver for its Advanced Clean Air Car program, restoring the state's authority to set more stringent GHG and zero emissions vehicle standards than the federal standards. However, because these regulatory steps are not reflected in either EMFAC model used in the 2019 and 2023 RTP-SCS work, their impacts on the modeled GHG emissions data used for a relative comparison of VMT for the housing scenarios analyzed in the 2023 RTP-SCS are not considered.

Qualitatively, a return to stricter vehicle emissions standards in California would have the effect of improving, rather than diminishing, the likelihood of attaining SB 375 emissions reductions targets by 2035. Therefore, this updated regulatory framework does not constitute a substantial change that would require revisions to the analyses and conclusions regarding GHG compliance with CARB and SB 375 in the 2019 PEIR.

*GHG Targets.* The 2019 PEIR describes CARB and SB 375 GHG reduction targets established in 2018: 3% per capita GHG reductions by 2020 and 11% per capita GHG reductions by 2035, relative to 2005 emissions. The 2019 PEIR met these targets, and the 2035 target remains unchanged.

The preferred 2023 RTP-SCS scenario would meet the GHG emissions reductions target of 11% by 2035 relative to 2005 levels. The RTP-SCS also considers model results using all vehicle classes and anticipated improvements in vehicle efficiency because these reflect realistic numbers. Results show decrease in GHG emissions, approximately 40% from 2015 to 2035. Updated Table 3.4-8 (Figure 7) below shows results for both.

*VMT and GHG Estimates.* The 2023 SCS analyses to estimate GHG emission reductions based on vehicle miles traveled (VMT) includes several modifications compared to the 2019 analyses.

One modification is in the use of updated models. As described under the Air Quality Analyses section above, the 2019 RTP-SCS relied on a 2014 version of the EMFAC emissions model. The updated version of the model used for the 2023 RTP-SCS, EMFAC 2017, resulted in higher County-wide emissions quantities for criteria pollutants and GHGs. These include incremental increases for total GHG emissions for cars and light-duty trucks, heavy-duty trucks, and the total for all vehicles. Refer to updated 2019 PEIR Figures 3.4-6 and 3.4-7 (Figures 5 and 6) below.

As described in the Air Quality Analyses section above, model revisions and refinements affect the ability to compare discrete numbers between the 2019 and 2023 RTP-SCS. However, model refinements generally result in improved predictions and would not undermine the validity of 2023 RTP-SCS conclusions pertaining to attainment of GHG reduction targets.

The 2023 RTP-SCS also used an improved and more reliable version of SLOCOG's traffic model used in the 2019 RTP-SCS. This update aligns SLOCOG's model with those used by neighboring Metropolitan Planning Organizations (MPOs) Association of Monterey Bay Area Governments (AMBAG) and Santa Barbara County Association of Governments (SBCAG), which will better enable opportunities for inter-regional modeling. The improvements

refine transit assignment and networks, person trip basis, recalibration to 2015 counts, truck traffic results, and more (see 2023 RTP Appendix C). The improved model combines elements of a traditional four-step trip-based travel model with advanced activity-based models. Results from this model are better reported (i.e., more reliable) and show more VMT from the scenarios than the previous tool.

The 2023 VMT increases due to model improvements are further increased due to changes in CARB reporting requirements and model assumptions. Previously, CARB required reporting of one-half the VMT that originated or ended outside the County boundary. The current requirement is to report all of the VMT for such trips, resulting in higher VMT estimates.

These model refinements and policy changes affect all baseline and scenario modeling in the 2023 RTP-SCS and therefore do not constitute a substantial change that would require revisions to the analyses and conclusions regarding GHG compliance with CARB and SB 375 in the 2019 PEIR.

Revised emissions estimates have been generated for light-duty vehicles to determine compliance with the SB 375 GHG emissions reductions target of 11%. Additionally, as was done in the 2019 PEIR, SLOCOG modeled all vehicle classes. There is no standard applicable to this analysis; but it provides additional information on GHG emissions reductions for the SCS scenarios because it includes all vehicle classes and accounts for expected improvements in vehicle efficiency, which is not addressed under SB 375.

There is no GHG emissions target specified for 2045 emissions but it is the final / horizon year of the plan and is the current CARB target for carbon neutrality, so is included for informational purposes.

*SCS Housing Scenarios.* The 2023 RTP-SCS evaluates four housing alternatives as described in Section 2.2.13, above. Similar to the 2019 RTP-SCS, the 2023 RTP-SCS proposes to improve jobs-housing imbalance and allocates more housing as compact in existing urban areas to balance both growth and conservation and to reduce annual GHG emissions produced in the County. The 2023 preferred growth scenario takes it one step further by allocating more homes within defined transportation efficient areas.

SLOCOG selected Scenario C, Transportation Efficient Analysis, as the preferred growth scenario to achieve the 2035 GHG reduction targets. Scenario C is a realistic scenario in light of pipeline projects, and despite increased estimates of VMT and GHG emissions in the 2023 analyses, Scenario C would achieve the 2035 target of 11% reduction in GHG emissions per capita relative to 2005 emissions, with respect to SB 375 (autos and light-duty trucks). Additionally, model results for all vehicle classes, including likely future fleet efficiency improvements, show approximately 40% reduction of GHG. Updated emissions estimates are provided in updated 2019 PEIR Figures 3.4-6, 3.4-7, and 3.4-8, Figures 5, 6, and 7 below.

Based on this, the revised GHG modeling results, new housing scenarios, and selection of a new preferred scenario, Scenario C, do not constitute substantial changes in impacts pertaining to GHG emissions that would require substantial revisions to the 2019 PEIR and/or the addition of new GHG mitigation measures.

**Figure 5: Updated Version of 2019 PEIR Figure 3.4-6: San Luis Obispo 2015 Countywide Greenhouse Gas Emissions**

2015 Countywide On-Road Transportation Emissions	Source	Tons Carbon Dioxide (CO <sub>2</sub> ) Equivalent per Day	Percentage of Total
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Passenger Cars	VMT from light-duty autos, light-duty trucks, and medium-duty trucks	2,930.8	74.68%
Heavy-Duty Trucks and Other Vehicle Classes	VMT from heavy-duty trucks, motorcycles, buses, and motorhomes	993.6	25.32%
<b>Total</b>		<b>3,924.4</b>	<b>100%</b>

Notes: GHG emissions were quantified by SLOCOG using the EMFAC 2017 software tool. Tons Carbon Dioxide Equivalent per Day is converted to Tons per Year by multiplying by 365 (e.g., for comparison to the 2019 PEIR value in Figure 4).

Figure 6: Updated Version of 2019 PEIR Figure 3.4-7: San Luis Obispo County Criteria Pollutants (2015-2045)

CRITERIA POLLUTANTS (tons per day)	2015	2020 <sup>1</sup>	2028 <sup>1</sup>	2035 <sup>1</sup>	2045 <sup>1</sup>
Ozone					
Reactive Organic Gases (ROG)	3.04	1.99 (35%)	1.33 (56%)	0.99 (67%)	0.83 (73%)
Nitrogen Dioxide (NO <sub>2</sub> )	6.78	4.21 (38%)	2.13 (69%)	1.61 (76%)	1.49 (78%)
Particulate Matter					
PM <sub>10</sub>	0.12	0.06 (50%)	0.03 (75%)	0.02 (83%)	0.02 (83%)
PM <sub>2.5</sub>	0.11	0.05 (55%)	0.02 (82%)	0.02 (82%)	0.01 (91%)
Carbon Monoxide (CO)	22.33	13.76 (38%)	8.78 (61%)	7.53 (66%)	7.47 (67%)
Sulfur oxides (SO <sub>x</sub> )	0.04	0.04 (0%)	0.03 (25%)	0.03 (25%)	0.03 (25%)

Source: SLOCOG RTP modeling data with EMFAC 2017 software (i.e., all vehicle classes).  
1 – Percent reduction from 2015 estimate in parentheses.

Figure 7: Updated Version of 2019 PEIR Figure 3.4-8: Emissions Table

Outputs	2015	2020	2035	2045
	(Base Year)		Preferred Scenario	
Population	265,660	273,181	307,569	319,372
Total Average Daily VMT	8,115,798	8,465,235	8,948,887	10,205,398
Daily VMT per Capita	30.5	31.0	29.1	32.0
Total Daily CO <sub>2</sub> (Tons)	3,924	3,629	2,677	2,711
Total Daily CO <sub>2</sub> (lbs)	7,848,800	7,258,600	5,353,200	5,422,400
Daily emissions per capita (lbs)	29.5	26.6	17.4	17.0
SB 375 Targets	n/a	-3%	-11%	n/a
% change from 2005 CO <sub>2</sub> Per Capita		-5.3	-7.3	-1.9
EMFAC 2014 Adjustment Factor		-2.7%	-3.7%	n/a
Off Model Tool Adjustment Factor			NA	
Final CO <sub>2</sub> Per Capita % Reduction from 2005		-8%	-11%	-1.9

Source: SLOCOG models with EMFAC 2017. Notes:

- *SLOCOG TransCAD regional travel demand model was used to provide vehicle miles of travel (VMT) and vehicular speed information (speed bins) inputs for the EMFAC 2017 vehicular emissions model. The TransCAD model combines elements of a traditional 4-step trip-based travel model with advanced activity-based models to account for VMT impacts of actual and proposed land use development.*
- *EMFAC 2017 results are from the 2023 RTP use of the regional land use model, regional travel demand model, for 100% of travel by all vehicle classes, and allowing consideration of fleet conversion to lower emissions (i.e., aligned with CARB targets).*
- *EMFAC 2014 results reflect 8 light-duty vehicle classes without any external-external travel, without consideration of fleet conversion (i.e., aligned with the SB 375 targets).*
- *EMFAC 2014 Adjustment Factor – CARB targets were established using EMFAC 2011; subsequent EMFAC versions resulted in increased emissions using the same inputs, so an adjustment factor is needed for comparing new model results with the CARB standards.*

### 4.3 New Information

Section 15162(a) (3) states: new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

- (1) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (2) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (4) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

In regard to (1) and (2), based on a review of the 2019 PEIR, the 2023 RTP-SCS changes to the project and changes in project circumstances, and the stakeholder outreach conducted for development of the 2023 RTP-SCS, no new information of substantial importance has been identified since the time the PEIR was certified that shows that the proposed 2023 RTP-SCS would have one or more significant effects not discussed in the PEIR, or would have significant effects that would be more severe than shown in the PEIR.

In regard to (3) and (4), the evaluation of alternatives and mitigation measures in the 2023 RTP-SCS does not trigger the need for a subsequent EIR as described in (3) and (4). The 2023 RTP-SCS preferred alternative was determined to be the environmentally superior alternative.

Additionally, no new mitigation measures have been identified as being necessary to reduce significant effects.

Based on this evaluation, the 2023 RTP-SCS update does not include new information of substantial importance that would require major revisions of the 2019 PEIR due to the involvement of new significant environmental effects, a substantial increase in the severity of previously identified significant effects, or new mitigation measures or alternatives that would reduce one or more significant effects. Accordingly, preparation of a subsequent EIR is not required pursuant to Section 15162(a) (3).

### 4.4 Other Issue Areas

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Cumulative Impacts: The 2019 PEIR Section 5.3 discusses cumulative impacts (e.g., project effects on a County-wide basis) and concludes that the 2019 RTP-SCS would have less than cumulatively significant impacts to each of the environmental resources analyzed in the PEIR. Based on the analyses in Section 4.1, 4.2, and 4.3, the consideration of cumulative effects and conclusions in the 2019 PEIR remain valid for the 2023 RTP-SCS.

Irreversible Environmental Effects/Irretrievable Commitment of Resources: The 2019 PEIR Section 6.1 describes irreversible environmental effects and irretrievable commitment of resources from the 2019 RTP-SCS. These include, for example, consumption of resources (e.g., land, energy, construction materials) and increased regional energy consumption (e.g., fossil fuels, natural gas, electricity) as a result of the RTP transportation projects. No new environmental effects or resource commitments have been identified for the 2023 RTP-SCS and the 2019 PEIR discussion remains valid for the 2023 RTP-SCS.

Unavoidable Significant Effects: The 2019 PEIR Section 6.2 describes unavoidable significant effects, for which a Statement of Overriding Considerations is required for project approval, for aesthetics (lighting), biological resources (habitat areas and sensitive species), agricultural land, noise, transportation, and cumulative impacts to each of these resources. Based on the analysis in this Addendum, the 2023 RTP-SCS would not involve new unavoidable significant impacts not considered in the 2019 PEIR and the conclusions in the 2019 PEIR remain valid for the 2023 RTP-SCS.

Growth-Inducing Impacts: The 2019 PEIR Section 6.3 describes growth-inducing impacts of the 2019 RTP-SCS, including economic growth, population growth, and removal of obstacles to growth. The 2019 PEIR provides a list of RTP-SCS policies that link transportation planning and regional land use patterns. Through such policies, the RTP-SCS fosters transportation planning that responds to growth forecasts, rather than proposing transportation projects that would have independent growth-inducing impacts. The 2023 RTP-SCS has the same overarching goal and the same kinds of planning policies, and the same conclusions apply.

Environmental Justice: The 2019 PEIR Section 6.4 describes environmental justice effects of the 2019 RTP-SCS, the regulatory framework – the Environmental Justice Act of 2017, and concludes that there is potential for project-related effects that would be analyzed on a case-by-case basis. The 2023 RTP-SCS includes an administrative update: the regional definition of disadvantaged communities was updated to align with the 2020 Disadvantaged Communities Assessment.

## 4.5 Conclusion

The 2023 RTP-SCS would involve similar programs and projects to those evaluated in the 2019 PEIR. No changes in the CEQA guidelines or the RTP-SCS requirements have been implemented since the PEIR was certified in 2019. There are no substantial changes in the project or the project circumstances and no new information of substantial importance that would raise the potential for significant effects not discussed in the 2019 PEIR.

Therefore, the proposed 2023 RTP-SCS represents minor changes to the programs and projects evaluated in the PEIR. The 2023 RTP-SCS would not result in new significant impacts not previously disclosed in the PEIR, or result in more severe impacts than previously disclosed in the PEIR, provided appropriate mitigation measures originally developed in the 2019 PEIR are implemented as needed to prevent potential adverse effects related to aesthetics, air quality, biological resources, cultural and tribal cultural resources, geology, hazards, land use, noise, public services, water resources, and agriculture (Appendix B of 2019 PEIR).

Therefore, this EIR Addendum fulfills CEQA requirements for the 2023 RTP-SCS.

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## 5. REFERENCES

SLOCOG. 2019. PEIR

SLOCOG. 2023. Draft RTP-SCS

Appendix A. NOP, Comments Received, and Response to Comments

## NOTICE OF PREPARATION, COMMENTS, AND RESPONSE TO COMMENTS

**This appendix includes:**

- 1) Project Notice of Preparation (NOP) (pages A-2 to A-8)
- 2) Comments received on the NOP
  - a) The Native American Heritage Commission, letter dated January 25, 2022 (NAHC; pages A-9 to A-13)
  - b) The Avila Valley Advisory Committee, letter dated February 15, 2022 (AVAC, page A-14)
  - c) The California Department of Transportation, letter dated February 16, 2022 (Caltrans, pages A-15 to A-16)
  - d) California Department of Fish and Wildlife letter dated February 25, 2022 (CDFW; pages A-17 to A-22)
- 3) SLOCOG's response to comments on the NOP, Table A-1 (pages A-23 to A-25).



CONNECTING COMMUNITIES  
ARROYO GRANDE | ATASCADERO | GROVER BEACH  
MORRO BAY | PASO ROBLES | PISMO BEACH  
SAN LUIS OBISPO | SAN LUIS OBISPO COUNTY

**Date:** January 13, 2022  
**Subject:** Notice of Preparation  
**To:** Responsible Agencies, Trustee Agencies, and Interested Parties  
**From :** Sara Sanders, Transportation Planner  
San Luis Obispo Council of Governments (SLOCOG)  
1114 Marsh Street  
San Luis Obispo, CA 93408  
Phone: (805) 597-8052  
Email: [ssanders@slocog.org](mailto:ssanders@slocog.org)

**Project Title:** SLOCOG 2023 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS)

**Project Proponent:** SLOCOG

**Responses Due By:** 5:00 p.m. on February 16, 2022

The San Luis Obispo Council of Governments (SLOCOG) will be the lead agency for the environmental review of the *2023 Regional Transportation Plan* and associated *Sustainable Communities Strategy* (RTP-SCS). SLOCOG prepared and certified a Programmatic Environmental Impact Report (PEIR) for the 2019 RTP-SCS ([slocog.org/2019RTP](http://slocog.org/2019RTP)). The environmental document for the proposed 2023 RTP-SCS has not yet been determined but may be an Addendum or a Supplement to the 2023 PEIR, or a subsequent PEIR, depending on the extent of proposed changes. We request your agency's perspective on the scope and content of the environmental information relevant to your agency's statutory responsibilities and how they relate to the proposed project.

Due to the time constraints mandated by state law, **please provide us the following information at your earliest convenience, but not later than 5:00 p.m. on February 16, 2022:**

**NAME OF CONTACT PERSON.** Please also include the contact's business address, e-mail address, and telephone number.

**PERMIT(S) or APPROVAL(S) AUTHORITY.** Please provide a summary description and send a copy of the relevant sections of legislation, regulatory guidance, etc.

**ENVIRONMENTAL INFORMATION.** What environmental information must be addressed in this environmental document to enable your agency to use it as a basis for your permit issuance or approval? Is the information summarized in the attached Project Description sufficient to address your concerns?

**PERMIT STIPULATIONS/CONDITIONS.** Please provide a list and description of standard conditions that your agency will apply to features of this project. Are there other conditions that have a high likelihood of application to a permit or approval for this project? If so, please list and describe. Are the conditions in the attached Project Description sufficient to address your concerns?

**ALTERNATIVES.** What alternatives does your agency recommend for analysis in the environmental document?

**REASONABLY FORESEEABLE PROJECTS, PROGRAMS, or PLANS.** Please name any future projects, programs, or plans that may have an overlapping influence with the RTP-SCS as proposed.

**RELEVANT INFORMATION.** Please provide references for any available, appropriate documentation that may be useful to SLOCOG in preparing this environmental document. Reference to and/or inclusion of such documents in an electronic format would be appreciated.

**FURTHER COMMENTS.** Please provide comments and/or information that will help SLOCOG evaluate the environmental document and determine the appropriate level of assessment.

Information on the project is available on SLOCOG's project webpage: [slocog.org/2023RTP](http://slocog.org/2023RTP). A detailed project description, location map, and summary of probable environmental effects are below.

Additionally, **SLOCOG will hold a scoping meeting on Wednesday, February 9, 2022, at 5:30PM via Zoom.** Advance registration is required. Please register for the meeting at: [https://us06web.zoom.us/webinar/register/WN\\_mUYb3q\\_4TEiTAj7AEbL\\_Gg](https://us06web.zoom.us/webinar/register/WN_mUYb3q_4TEiTAj7AEbL_Gg).

**Please send your response to Sara Sanders at [ssanders@slocog.org](mailto:ssanders@slocog.org) and include the name and contact details for the appropriate contact at your agency.**

1-13-22  
Date

  
Sara Sanders  
Title: SLOCOG Transportation Planner  
Phone: (805) 597-8052

## Notice of Preparation

### SLOCOG 2023 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS)

#### Project Location

The RTP-SCS project location includes the corporate limits of San Luis Obispo County, California, including the seven (7) incorporated cities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, San Luis Obispo, and all unincorporated areas under the jurisdiction of the County of San Luis Obispo. (Reference the map on page 5 of San Luis Obispo County identifying the area to be addressed by the environmental document and RTP-SCS.)

Capital improvement projects identified in the RTP-SCS are primarily located on or within:

- Public highways, streets, and roads
- Publicly owned land proposed for bicycle-pedestrian projects, park-and-ride lots, or other transportation facilities
- Land with recorded easements or other public right-of-way instruments sufficient to provide clear title for the construction, maintenance, and operation of transportation facilities open to the traveling public
- Transit agency property
- Airport property
- Port district property
- Railroad corridors

Certain projects, programs, or services included or referenced in the RTP-SCS may extend beyond the San Luis Obispo County corporate limits. For example, SLOCOG, its member agencies, and other stakeholders sometimes work cooperatively with MPOs, agencies, or stakeholders from other regions to address intercounty or interregional transportation needs.

#### Draft Project Description

The proposed project is the update of SLOCOG's RTP-SCS, which was adopted in June 2019. The RTP-SCS is the long-range transportation plan for San Luis Obispo County and is being updated in accordance with California Government Code Section 65080 et seq., Part 450 of Title 23 of the Code of Federal Regulations (23 CFR 450), and the California Transportation Commission's *2017 Regional Transportation Plan Guidelines for Metropolitan Planning Organizations*.

This long-range plan aims to achieve a coordinated, balanced, and multimodal regional transportation system that speaks to improvements and investments in all modes, which include but are not limited to pedestrian, bicycle, public transit, highway, rail, maritime and harbors, goods movement, and aviation. The RTP must be action-oriented, fiscally constrained, and pragmatic, considering both short-term (FY 2023/24-2028/29), mid-term (FY 2029/30-2035/36), and long-term (FY 2036/37-2045/46) periods.

The RTP must be an internally consistent document that includes the following elements:

- **Policy Element** – describes the goals and policies that inform regional transportation planning, programming, and prioritization of projects, programs, and services. The Policy Element informs the Action Element.
- **Financial Element** – determines how much money is likely to be available to maintain, operate, and improve the region’s transportation system over a 20+ year period.
- **Action Element** – describes the multimodal investment program of transportation projects, programs, and services that address the region’s transportation needs. The Action Element is subject to the funding limits outlined by the Financial Element, resulting in a fiscally-constrained list of projects. The Action Element may also include a list of projects that are determined to fulfill a need but are not expected to be fundable within the 20+ year timeframe of the RTP. This is labeled as an unconstrained list. Projects on this list may be funded if extraordinary revenue sources become available, such as the receipt of certain competitive federal or state grants, augmentation of federal or state formula funding, or approval of a regional transportation impact fee program. The Action Element will identify priority corridors, placing an emphasis on the balance of jobs and housing as well as connecting communities.
- **Sustainable Communities Strategy (SCS)** – detailed below.

Pursuant to SB 375 (2008), the *Sustainable Communities Strategy (SCS)* is an integral part of the *Regional Transportation Plan (RTP)*. The SCS must identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the RTP, considering net migration into the region, population growth, household formation, and employment growth. The SCS identifies a “forecasted development pattern” for the region, which is informed by the inventory of existing land use throughout the region, along with the identification of sites where future development can be located, while still reducing vehicle-miles traveled (VMT) and greenhouse gas (GHG) emissions. The law establishes an approach to ensure that cities, counties, and the public are involved in the development of regional plans to achieve targets set by the California Air Resources Board (CARB) for reducing GHG emissions. The SCS must also be consistent with the general plans of the region’s jurisdictions.

Because the SCS is a required element of the RTP, the terms “RTP-SCS” and “RTP” should be considered interchangeable for the purpose of this notice.

The transportation projects, strategies, and services recommended by the RTP-SCS must address factors relating to:

- Safety
- Security
- Passenger and Freight Accessibility
- Environmental Protection
- Energy Conservation
- Improved Quality of Life
- Consistency between Transportation Improvements and Planned Growth and Economic Development
- Connectivity and Integration of Various Transportation Modes
- Transportation System Management
- Economic Vitality and Tourism
- Transportation System Preservation and Resiliency

These factors must be addressed for both non-motorized and motorized modes of transportation.

#### **Scope of Environmental Review**

SLOCOG prepared a PEIR for the [2019 RTP-SCS](https://slocog.org/2019RTP) (slocog.org/2019RTP). The environmental document for the proposed 2023 RTP-SCS may be an Addendum or Supplement to the 2019 PEIR or a subsequent PEIR.

This environmental document will be prepared in compliance with the *California Environmental Quality Act* (CEQA), as amended. In general, the purpose of this document is to: analyze the potential environmental effects of the proposed 2023 RTP-SCS; inform decisionmakers, responsible agencies, and members of the public of potential environmental impacts that enactment of the RTP-SCS may bring to fruition; recommend a set of measures to mitigate negative impacts deemed significant; and analyze several alternatives to the proposed RTP-SCS. The draft environmental document will be distributed for a 30-day public review period, at minimum.



### **Potential Environmental Impacts**

The potential impact categories listed below have been preliminarily identified for 2023 RTP-SCS analysis:

- Aesthetics and Visual Resources
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy and Energy Conservation
- Environmental Justice
- Geology and Soils
- Greenhouse Gas Emissions and Climate Change
- Hazards and Hazardous Materials
- Hydrology and Water Resources
- Land Use and Planning
- Noise
- Population, Housing, and Employment
- Public Services
- Social and Economic Impacts
- Recreation
- Transportation
- Utilities and Service Systems

### **Draft Project Alternatives**

Below is a summary of SLOCOG's approach to developing preliminary alternatives, or scenarios, that will be analyzed and included within the Plan. The scenarios are based on specific assumptions, such as the location and type of residential and employment growth in the region, and the assumed transportation projects to be built over the RTP-SCS planning period. The RTP-SCS and EIR processes allow opportunities for the public; local elected and appointed officials; private, public, and nonprofit organizations; and other stakeholders to inform these assumptions with their input. The assumptions are also influenced by the requirement that MPOs have targets set by CARB.

It is important to note that these alternatives will continue to be reviewed and refined before a draft environmental document is issued.

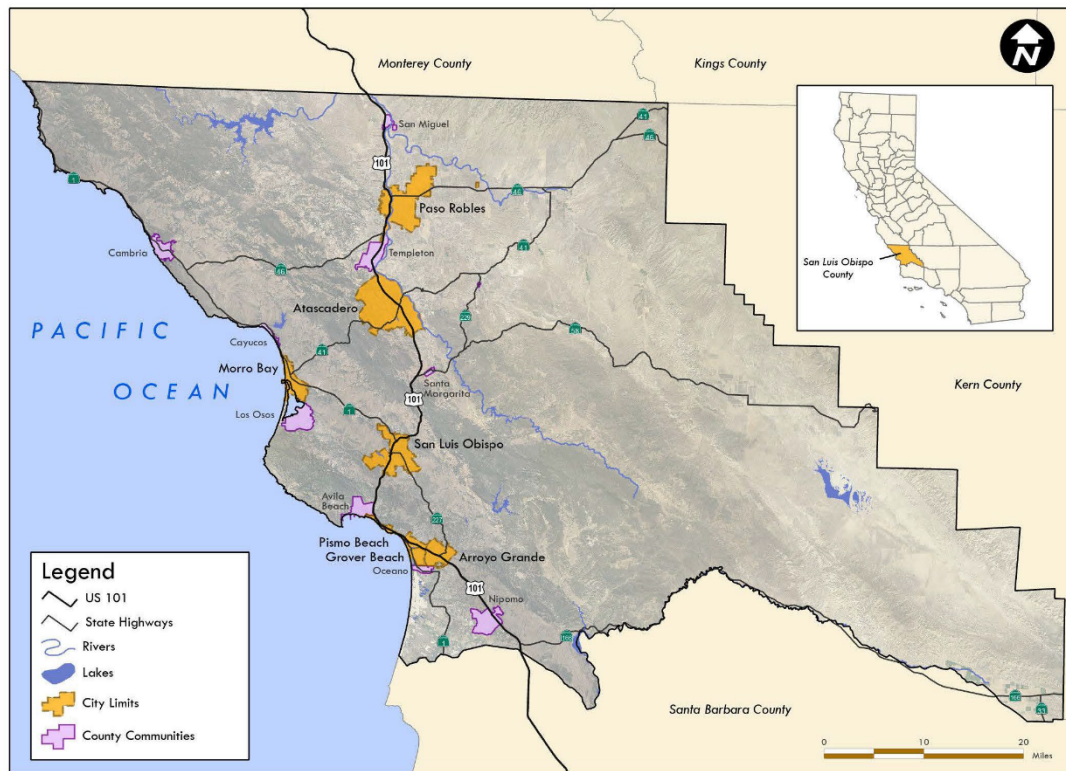
Alternative 1: No Project Alternative

The No Project Alternative, required by CEQA, addresses the effect of not preparing the 2023 RTP-SCS. This alternative would be in conflict with federal and state requirements to periodically update the RTP-SCS and would result in the ineligibility of the region to receive federal and state funding and expose the region to litigation for non-compliance with state and federal law.

Build Scenarios

Multiple land use scenarios will be modeled. Scenarios will be informed by the *2050 Regional Growth Forecast* totals for housing, employment, and population, which will vary housing type (e.g. larger lot housing vs. smaller lot housing) and location of new housing and jobs within the region. An intermodal investment strategy will be used to support each scenario; investments may vary based on the scenario.

**Map of San Luis Obispo County**





CHAIRPERSON  
**Laura Miranda**  
Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

PARLIAMENTARIAN  
**Russell Attebery**  
Karuk

COMMISSIONER  
**William Mungary**  
Paiute/White Mountain  
Apache

COMMISSIONER  
**Isaac Bojorquez**  
Ohlone-Costanoan

COMMISSIONER  
**Sara Dutschke**  
Miwok

COMMISSIONER  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
Nomlaki

COMMISSIONER  
**Wayne Nelson**  
Luiseño

COMMISSIONER  
**Stanley Rodriguez**  
Kumeyaay

EXECUTIVE SECRETARY  
**Christina Snider**  
Pomo

NAHC  
#1

NAHC HEADQUARTERS  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

STATE OF CALIFORNIA

Govin Newsom, Governor

## NATIVE AMERICAN HERITAGE COMMISSION

January 25, 2022

Sara Sanders  
San Luis Obispo Council of Governments  
1114 Marsh Street  
San Luis Obispo, CA 93401

Re: 2018011015, SLOCOG 2023 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) Project, San Luis Obispo County

Dear Ms. Sanders:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code § 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 5064 subd. (a) (1) (CEQA Guidelines § 15064 (a) (1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code § 21080.3.1(b)).

  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
- 3. Mandatory Topics of Consultation if Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code § 6254 (r) and § 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code § 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

**7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

**8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

**9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

**10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**

- a. Avoidance and preservation of the resources in place, including, but not limited to:
  - i. Planning and construction to avoid the resources and protect the cultural and natural context.
  - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - i. Protecting the cultural character and integrity of the resource.
  - ii. Protecting the traditional use of the resource.
  - iii. Protecting the confidentiality of the resource.
- c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

**11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

#### SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

#### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- 3.** Contact the NAHC for:
  - a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,



Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse

## *Avila Valley Advisory Council*

San Luis Obispo County, California  
P.O. Box 65  
Avila Beach, CA 93424 [www.avac-avila.org](http://www.avac-avila.org)

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#### San Luis Bay Estates

Sherri Danoff

Jim Hartig

Ken Thompson

Curtis Cole

Stephen Benedict

Michael Clayton

Carol Hayden (alt)

Bill Crewe (alt)

#### See Canyon

Denise Allen

Open

Liz Gujo-Johnson (alt)

#### Squire Canyon

Kirt Collins

Margaret Greenough

Open (alt)

February 15, 2022

Sara Sanders, Transportation Planner, SLOCOG [SSanders@slocog.org](mailto:SSanders@slocog.org)

Re: EIR Scope, Regional Transportation Plan-Sustainable Communities Strategy

Thank you for the opportunity to comment on the scope of the intended EIR for the Regional Transportation Plan-Sustainable Communities Strategy.

The Avila Valley Advisory Council, at its meeting on February 14, 2022, unanimously supported forwarding the following comment:

AVAC has supported bus service between the City of San Luis Obispo and the beach areas of Avila in comments for the Avila Circulation Study and the upcoming Avila Community Plan. The Advisory Council is requesting now that the subject SLOCOG EIR include evaluation of trial summer weekend bus service to Avila beaches from the City of SLO. Such service is warranted because of Avila's severe shortage of public parking in contrast with demand. It is also warranted because substantial traffic is generated by parking space searches, which exacerbates the already severe congestion experienced throughout Avila on warm weather weekends and holidays.

AVAC  
#1

Members of AVAC appreciate your assistance.

Regards,

*Stephen Benedict*

Stephen Benedict, AVAC Chair

C: Dawn Ortiz-Legg, 3rd District Supervisor; c/o Sarah Sartain [ssartain@co.slo.ca.us](mailto:ssartain@co.slo.ca.us)



**DEPARTMENT OF TRANSPORTATION**

CALTRANS DISTRICT 5  
50 HIGUERA STREET  
SAN LUIS OBISPO, CA 93401-5415  
PHONE (805) 549-3101  
FAX (805) 549-3329  
TTY 711  
[www.dot.ca.gov/dist05/](http://www.dot.ca.gov/dist05/)



*Making Conservation  
a California Way of Life.*

February 16, 2022

SCH# 2018011015

Sara Sanders, Transportation Planner  
San Luis Obispo Council of Governments (SLOCOG)  
1114 Marsh Street  
San Luis Obispo, CA 93401

COMMENTS FOR THE NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL  
IMPACT REPORT (EIR) FOR THE SLOCOG 2023 REGIONAL TRANSPORTATION PLAN  
AND SUSTAINABLE COMMUNITIES STRATEGY (RTP-SCS)

Dear Ms. Sanders:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the NOP for the SLOCOG 2023 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS). At this time, we offer the following comments in response to the NOP:

Caltrans  
#1

Caltrans supports development that is consistent with State and Federal planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local agencies to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals. Caltrans believes that continued coordination with your agency is imperative to achieve overall network connectivity.

Caltrans  
#2

Employing VMT as the metric of transportation impact Statewide will help to promote Green House Gas (GHG) emission reductions consistent with SB 375 and can be achieved through influencing on-the-ground development. Implementation of this change will rely, in part, on local land use decisions to reduce GHG emissions associated with the transportation sector, both at the project level, and in long-term plans (including general plans, climate action plans, specific plans, and transportation plans) and supporting Sustainable Community Strategies (SCS) developed under SB 375.

Caltrans  
#3

Caltrans encourages a Transportation Demand Strategies (TDM) plan that increases the efficiency of the transportation system by providing options for users other than driving

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to enhance California's economy and livability"*

Ms. Sara Sanders  
February 16, 2022  
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alone, or by shifting travel away from peak periods to help lower VMT. Examples include: locating higher density projects near transit; incorporating Complete Streets; mixed-use developments; and traffic calming measures to enhance walkability.

**Caltrans #4** The RTP-SCS EIR should consider impacts on pedestrians, bicyclists, travelers with disabilities, and transit users, including countermeasures and trade-offs resulting from mitigating VMT increases. Access for pedestrians and bicyclists to transit facilities must be maintained and where possible improved.

**Caltrans #5** The Caltrans District 5 Active Transportation Plan is now available. The plan identifies bicycle and pedestrian needs on, across, and parallel to the State Highway System (SHS) throughout California's Central Coast. Partnership with transportation stakeholders and the public are critical to supporting a safe transportation network and encouraging healthy communities. The main deliverable of the plan is the prioritized list of Location Based Needs (LBN's) (available at <https://www.catplan.org/district-5>). This prioritized list could be utilized to identify needs for the RTP/ SCS.

**Caltrans #6** Climate change's impact on the State Highway System (SHS) and local roadways should be addressed given the forecasted regional increase in wildfires, temperature, precipitation event intensity, and sea level rise. The SHS is the backbone of most county-level evacuation plans and often provides the only high-capacity evacuation routes from rural communities. Further, the SHS serves as the main access routes for emergency responders, and may serve as a physical line of defense such as a firebreak or an embankment against floodwaters, etc.

Caltrans requests to be included in any future public noticing regarding this project to allow us to prepare for and participate in the public process.

We look forward to continued coordination with SLOCOG on this effort. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6432 or [Jenna.Schudson@dot.ca.gov](mailto:Jenna.Schudson@dot.ca.gov).

Sincerely,

*Jenna Schudson*

JENNA SCHUDSON  
Development Review Coordinator  
Caltrans District 5, LDR South Branch

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to enhance California's economy and livability"*

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State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



February 25, 2022

Sara Sanders, Transportation Planner  
San Luis Obispo Council of Governments  
11114 Marsh Street  
San Luis Obispo, California 93401  
ssanders@slocog.org

**Subject: SLOCOG 2023 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (Project) Notice of Preparation (NOP) SCH No.: 2018011015**

Dear Ms. Sanders:

The California Department of Fish and Wildlife (CDFW) received an NOP from the San Luis Obispo Council of Governments (SLOCOG) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

While the comment period may have ended, CDFW would appreciate if you will still consider our comments.

#### **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

*Conserving California's Wildlife Since 1870*

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biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

**Nesting Birds:** CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

#### **PROJECT DESCRIPTION SUMMARY**

**Proponent:** SLOCOG

**Objective:** The proposed Project is the update of SLOCOG's Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS), which was adopted in June 2019. The RTP-SCS is the long-range transportation plan for San Luis Obispo County and is being updated in accordance with California Government Code Section 65080 et seq., Part 450 of Title 23 of the Code of Federal Regulations (23 CFR 450), and the California Transportation Commission's 2017 Regional Transportation Plan Guidelines for Metropolitan Planning Organizations. This long-range plan aims to achieve a coordination, balanced, and multimodal regional transportation system that speaks to improvements and investments in all modes, which include but are not limited to pedestrian, bicycle, public transit, highway, rail, maritime and harbors, goods movement, and aviation.

**Location:** Throughout San Luis Obispo County.

**Timeframe:** To the horizon year of 2046.

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## COMMENTS AND RECOMMENDATIONS

The NOP indicates that the Program Environmental Impact Report (PEIR) for the Project will describe existing environmental conditions in the Project area and analyze potential impacts resulting from Project activities. The PEIR will also identify and evaluate alternatives to the proposed project.

CDFW  
#1

When a PEIR is prepared, the specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation. Several special-status plant and animal species that have been documented in the Project area per the California Natural Diversity Database (CNDDB) include, but not limited to, the State and federally threatened California tiger salamander (*Ambystoma californiense*), the State and Federally endangered Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*) the giant kangaroo rat (*Dipodomys ingens*), the Tipton kangaroo rat (*Dipodomys nitratooides nitratooides*), the California condor (*Gymnogyps californianus*), and the California least tern (*Sternula antillarum browni*); the State threatened Swainson's hawk (*Buteo swainsoni*), the California black rail (*Laterallus jamaicensis coturniculus*), and San Joaquin antelope squirrel (*Ammospermophilus nelsoni*); the State endangered foothill yellow-legged frog (*Rana boylei*); the State endangered and fully protected bald eagle (*Haliaeetus leucocephalus*); the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*); The Federally endangered and State fully protected blunt-nosed leopard lizard (*Gambelia sila*); the State endangered Hearst's manzanita (*Arctostaphylos hookeri ssp. hearstiorum*), the State and federally endangered marsh sandwort (*Arenaria paludicola*), California jewelflower (*Caulanthus californicus*), Chorro Creek bog thistle (*Cirsium fontinales var. obispoense*), and the State species of special concern burrowing owl (*Athene cunicularia*), lesser slender salamander (*Batrachoseps minor*), western pond turtle (*Actinemys marmorata*), and western spadefoot toad (*Spea hammondi*). While this list may not include all special-status species present in the Project area, it does provide a robust source of information as to which species could potentially be impacted. CDFW recommends the PEIR prepared for the Project analyze potential impacts to these species and provide measurable mitigation measures that, as needed, will reduce impacts to less than significant levels. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>).

CDFW  
#1  
cont.

CDFW also recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, California tiger salamander, Morro Bay kangaroo rat, giant kangaroo rat, Tipton kangaroo rat, blunt-nosed leopard lizard, California condor, California least tern, marsh sandwort, California jewel flower, Chorro Creek bog thistle, vernal pool invertebrates, and the San Joaquin kit fox. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could

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CDFW  
#1  
cont.


result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground disturbing activities.

CDFW  
#2

In addition to potential species impacts, it is likely that some Project activities that will be subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. If a Lake or Streambed Alteration Agreement (LSAA) is needed, CDFW is required to comply with CEQA in the issuance or the amendment of an LSAA. Therefore, for efficiency in environmental compliance, we recommend that any potential lake or stream disturbance that may result from Project activities be described, and mitigation for the disturbance be developed as part of the PEIR. This will reduce the need for the Department to require extensive additional environmental review for a LSAA in the future. If inadequate, or no environmental review, has occurred, for the Project activities that are subject to notification under Fish and Game Code section 1602, CDFW will not be able to issue the Final LSAA until CEQA analysis for the project is complete. This may lead to considerable Project delays.

CDFW is available to meet with you ahead of PEIR preparation to discuss potential impacts and possible mitigation measures for some or all of the resources that may be analyzed in the PEIR. If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3194, or by electronic mail at Kelley.Nelson@wildlife.ca.gov.

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...

Julie A. Vance  
Regional Manager

cc: Regional Water Quality Control Board  
Central Valley Region  
1685 "E" Street  
Fresno, California 93706-2020

United States Army Corps of Engineers  
San Joaquin Valley Office  
1325 "J" Street, Suite #1350  
Sacramento, California 95814-2928

SLOCOG 2023 RTP-SCS CEQA Addendum to 2019 PEIR  
Appendix A

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ec: California Department of Fish and Wildlife:  
LSA Program; [R4LSA@wildlife.ca.gov](mailto:R4LSA@wildlife.ca.gov)

United States Fish and Wildlife Service  
Patricia Cole; [Patricia\\_Cole@fws.gov](mailto:Patricia_Cole@fws.gov)

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**LITERATURE CITED**

California Department of Fish and Wildlife. 2022. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>.



**Table A-1 Response to Comments**

<b>Respondent</b>	<b>Comment #</b>	<b>Response</b>
Native American Heritage Commission	NAHC-1	SLOCOG implemented consultation pursuant to SB 18 and AB 52 for the 2023 RTP-SCS update as described in Addendum Section 3.2.
Avila Valley Advisory Committee	AVAC-1	SLOCOG has included this request as a part of the Unmet Transit Needs process. Specific transit routes are not included in the 2023 RTP-SCS project list. This does not constitute a substantial change that would require substantial changes to the 2019 PEIR.
California Department of Transportation	Caltrans-1	Comment noted. SLOCOG will continue coordination with Caltrans to achieve smart growth principles and network connectivity.
	Caltrans-2	Comment noted. The 2019 FEIR addressed VMT in accordance with the 2019 CEQA guidance. The transportation and land use sections focus on VMT instead of Level of Service, and the greenhouse gas emissions section refers to benefits from reduced VMT. No changes to the 2019 PEIR are required.
	Caltrans-3	The 2023 RTP-SCS supports a TDM plan that provides options to help reduce VMT. Options to help reduce VMT are addressed in the 2019 PEIR Section 3.4.3, Impacts and Mitigation Measures for GHG and Climate Change (list on pages 141-145 of the 2019 FEIR). No substantial changes in impacts or new mitigation measures have been identified that would require substantial revisions to the PEIR.
	Caltrans-4	The 2023 RTP-SCS considers impacts on alternative modes of travel, countermeasures and trade-offs, and transit facility access in the 2019 PEIR Section 3.9.3, Impacts and Mitigation Measures for Land Use/Consistency with Plans and Policies (list on pages 201-205). These issues do not include substantial changes that would require substantial revisions to the 2019 PEIR.
	Caltrans-5	The District 5 Active Transportation Plan has been used in development of the 2023 RTP-SCS. No substantial changes in impacts were identified that would warrant substantial revisions to the 2019 PEIR.
	Caltrans-6	The 2019 PEIR describes the impacts of climate change that could potentially result from greenhouse gas emissions. Climate change effects are occurring in response to a combination of local, regional, and global conditions. A comprehensive analysis of climate change effects due to the regional transportation system is beyond the scope of

		<p>the RTP-SCS. However, the overarching goals of the RTP-SCS should reduce greenhouse gas emissions, which should contribute to reductions, not increases, of adverse climate change effects.</p> <p>Responsible project lead agencies may be required to consider project-specific effects of climate change in the CEQA analysis and permit processes for their projects, in accordance with current state and federal policies.</p> <p>Climate change data and state and federal policies continue to evolve with more and more information, analysis, and tools available. These updates do not constitute a substantial change to the impacts analyses in the 2019 PEIR that would warrant revisions to the 2019 PEIR or new mitigation measures.</p>
<p>California Department of Fish and Wildlife</p>	<p>CDFW-1</p>	<p>The projects in the RTP-SCS are typically conceptual in nature and have not been designed at a level of detail sufficient to characterize specific physical disturbances, including impacts to jurisdictional areas, vegetation communities, and wildlife habitats. Determining impacts at a level of detail required to determine permit requirements and impacts to special-status species typically requires engineering plans based on 65% design. This level of project detail is beyond the scope of the RTP-SCS. Additionally, the schedule for implementation of projects is not stipulated in the RTP-SCS; lists of special-status species for a specific project site or region must be reviewed on a periodic basis for any changes in species and/or listing status. This pertains to state and federally listed species subject to jurisdiction of CDFW and/or USFWS.</p>
	<p>CDFW-2</p>	<p>See response to CDFW #1 for response to the recommendation to describe jurisdictional impacts from the projects. This response also pertains to the recommendation to develop project-specific mitigation measures in the PEIR. The 2019 FEIR cites RTP Goals, Policies, and/or Strategies that Serve to Reduce Potential Impacts (2019 RTP Chapter 3, Volume II, Technical Appendices). These include strategies to avoid and minimize impacts to natural and sensitive resources. The 2019 FEIR Section 3 also includes standard mitigation measures to reduce project impacts to jurisdictional areas and special-status species and habitats. These provide general guidance on how avoidance, minimization, and mitigation measures will be considered on a case-by-case basis by the project proponents for each project listed in the RTP-SCS.</p> <p>The 2019 PEIR Goals, Policies, and/or Strategies that Serve to Reduce Potential Impacts and the standard mitigation measures to avoid and minimize impacts to</p>

SLOCOG 2023 RTP-SCS CEQA Addendum to 2019 PEIR  
Appendix A

		<p>natural and sensitive resources have been included in the 2023 RTP-SCS with only minor editorial revisions.</p> <p>More detailed and/or project-specific mitigation measures would be developed for each project as part of the design, CEQA, and permitting process.</p>
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