

## **APPENDIX A**

### **Local Laws, Regulations, Policies, and Plans**

This appendix includes complex tables that are not accessible using an assistive device such as a screen reader. For additional assistance please contact CPUC.

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# Appendix A

## LOCAL LAWS, REGULATIONS, POLICIES, AND PLANS

### A.1 AESTHETICS

#### COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *Conservation and Open Space Element* of the County of San Luis Obispo General Plan (2010) contains goals, policies, and implementation strategies related to visual resources that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and/or alternatives, including the following:

**Goal VR 1:** The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.

**Goal VR 2:** The natural and historic character and identity of rural areas will be preserved.

*Policy VR 2.1, Develop in a Manner Compatible with Historical and Visual Resources.*

Through the review of proposed development, encourage designs that are compatible with the natural landscape and with recognized historical character, and discourage designs that are clearly out of place within rural areas.

*Policy VR 2.2, Site Development and Landscaping Sensitively.* Through the review of proposed development, encourage designs that emphasize native vegetation and conform grading to existing natural forms. Encourage abundant native and/or drought-tolerant landscaping that screens buildings and parking lots and blends development with the natural landscape. Consider fire safety in the selection and placement of plant material, consistent with Biological Resources Policy BR 2.7 regarding fire suppression and sensitive plants and habitats.

**Goal VR 3:** The visual identities of communities will be preserved by maintaining rural separation between them.

**Goal VR 4:** Protect visual resources within visual sensitive resource areas (SRAs) for scenic corridors.

*Policy VR 4.2, Balanced Protection.* Balance the protection of scenic resources within the protection of biological and agricultural resources that may co-exist within the scenic corridor.

**Goal VR 5:** Views from scenic vistas and vista points will be protected.

**Goal VR 6:** A cohesive visual character will be maintained in urban areas.

**Goal VR 7:** Views of the night sky and its constellations of stars will be maintained.

*Policy VR 7.1, Nighttime Light Pollution.* Protect the clarity and visibility of the night sky within communities and rural areas, by ensuring that exterior lighting, including streetlight projects, is designed to minimize nighttime light pollution.

**Goal VR 8:** Visual intrusion of signs will be minimized within public view corridors.

**Goal VR 9:** The visual effects of utility lines will be minimized.

*Policy VR 9.2, Utility Service Lines.* Utility companies should prepare long-range corridor plans for service lines in consultation with local organizations and government agencies. New transmission lines that would be visually damaging should be designed to minimize visual effects. In addition, access roads and right-of-way clearing should be kept to the minimum necessary where new installation or repair of existing installations occurs.

## **CITY OF PASO ROBLES GENERAL PLAN**

The *Conservation Element* of the City of Paso Robles General Plan (2003a) contains the following goals and policies pertinent to protection of visual resources and potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal C-5:** Visual Resources. Enhance/upgrade the City's appearance.

*Policy C-5A: Visual Gateways and Landmarks.* Identify important visual resources: gateways, corridors, major arterials, natural/open space areas, as shown in [General Plan] Table C-1 and [General Plan] Figure C-3.

*Policy C-5B: Hillsides.* Protect hillsides as a visual amenity, by implementing design standards that call for:

- Decreasing density as slope increases;
- Limiting the amount of grading;
- Providing substantial amounts of landscaping;
- Incorporating architectural treatment that enhances the form of the hillside rather than conflicting with it;
- Limiting the number of building sites that may be placed on prominent ridgelines;
- Ensuring sensitive design of development on steep slopes, and on the crest of major ridgelines, shown on [General Plan] Figure C-4.

**[General Plan] Table C-1. Important Visual Resources**

<p><b>Gateways to the City</b></p> <ul style="list-style-type: none"> <li>▪ <i>May be marked with entrance monument signs.</i></li> <li>▪ <i>Limit range of land uses to preclude those commercial and industrial uses with outside processes and storage.</i></li> <li>▪ <i>Development shall be designed to make a positive visual impression (in terms of design/architecture and landscaping) and incorporate/preserve natural features.</i></li> <li>▪ <i>Billboards shall be limited in number, shall be located to preserve views of natural features.</i></li> </ul>
Highway 46 East* (between Jardine and Airport Roads)
Highway 101 at North End* (between Mustard Creek and Spring Street)
Highway 101 at South End* (between Highway 46 West and Spring Street)
Highway 46 West* (between Arbor Road and Highway 101)
Creston Road (beginning east of Beachwood Drive to Charolais Road)
Spring Street (north of 36th Street and south of 1st Street)
Airport Road
Union Road
Airport
Multi-Modal Transportation Center
<p><b>Visual Corridors</b></p> <ul style="list-style-type: none"> <li>▪ <i>Development shall be designed to make a positive visual impression and incorporate/preserve natural features.</i></li> <li>▪ <i>Billboards shall be limited in number, shall be located to preserve views of natural features.</i></li> <li>▪ <i>Architectural design of new development on Spring Street shall be compatible with, and incorporate features identified in adopted design guidelines.</i></li> </ul>
Highway 46 East* (between Jardine and Airport Roads)
Highway 101* (full length of City)
Highway 46 West* (between Arbor Road and Highway 101)
Creston Road
Spring Street (full length of City)
Airport Road
Union Road
Railroad corridor (full length of City)
<p><b>Natural Landmarks and Open Space Viewsheds</b></p>
Salinas River
Huerhuero Creek
Field at north end of Ramada Drive (between the railroad and Salinas River)
Oak-covered hillsides
East Side creeks/riparian corridors (unnamed creeks #1-5 plus Turtle/Oak Creek)
View from Barney Schwartz Park southwest toward and into the Chandler Ranch area

\*Indicates major gateway or visual corridor.

## CITY OF ATASCADERO GENERAL PLAN

The City of Atascadero General Plan *Land Use, Open Space & Conservation Element* (2002a) includes the following policies related to aesthetics that are potentially relevant to Alternative BS-2<sup>1</sup>:

*Policy 1.3.* Enhance the rural character and appearance of the City, including commercial corridors, gateways and public facilities.

Programs:

2. Require landscaping and/or screening to buffer non-residential uses from residential areas.

*Policy 1.4.* Ensure that “darkness” remains a rural characteristic by requiring that all exterior lighting does not result in significant off-site spillage or glare.

*Policy 2.1.* Ensure that new development is compatible with existing and surrounding neighborhoods.

*Policy 6.1.* Ensure that development does not degrade scenic and sensitive areas, including historic sites, creeks, riparian corridors, wetlands, woodlands, hillsides and other valuable habitats.

## A.2 AGRICULTURAL AND FORESTRY RESOURCES

### COUNTY OF SAN LUIS OBISPO RULES OF PROCEDURE TO IMPLEMENT THE CALIFORNIA LAND CONSERVATION ACT OF 1965

The objective of the County of San Luis Obispo Agricultural Preserve Program, as provided by the California Land Conservation Act of 1965 or Williamson Act, is to protect agricultural lands for continued production of food and fiber and limited types of land devoted to open-space and recreational uses (County of San Luis Obispo 2019a). The County’s *Rules of Procedure to Implement the California Land Conservation Act of 1965* provide the standards for property eligibility and land use restrictions under the program, as well as the procedures for terminating contracts and monitoring the agricultural preserve program (County of San Luis Obispo 2019a). The minimum ownership sizes for qualification for the program based on land/soil class are shown below in [Rules of Procedure] Table 1.

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<sup>1</sup> Only example front-of-the-meter (FTM) Site 7 under Alternative BS-2 is located within the City of Atascadero. No portion of the Proposed Project, reasonably foreseeable distribution components, or the remainder of the alternatives are located in Atascadero.

**[Rules of Procedure] Table 1. Minimum Ownership Sizes for Qualification and Minimum Parcel Sizes for Conveyance of Land & New Land Divisions**

Natural Resources Conservation Service Land Capability Classification	Minimum Acreage	
	To Qualify <sup>1</sup>	To Convey Existing Parcels or Create New Parcels <sup>2</sup>
<b>20- or 40-Acre Minimum Preserve Size</b>		
Class 1	10	20
Class 2	10	40
Irrigated Classes, 3, 4, 6, 7 with Orchards or Vineyards	20	40
All Other Irrigated Classes 3 & 4	40	40
Mixed Irrigated & Non-irrigated Use	10/20/40	80/160
<b>160- or 320-Acre Minimum Preserve Size</b>		
Non-Irrigated Classes 3 & 4	160	160
Classes 6 & 7	320	320
Class 8	N/A	320

Source: County of San Luis Obispo 2019a

## COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The County of San Luis Obispo General Plan (2010) includes the following goals and policies related to agriculture and forestry resources that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

### Goal AG 2: Conserve Agricultural Resources.

- a. Maintain the agricultural base of the county by clearly defining and identifying productive agricultural lands for long term protection.
- b. Conserve the soil and water that are the vital components necessary for a successful agricultural industry in this county.

### Goal AG 3: Protect Agricultural Lands.

- a. Establish criteria in this element for agricultural land divisions that will promote the long-term viability of agriculture.
- c. Maintain and protect agricultural lands from inappropriate conversion to non-agricultural uses. Establish criteria in this element and corresponding changes in the Land Use Element and Land Use Ordinance for when it is appropriate to convert land from agricultural to non-agricultural designations.
- d. Maintain and strengthen the county's agricultural preserve program (Williamson Act) as an effective means for long term agricultural land preservation.

- b. Provide incentives for landowners to maintain land in productive agricultural uses.

*Policy AGP 18, Location of Improvements.*

- a. Locate new buildings, access roads, and structures so as to protect agricultural land.
- b. Policy AGP 24, Conversion of Agricultural Land.
- c. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:
  1. Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.
  2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.
  3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.
  4. Avoid locating new public facilities outside the urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.

**Goal SL 1:** Soils will be protected from wind and water erosion, particularly that caused by poor soil management practices.

*Policy SL 1.1, Prevent Loss of Topsoil in All Land Uses.* Minimize the loss of topsoil by encouraging broad based cooperation between property owners, agricultural operators, agencies, and organizations that will lead to effective soil conservation practices on all lands, including County controlled properties.

**Goal SL 3:** Important agricultural soils will be conserved.

*Policy SL 3.1, Conserve Important Agricultural Soils.* Conserve the Important Agricultural Soils mapped in [General Plan] Figure SL 1 and listed in [General Plan] Table SL 2. Proposed conversion of agricultural lands to non-agricultural uses shall be evaluated against the applicable policies in the COSE and in the Agriculture Element, including policies such as Policies AGP 18 and AGP 24.

## CITY OF PASO ROBLES GENERAL PLAN

The City of Paso Robles General Plan's *Land Use Element* and *Open Space Element* (2003b and 2003c) include the following goals and policies related to agriculture and forestry resources, which are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal LU-2:** Image/Identity. Maintain/enhance the City's image/identity.



*Policy LU-2E: “Purple Belt” (Open Space/Conservation Areas Around the City).* Create a distinct “Purple Belt” surrounding the City by taking actions to retain the rural, open space, and agricultural areas.

**Goal OS-1:** Preserve/expand the amount and quality of open space in and around Paso Robles.

*Policy OS-1A. Open Space/Purple Belt.* Develop an open space plan/program for establishing an open space/purple belt (agricultural preserve area) surrounding the City.

## **CITY OF ATASCADERO GENERAL PLAN**

No goals or policies in the City of Atascadero General Plan relate directly to agriculture and forestry resources and Alternative BS-2.

### **A.3 AIR QUALITY**

#### **SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT RULES, REGULATIONS, AND PLANS**

The Proposed Project, reasonably foreseeable distribution components, and alternatives are located in San Luis Obispo County, which is in the South Central Coast Air Basin. The San Luis Obispo County Air Pollution Control District (SLOCAPCD) manages air quality within the county for attainment and permitting purposes. In general, at the local level, responsibilities of air districts include overseeing stationary-source emissions, approving permits, maintaining emissions inventories, maintaining air quality monitoring stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents under CEQA. The air districts are also responsible for establishing and enforcing local air quality rules and regulations that address the requirements of federal and state air quality laws, as well as for ensuring that the NAAQS and CAAQS are met. Local governments are essential partners in the effort to reduce air pollutant emissions. The local governments have influence through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations.

Air districts establish rules and regulations governing emissions, consistent with federal and state laws, including those pertaining to portable equipment registration, odor, fugitive dust, solvents (i.e., volatile organic compounds [VOCs]), and visible emissions. Air district rules and regulations generally require that individuals limit emissions (e.g., fugitive dust, VOCs, TACs, etc.) during construction activities. The following SLOCAPCD rules and regulations are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

- Rule 202, Permits – Stipulates that an Authority to Construct permit shall be obtained prior to initiating any construction activities, including altering, building, or replacing any equipment that may emit air contaminants. In addition, a Permit to Operate shall be obtained prior to operating or using any equipment that may cause, increase, eliminate, reduce or control the issuance of air contaminants.

- Rule 401, Visible Emissions – Limits the discharge of visible emissions.
- Rule 402, Nuisance – Limits release of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public.
- Rule 403, Particulate Matter Emissions Standards – Limits particulate matter emissions.
- Rule 404, Sulfur Compounds Emission Standards, Limitations and Prohibitions – Limits emissions of sulfur compounds.
- Rule 405, Nitrogen Oxides Emission Standards, Limitations and Prohibitions – Limits emissions of nitrogen oxides.
- Rule 412, Airborne Toxic Control Measures – Requires compliance with the State ATCMs.
- Rule 420, Cutback Asphalt Paving Materials – Limits the amount of VOCs allowed in asphalt material used for paving and construction.

The SLOCAPCD's 2001 *Clean Air Plan* details the County's plan to address ozone precursor emissions and achieve the state's ozone standard, while the 2012-2017 *Strategic Action Plan* contains strategic air quality-related goals and strategies (SLOCAPCD 2012). SLOCAPCD's 2005 *Particulate Matter Report* describes the SLOCAPCD's plan for addressing PM and implementing SB 656 requirements. Finally, the *San Luis Obispo County Ozone Emergency Episode Plan* provides the basis for taking actions when ambient ozone concentrations reach a level that could endanger public health in San Luis Obispo County. It identifies criteria for the four levels of emergency episodes and related components for public announcements whenever an episode has been identified.

## COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The County of San Luis Obispo General Plan's *Conservation and Open Space Element (2010)* contains the following air quality goals, policies, and implementation strategies that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal AQ 3:** State and federal ambient air quality standards will, at a minimum, be attained and maintained.

*Policy AQ 3.2, Attain Air Quality Standards.* Attain or exceed federal or state ambient air quality standards (the more stringent if not the same) for measured criteria pollutants.

Implementation Strategy AQ 3.2.1. Use of APCD's CEQA Guidelines. The County's CEQA process will use the APCD's CEQA Guidelines to determine significance of impacts and to identify minimum project design and mitigation requirements.

*Policy AQ 3.4, Toxic Exposure.* Minimize public exposure to toxic air contaminants, ozone, particulate matter, sulfur dioxide, carbon monoxide, nitrogen oxides, and lead.

*Policy AQ 3.7, Reduce Vehicle Idling.* Encourage the reduction of heavy-vehicle idling throughout the county, particularly near schools, hospitals, senior care facilities, and areas prone to concentrations of people, including residential areas

*Policy AQ 3.8, Reduce Dust Emissions.* Reduce PM10 and PM2.5 emissions from unpaved and paved County roads to the maximum extent feasible.

### **CITY OF PASO ROBLES GENERAL PLAN**

The City of Paso Robles General Plan contains the following policies and action items related to air quality, which are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

*Policy C-2C, Emissions Reduction.* Take steps to reduce creation of air contaminant emissions.

Action Item 3: Require builders to use appropriate techniques to minimize pollution from construction activities.

### **CITY OF ATASCADERO GENERAL PLAN**

The City of Atascadero General Plan *Land Use, Open Space and Conservation Element (2002a)* contains the following policy related to air quality, which are potentially relevant to Alternative BS-2:

*Policy 10.3.* Support regional efforts to maintain clean air.

Programs:

1. Require dust control and emissions limitations during project construction.
2. Adopt circulation policies that encourage vehicle trip reductions.
3. Concentrate new intensive development at identified nodes to help reduce vehicle trips.
4. Support regional programs to maintain clean air by adopting transportation and land use policies which encourage vehicular trip reductions.
5. Support the development of park and ride locations in appropriate locations.

## **A.4 BIOLOGICAL RESOURCES**

### **COUNTY OF SAN LUIS OBISPO GENERAL PLAN**

The County of San Luis Obispo General Plan *Conservation and Open Space Element* addresses the protection and management of natural resources, and includes goals, policies, and strategies to conserve, protect, and restore biodiversity and open space (County of San Luis Obispo 2010). Goals and policies in the *Conservation and Open Space Element* pertaining to biological

resources that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives include:

**Goal BR 1:** Native habitat and biodiversity will be protected, restored, and enhanced.

*Policy BR 1.11, Protect Wildlife Nursery Areas and Movement Corridors.* Identify, protect, and enable the management of connected habitat areas for wildlife movement. Features of particular importance to wildlife for movement may include, but are not limited to, riparian corridors, shorelines of the coast and bay, and ridgelines. Identification and designation of wildlife corridors will not interfere with agricultural uses on private lands.

*Policy BR 1.12, Development Impacts to Corridors.* Ensure that important corridors for wildlife movement and dispersal are protected as a condition of discretionary permits. Provide linkages and corridors as needed to connect sensitive habitat areas such as woodlands, forests, and wetlands.

*Policy BR 1.15, Restrict Disturbance in Sensitive Habitat during Nesting Season.* Avoid impacts to sensitive riparian corridors, wetlands, and coastal areas to protect bird-nesting activities.

**Goal BR 2:** Threatened, rare, endangered, and sensitive species will be protected.

**Goal BR 3:** Maintain the acreage of native woodlands, forests, and trees at 2008 levels.

*Policy BR 3.1, Native Tree Protection.* Protect native and biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats to the maximum extent feasible.

*Policy BR 3.3, Oak Woodland Preservation.* Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat.

**Goal BR 4:** The natural structure and function of streams and riparian habitat will be protected and restored.

**Goal BR 5:** Wetlands will be preserved, enhanced, and restored.

*Policy BR 5.1, Protect Wetlands.* Require development to avoid wetlands and provide upland buffers.

**Goal BR 6:** The County's fisheries and aquatic habitats will be preserved and improved.

## COUNTY OF SAN LUIS OBISPO OAK WOODLANDS MANAGEMENT PLAN

The Native Tree Committee of the County of San Luis Obispo has established an Oak Woodland Management Plan to encourage the long-term conservation of oak woodlands. The plan is voluntary and for informational purposes only and is not bound by the law. The plan discusses the status, economic values, natural resource values, and aesthetic and open space values of oak woodlands. In addition, the plan offers the following conservation efforts: (1) design around existing oaks; (2) encourage clustered, denser developments; (3) encourage landscaping with oak trees/natives; (4) improve oak regeneration on grazed lands; and (5) purchase conservation easements (County of San Luis Obispo 2003).

## COUNTY OF SAN LUIS OBISPO SAN JOAQUIN KIT FOX MITIGATION REQUIREMENTS

California Department of Fish and Wildlife (CDFW) and the County of San Luis Obispo have developed standard mitigation measures to reduce impacts to San Joaquin kit fox habitat to an insignificant level. The standard mitigation measures include the following (County of San Luis Obispo 2006a):

- a. Mitigate for the loss of kit fox habitat either by:
  1. Establishing a conservation easement on-site or off-site in a suitable San Luis Obispo County location and provide a non-wasting endowment for management and monitoring of the property in perpetuity;
  2. Depositing funds into an approved in-lieu fee program;
  3. Purchasing credits in an approved conservation bank in San Luis Obispo County.
- b. Retain qualified biologist to conduct pre-construction survey of the project site and conduct a pre-construction kit fox briefing for construction workers to minimize kit fox impacts.
- c. Include kit fox protection measures on project plans.
- d. Require a maximum 25 mph speed limit at the project site during construction.
- e. Stop all construction activities at dusk.
- f. Cover excavations deeper than 2 feet at the end of each working day or provide escape ramps for kit fox.
- g. Inspect pipes, culverts or similar structures for kit fox before burying, capping, or moving.
- h. Remove food-related trash from project site.
- i. If pesticides or herbicides are used, they must be used according to local, state, and federal regulations to prevent secondary poisoning of kit foxes.
- j. If a kit fox is discovered at any time in the project area, all construction must stop and the CDFW and USFWS contacted immediately. The appropriate federal and state permits must be obtained before the project can proceed.
- k. Permanent fencing installed as part of the project must allow passage of dispersing kit foxes.

## CITY OF PASO ROBLES GENERAL PLAN

The City of Paso Robles General Plan *Conservation Element* includes goals and policies related to biological resources protection that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives (City of Paso Robles 2003a, amended in 2014):

**Goal C-3: Biological Resources.** As feasible, preserve native vegetation and protected wildlife, habitat areas, and vegetation, through avoidance, impact mitigation, and habitat enhancement.

*Policy C-3A, Oak Trees.* Preserve existing oak trees and oak woodlands. Promote the planting of new oak trees.

*Policy C-3B, Sensitive Habitat.* Incorporate habitats into project design, as feasible, including: oak woodlands, native grasslands, wetlands, and riparian areas.

## **CITY OF PASO ROBLES OAK TREE ORDINANCE**

The City of Paso Robles Oak Tree Ordinance (Ordinance No. 835 N.S.), as amended in 2001 (Municipal Code Amendment 2001-001-Oak Trees) ensures the “preservation of oak trees in order to maintain the heritage and character of the City of El Paso de Robles (“The Pass of the Oaks”) as well as preserve the beauty and identity of the community” (City of Paso Robles 2002). The Oak Tree Ordinance requires permits to prune and permits to remove oak trees (Section 10.01.030) and encourages preservation and maintenance of existing oak trees (Section 10.01.070).

## **CITY OF ATASCADERO GENERAL PLAN**

The City of Atascadero General Plan *Land Use, Conservation and Open Space Element* (2002a) includes the following policies related to biological resources that are potentially relevant to Alternative BS-2:

*Policy 6.1.* Ensure that development does not degrade scenic and sensitive areas, including historic sites, creeks, riparian corridors, wetlands, woodlands, hillsides and other valuable habitats.

*Policy 7.1.* Ensure that the native trees of Atascadero are protected from new development in order to retain the natural character of the community.

## **A.5 CULTURAL RESOURCES**

### **COUNTY OF SAN LUIS OBISPO GENERAL PLAN**

The *Conservation and Open Space Element* (2010) of the County of San Luis Obispo General Plan includes the following goals and policies related to cultural resources that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal CR 3:** The County’s historical resources will be preserved and protected.

*Policy CR 3.1, Historic Preservation.* The County will provide for the identification, protection, enhancement, perpetuation, and use of features that reflect the County’s historical, architectural, Native American, archaeological, cultural, and aesthetic heritage.

**Goal CR 4:** The County’s known and potential Native American, archaeological, and paleontological resources will be preserved and protected.

*Policy CR 4.2, Protection of Native American Cultural Sites.* Ensure protection of archaeological sites that are culturally significant to Native Americans, even if they have lost their scientific or archaeological integrity through previous disturbance. Protect sites that have religious or spiritual value, even if no artifacts are present. Protect sites that contain artifacts, which may have intrinsic value, even though their archaeological context has been disturbed.

*Policy CR 4.4, Development Activities and Archaeological Sites.* Protect archaeological and culturally sensitive sites from the effects of development by avoiding disturbance where feasible. Avoid archaeological resources as the primary method of protection.

*Policy CR 4.6, Resources-Based Sensitivity.* Protect archaeological resources near streams, springs and water sources, rock outcrops, and significant ridgetops, as these are often indicators of the presence of cultural resources.

The protection of cultural and historical resources is further addressed in the *Parks and Recreation Element* (2006b), though there are no specific goals related to these resources. The *Land Use Element* (2015) also promotes the preservation and restoration of historic buildings; encourages new development in historic areas to be compatible with historic preservation goals, and encourages creating and maintaining open spaces to conserve and protect cultural resources and natural resources, including geologic features (e.g., paleontological resources).

## CITY OF PASO ROBLES GENERAL PLAN

The *Conservation Element* (2003a) of the City of Paso Robles General Plan contains the following goals and policies related to cultural resources that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal C-6:** Strive to preserve/protect important historic and archaeological resources.

*Policy C-6A, Historic Resources.* Encourage the preservation and restoration of historic buildings in the downtown and the Vine Street neighborhood.

*Policy C-6B, Archaeological Resources.* Strive to preserve/protect “unique archaeological resources” as defined by the California Environmental Quality Act (CEQA).

Historic buildings and neighborhoods are also addressed in the *Land Use Element* of the General Plan.

## CITY OF PASO ROBLES HISTORIC PRESERVATION ORDINANCE

The City of Paso Robles Historic Preservation Ordinance outlines the procedures and regulations for the recognition, preservation, protection, and use of the City’s historic resources. Although the ordinance focuses mainly on the preservation of buildings or structures, it does mention the inclusion of archaeological sites within the criteria for designating a resource as a City Historic Landmark. Section 21.50.080.B of the ordinance uses the National Register of Historic Places (NRHP) criteria for determining inclusion as a City landmark. Thus, a resource is eligible as a City

landmark if it “reflects special elements of the City’s... archaeological... development,” or “has yielded or has the potential to yield information important to the history or prehistory of Paso Robles, California, or the nation.”

## CITY OF ATASCADERO GENERAL PLAN

The City of Atascadero General Plan *Land Use, Open Space and Conservation and Element* (2002a) includes the following policies related to cultural resources that are potentially relevant to Alternative BS-2:

*Policy 6.2.* Protect prehistoric cultural resources from disturbance associated with development.

Programs:

5. If determined appropriate by a qualified archaeologist, actively involve Native Americans with any work located within known archaeological sites.
6. If archaeological resources are unearthed during construction, suspend all earth-disturbing work until appropriate mitigation is established.

*Policy 6.4.* Encourage conservation and preservation of structures and houses that have historical and architectural significance.

## A.6 ENERGY

### COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *Conservation and Open Space Element* of the County of San Luis Obispo’s General Plan contains the following goals and policy that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal E 1:** The County will have an environmentally sustainable supply of energy for all county residents.

**Goal E 6:** The use of renewable energy resources will be increased.

**Goal E 7:** Design, siting, and operation of non-renewable energy facilities will be environmentally appropriate.

*Policy E 7.1, Non-Renewable Energy Facility Siting.* Energy, fossil fuel, and related facilities will be sited, constructed, and operated in a manner to protect the public from potential hazards and significant environmental impacts.

### COUNTY OF SAN LUIS OBISPO ENERGYWISE PLAN 2016 UPDATE

The County of San Luis Obispo’s *EnergyWise Plan 2016 Update* contains the following community-wide goals that may relate to the Proposed Project, reasonably foreseeable distribution components, and alternatives (San Luis Obispo County 2016a):



**Goal C1:** Address future energy needs through increased conservation and efficiency in all sectors.

**Goal C2:** Increase the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of total local energy use by 2020.

**Goal C5:** Reduce transportation emissions through improvements in vehicle fuel efficiency, expansion of non-auto modes of travel, and implementation of smart growth land use policies.

## CITY OF PASO ROBLES CLIMATE ACTION PLAN

The City of Paso Robles *Climate Action Plan* (2013) contains the following energy measures and actions that may relate to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

- Installation of Solar Energy;
- Construction and Demolition Debris Diversion, and
- Green Waste Diversion.

## CITY OF ATASCADERO GENERAL PLAN

The City of Atascadero General Plan *Land Use, Open Space, and Conservation Element* (2002a) includes the following policy related to energy that are potentially relevant to Alternative BS-2:

*Policy 10.6.* Utilize new technologies to improve convenience for City residents, reduce dependency on nonrenewable resources, increase ecological and financial efficiencies, and better inform the citizenry.

## A.7 GEOLOGY, SOILS, SEISMICITY, AND PALEONTOLOGICAL RESOURCES

### COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *Safety Element* (1999) and *Conservation and Open Space Element* (2010) of the County of San Luis Obispo General Plan include the following goals and policies related to geology, soils, seismicity, and paleontological resources that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives.

**Goal S-5:** Minimize the potential for loss of life and property resulting from geologic and seismic hazards.

*Policy S-18, Fault Rupture Hazards.* Locate new development away from active and potentially active faults to reduce damage from fault rupture. Fault studies may need to include mapping and exploration beyond project limits to provide a relatively accurate assessment of a fault's activity. The County will enforce applicable regulations of the

Alquist-Priolo Earthquake Fault Zoning Act pertaining to fault zones to avoid development on active faults.

*Policy S-19, Reduce Seismic Hazards.* The County will enforce applicable building codes relating to the seismic design of structures to reduce the potential for loss of life and reduce the amount of property damage.

*Policy S-20, Liquefaction and Seismic Settlement.* The County will require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the currently adopted Uniform Building Code.

*Policy S-21, Slope Instability.* The County acknowledges that areas of known landslide activity are generally not suitable for residential development. The County will avoid development in areas of known slope instability or high landslide risk when possible and continue to encourage that developments on sloping ground use design and construction techniques appropriate for those areas.

**Goal SL-1:** Soils will be protected from wind and water erosion, particularly that caused by poor soil management practices.

*Policy SL-1.2, Promote Soil Conservation Practices in All Land Uses.* Require erosion and sediment control practices during development or other soil- disturbing activities on steep slopes and ridgelines. These practices should disperse stormwater so that it infiltrates the soil rather than running off and protects downslope areas from erosion.

*Policy SL-1.3, Minimize Erosion associated with New Development.* Avoid development, including roads and driveways, on the steeper portions of a site except when necessary to avoid flood hazards, protect prime soils, and protect sensitive biological and other resources. Avoid grading and site disturbance activities on slopes over 30 percent. Minimize site disturbance and protect existing vegetation as much as possible.

## CITY OF PASO ROBLES GENERAL PLAN

The *Safety Element* (City of Paso Robles 2003d) of the City of Paso Robles General Plan contains the following goal, policy, and action items related to geology, soils, seismicity, and paleontological resources that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal S-1:** Minimize exposure to natural and manmade hazards.

*Policy S-1D, Structural Safety.* Rely on the City's planning and building permit review process to ensure that existing and proposed structures are adequately designed, and to reduce susceptibility to damage from fire, flooding, and geologic hazards.

Action Item 3. Require structures identified as being located in hazardous areas to be brought into conformance with acceptable levels of risk.

Action Item 4. Discourage the locating of critical facilities within identified hazard areas.

Action Item 6. Prohibit construction within seismic and geologic hazards areas, including: areas directly astride known active or potentially active faults or fault

zones; areas in high landslide risk areas without site-specific slope stability investigations; and areas of potential liquefaction without site-specific analysis of liquefaction potential.

## CITY OF ATASCADERO GENERAL PLAN

The City of Atascadero General Plan *Land Use, Open Space and Conservation Element* (2002a) and *Safety and Noise Element* (2002b) include the following goals and policies related to geology, soils, seismicity, and paleontological resources that are potentially relevant to Alternative BS-2:

*Policy 5.3.* Prevent unnecessarily intensive grading of development sites.

*Policy 10.5.* Encourage soil conservation by minimizing grading and preventing erosion.

**Goal SFN 4.** Minimize the potential for loss of life and property resulting from geologic and seismic hazards.

*Policy 4.1.* Ensure that developments, structures, and public facilities adequately address geologic and seismic hazards.

*Policy 4.2.* Ensure that structures are designed and located to withstand strong groundshaking, liquefaction, and seismic settlement.

## A.8 GREENHOUSE GAS EMISSIONS

### SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

SLOCAPCD has established thresholds of significance for a project's amortized construction plus operational-related greenhouse gas (GHG) emissions. For land use development projects, the threshold is compliance with a GHG Reduction Strategy, or annual emissions less than 1,150 million metric tons of carbon dioxide equivalents per year (MT CO<sub>2</sub>e/yr), or 4.9 million metric ton of carbon dioxide equivalents per service population per year (MT CO<sub>2</sub>e/service population/yr). For industrial and stationary-source projects, the threshold is 10,000 MT CO<sub>2</sub>e/yr.

### COUNTY OF SAN LUIS OBISPO ENERGYWISE PLAN 2016 UPDATE

The County's *EnergyWise Plan 2016 Update* contains the following goals for GHG emissions reduction that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal C1:** Address future energy needs through increased conservation and efficiency in all sectors.

**Goal C2:** Increase the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of total local energy use by 2020.

**Goal C5:** Reduce transportation emissions through improvements in vehicle fuel efficiency, expansion of non-auto modes of travel, and implementation of smart growth land use policies.

## COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *Conservation and Open Space Element* of the County of San Luis Obispo General Plan contains the following goals, policies, and implementation strategies that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal AQ 1:** Per capita vehicle-miles-traveled countywide will be substantially reduced consistent with statewide targets.

**Goal AQ 4:** Greenhouse gas emissions from County operations and communitywide sources will be reduced from baseline levels by a minimum of 15% by 2020.

*Policy AQ 4.4, Development Projects and Land Use Activities.* Reduce greenhouse gas emissions from development projects and other land use activities.

*Policy AQ 4.6, Regional Organizations.* Collaborate and coordinate with regional organizations and local jurisdictions to reduce greenhouse gas emissions.

Implementation Strategy AQ 4.6.1: Partnerships with Utilities. Work with utilities to reduce greenhouse gas emissions and energy use.

## CITY OF PASO ROBLES CLIMATE ACTION PLAN

The City of Paso Robles Climate Action Plan contains measures and implementation actions to take to reduce GHG emissions, including the following that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, or alternatives:

- Installation of Solar Energy;
- Construction and Demolition Debris Diversion, and
- Green Waste Diversion.

## CITY OF ATASCADERO GENERAL PLAN

No goals or policies in the City of Atascadero General Plan relates directly to GHG emissions and Alternative BS-2.

## A.9 HAZARDS AND HAZARDOUS MATERIALS

### COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *Safety Element* (1999) of the County of San Luis Obispo General Plan includes the following policies pertaining to hazards and hazardous materials that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

*Policy S-24, Aircraft Hazards.* Reduce the potential for disaster from airport and land use conflicts in conjunction with the Airport Land Use plans.

*Policy S-26, Hazardous Materials.* Reduce the potential for exposure to humans and the environment by hazardous substances.

Standard S-69: Hazardous Materials Transport. Work with CalTrans to require all transport of hazardous materials to follow CalTrans approved routes.

### COUNTY OF SAN LUIS OBISPO MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN

The County of San Luis Obispo is currently revising its 2014 Local Hazard Mitigation Plan (LHMP). The County's LHMP addresses earthquakes and liquefaction, floods, landslides, tsunamis and seiche, wildfire, extreme weather, coastal storms and erosion, biological agents, and pest infestation and disease. The plan assesses community vulnerability and mitigation capabilities, and provides mitigation strategies, a mitigation action plan, and an implementation program.

### COUNTY OF SAN LUIS OBISPO HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN

The County of San Luis Obispo's Hazardous Materials Emergency Response Plan (County of San Luis Obispo 2013) establishes the County's response organization, command authority, responsibilities, functions and interactions required to mitigate hazardous material incidents so life, property, and the environment may be saved from the effects of such incidents. The objectives of the Hazardous Materials Emergency Response Plan are as follows:

1. To provide a basic overview of the threats from hazardous material emergencies in San Luis Obispo County;
2. Provide an overall concept which enhances the protection of the public in the event of an emergency;
3. Provide an overview of emergency public alert and notification systems and messages which can be provided to the public in the affected area;
4. Delineate the respective authorities and responsibilities of federal, state, and local agencies; and

5. Outline the concept of operations, emergency organization, management, and supporting systems required to implement this plan.

## **AIRPORT LAND USE PLAN FOR THE PASO ROBLES MUNICIPAL AIRPORT**

The Airport Land Use Plan (ALUP) for the Paso Robles Municipal Airport was adopted by the San Luis Obispo Airport Land Use Commission (ALUC) in 1977. The ALUP sets forth policies to promote compatibility between the Paso Robles Municipal Airport and future land uses in the surrounding area by establishing a set of compatibility criteria that is applicable to new development. The plan provides the basis by which the ALUC can carry out its land use development review responsibilities in accordance with Section 21670 et seq. of the California Public Utilities Code.

The ALUC has adopted Federal Aviation Regulations Part 77, “Objects Affecting Navigable Airspace,” using imaginary surfaces to determine height restrictions for natural and artificial objects. Penetration of these imaginary surfaces by permanent structures will endanger pilots and passengers of aircraft operating at the airport and will pose a hazard to persons occupying those structures. The ALUP includes specific land use policies within six defined safety zones to minimize risks to the safety and property of persons on the ground associated with potential aircraft accidents and to enhance the changes for survival of the occupants involved in an accident. Although the ALUP Land Use Compatibility Matrix contains a blanket prohibition of electric power plants and overhead transmission lines in all zones (ALUC 1977; Table 6 Paso Robles Municipal Airport Land Use Compatibility Matrix), applicable federal regulations allow utility line facilities within prescribed height limits.

## **CITY OF PASO ROBLES GENERAL PLAN**

The *Safety Element* (City of Paso Robles 2003d) of the City of Paso Robles General Plan contains one goal and two policies related to hazards and hazardous materials that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal S-1:** Minimize exposure to natural and manmade hazards.

*Policy S-1D, Structural Safety.* Rely on the City’s planning and building permit review process to ensure that existing and proposed structures are adequately designed, and to reduce susceptibility to damage from fire, flooding, and geologic hazards.

*Policy S-1E, Hazardous Materials.* The City shall comply with Government code requirements regarding the use, storage, and transportation of hazardous materials.

## **CITY OF PASO ROBLES LOCAL HAZARD MITIGATION PLAN**

The City of Paso Robles LHMP assesses the risks posed by natural and human-caused hazards and develops a mitigation strategy for reducing the City’s risks (City of Paso Robles 2016). The LHMP identifies and profiles hazards, the people and facilities at risk, and mitigation actions to reduce or eliminate hazard risk. The plan addresses dam failure inundation, drought, earthquakes, expansive soil, extreme heat, flood, extreme cold, land subsidence, landslides, and hazardous materials.

## CITY OF ATASCADERO GENERAL PLAN

The City of Atascadero General Plan *Safety and Noise Element* (2002b) includes the following goal and policy related to hazards and hazardous materials that are potentially relevant to Alternative BS-2:

**Goal SFN 5.** Reduce the potential for harm to individuals and damage to the environment from hazardous materials, radiation, electromagnetic fields, radon, and unsafe trees and structures.

*Policy 5.1.* Reduce the potential for exposure to humans and the environment from hazardous substances.

Programs:

1. Require businesses that use, store, or transport hazardous materials to ensure that adequate measures are taken to protect public health and safety.

## A.10 HYDROLOGY AND WATER QUALITY

### COUNTY OF SAN LUIS OBISPO STORMWATER MANAGEMENT PROGRAM

The County of San Luis Obispo's Stormwater Management Program (SWMP) defines the method for selecting and prioritizing stormwater best management practices (BMPs) for projects within the County's jurisdiction and provides a description, timetable, and set of measurable goals for each. The SWMP assigns responsibilities for implementation and describes the method for updating the SWMP and submitting annual reports. The SWMP also provides an integrated approach for prevention of pollution from stormwater runoff in San Luis Obispo County. The program relies heavily on public education and outreach and public participation and involvement to prevent pollution problems at the source. The program seeks to employ the most cost-effective means to achieve the objectives of the National Pollutant Discharge Elimination System (NPDES) Phase II Final Rule and the Municipal Separate Storm Sewer System (MS4) General Permit, and to coordinate stormwater runoff pollution prevention efforts throughout the county (NEET West and PG&E 2017).

### COUNTY OF SAN LUIS OBISPO PUBLIC IMPROVEMENT STANDARDS

The County of San Luis Obispo's Public Improvement Standards consist of three major components: design standards, construction specifications, and standard construction drawings. The standards cover improvement plans, site preparation and earthwork, roadways, road edges, storm drainage, water supply, wastewater disposal, utilities, traffic control, and project completion. The standards establish the minimum requirements for the design and construction of any public improvement within County jurisdiction in San Luis Obispo County, including any subdivision or land use permit where the improvement is determined to be of sufficient public benefit that compliance with the standards is required by the conditions of County approval (NEET West and PG&E 2017; County of San Luis Obispo 2019b).

## **COUNTY OF SAN LUIS OBISPO STORMWATER POLLUTION PREVENTION AND DISCHARGE CONTROL ORDINANCE (TITLE 8.68)**

The stated purpose of this County ordinance is to ensure the health, safety, and general welfare of the citizens of San Luis Obispo County by protecting and enhancing the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Clean Water Act (CWA) by:

1. Controlling non-stormwater discharges to the municipal separate storm drain system;
2. Reducing pollutants in the stormwater discharges to the maximum extent practicable, and
3. Protecting urban watercourses from pollution.

## **COUNTY OF SAN LUIS OBISPO GRADING AND DRAINAGE REGULATIONS**

Chapter 22.52 of the County of San Luis Obispo Code outlines grading and drainage regulations to minimize erosion and sedimentation; reduce the harmful effects of stormwater runoff; encourage groundwater recharge; reduce drainage problems from new development, and enhance slope stability, among others. The chapter addresses compliance with the NPDES Phase II stormwater regulations and sets forth local stormwater requirements, to avoid pollution of watercourses with sediments or other pollutants generated on or caused by surface runoff on or across construction sites.

## **PASO ROBLES STORMWATER MANAGEMENT PROGRAM**

The City of Paso Robles is enrolled in the Phase II Municipal Storm Water Program as required by the State Water Resources Control Board (SWRCB) (City of Paso Robles 2020). The program requires the City to develop and implement an SWMP in order to reduce or eliminate pollutants in stormwater runoff and non-stormwater discharges for projects within City jurisdiction. The SWMP describes the BMPs, measurable goals, and timetables for implementation of the following minimum control measures (City of Paso Robles 2020):

- Construction site stormwater runoff control;
- Illicit discharge detection and elimination
- Pollution prevention/good housekeeping for municipal operations;
- Post-construction stormwater runoff management, and
- Public education and public participation.

## **PASO ROBLES GROUNDWATER BASIN MANAGEMENT PLAN**

The Paso Robles Groundwater Basin Management Plan (City of Paso Robles 2011) is a collaborative effort between the County Flood Control and Water Conservation District and the City. The plan was developed in light of a recent monitoring report indicating that some areas of



the basin were experiencing significant declines in groundwater elevation despite the fact that outflows were calculated to be at or below annual yield. The purpose of this plan is to develop a common understanding of the groundwater issues and management opportunities in the basin and identify and support projects such as conjunctive use, recycled wastewater, and demand management, which will improve groundwater management (NEET West and PG&E 2017; City of Paso Robles 2011).

## COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The County of San Luis Obispo General Plan, in the *Conservation and Open Space Element* (County of San Luis Obispo 2010) and *Safety Element* (County of San Luis Obispo 1999), includes the following goals and policies related to hydrology and water quality that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal 3.** Excellent water quality will be maintained for the health of people and natural communities.

**Goal 6.** Damage to life, structures, and natural resources from floods will be avoided.

*Policy WR 6.4.* Assure that proposed development integrates ecosystem enhancement, drainage control, and natural recharge as applicable.

**Goal S-2.** Reduce damage to structures and the danger to life caused by flooding, dam inundation, and tsunamis.

*Policy S-8.* Strictly enforce flood hazard regulations both current and revised. Federal Emergency Management Agency (FEMA) regulations and other requirements for the placement of structures in flood plains shall be followed. Maintain standards for development in flood-prone and poorly drained areas.

## CITY OF PASO ROBLES GENERAL PLAN

The City of Paso Robles General Plan *Conservation Element* (City of Paso Robles 2003a) and *Safety Element* (City of Paso Robles 2003d) contain the following goals and policies related to hydrology and water quality that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal C-1: Utilities and Infrastructure.** Ensure that public utilities, facilities, and services are designed to meet existing and planned land uses, and ensure that provisions are made for continued operation maintenance, and updates as necessary.

*Policy C-1A: Water Source, Supply, and Distribution.* Develop and implement various innovative water provision and conservation programs that help to ensure an adequate supply of water for the City.

*Policy C-1C: Storm Drainage.* Provide storm drain systems that efficiently and safely mitigate flood risk, while effectively managing storm water through implementation of LID features, so that downstream run-off is limited to pre-development volumes and

velocity before it is conveyed to the Salinas River, Huerhuero Creek, and their tributaries.

**Goal S-1:** Minimize exposure to natural and manmade hazards.

*Policy S-1G.* Maintain the structural and operational integrity of essential public facilities during flooding by taking safe guards such as locating new facilities outside of flood zones or areas subject to localized flooding, and audit existing facilities in these areas to determine if building upgrades should be considered to reduce the potential for future flooding.

## CITY OF ATASCADERO GENERAL PLAN

The City of Atascadero General Plan *Land Use, Open Space, and Conservation Element* (2002a) and *Safety and Noise Element* (2002b) include the following goals and policies related to hydrology and water quality that are potentially relevant to Alternative BS-2:

**Goal LOC 8.** Watershed areas of Atascadero shall be protected.

*Policy 8.1.* Ensure that development along Atascadero Creek, Graves Creeks, the Salinas River, blue line creeks, and natural springs, lakes, or other riparian areas does not interrupt natural flows or adversely impact riparian ecosystems and water quality.

*Policy 8.5.* The City shall implement a storm water control program consistent with the requirements of the National Pollution Discharge Elimination System (NPDES) Permit Program (Phase II).

**Goal SFN 2.** Reduce damage to structures and danger to life caused by flooding and dam inundation.

## A.11 LAND USE AND PLANNING

### PASO ROBLES MUNICIPAL AIRPORT LAND USE PLAN

As described above in Section A.9, “Hazards and Hazardous Materials,” the Paso Robles Municipal ALUP sets forth policies to promote compatibility between the Paso Robles Municipal Airport and future land uses in the surrounding area. The plan provides the basis by which the ALUC can carry out its land use development review responsibilities in accordance with Section 21670 et seq. of the California Public Utilities Code. Land use planning areas within the ALUP area consist of six safety zones and a single noise overlay zone (ALUC 2007). Safety policies established for each safety zone were designed to minimize the risks to the safety and property of persons on the ground associated with potential aircraft accidents and to enhance the chances for survival of the occupants involved in an accident, which takes place beyond the immediate runway environment (ALUC 2007).

Section 5 of the ALUP contains the land use matrix, which indicates which land uses are compatible or prohibited in each of the six safety zones established for the airport. The portion of the matrix containing land uses that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives is reproduced below.

**[ALUP] Table 6. Paso Robles Municipal Airport Land Use Compatibility Matrix<sup>1</sup>**

	<b>Zone 1</b>	<b>Zone 2</b>	<b>Zone 3</b>	<b>Zone 4</b>	<b>Zone 5</b>	<b>Zone 6</b>
<b>Institutional, Public &amp; Quasi-Public</b>						
Public Utility Facilities (except Electric Plants)	O <sup>2</sup>	O	O	O	O	O
Electric Power Plants and Overhead Transmission Lines	X	X	X	X	X	X

**NOTES:**

- Land use groups are identified as being “compatible” or “prohibited” using the following interpretations:  
*Compatible* – Compatible land uses are designated in the Land Use Matrix by the symbol “O”. The associated land use groups are at a level of intensity or density, or location, which is not considered to present a significant risk to the safety of persons on the ground or to persons in aircraft overflying the proposed use, nor are the land use groups sensitive to anticipated aircraft noise or frequent aircraft overflights.  
*Prohibited* – Prohibited land uses are designated in the Land Use Matrix by the symbol “X”. The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft overflying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft overflights.
- Allowed when the use is secondary to other uses.

*Source: ALUC 2007*

As shown in the above table, overhead transmission lines are prohibited uses in all safety zones. The ALUP further defines above-ground electric transmission lines as “hazardous materials” that could substantially contribute to the severity of an aircraft accident if they were to be involved in one.

**COUNTY OF SAN LUIS OBISPO GENERAL PLAN**

The County of San Luis Obispo’s General Plan guides development within unincorporated areas of the county. The Land Use and Circulation Elements (LUCE) of the County’s General Plan are divided into four major sections:

- Framework for Planning – Inland Area (Part I);
- The Area Plans (Part II);
- The Community/Village Plans (Part III), and
- The Official Maps (Part IV).

The first two sections are discussed below. The Proposed Project, reasonably foreseeable distribution components, and alternatives are not located in any areas that are covered under the Community/Village Plans (Part III). The Official Maps (Part IV) are the maps that show how the land use categories and combining designations are applied to each parcel of land in the county.

### ***The Framework for Planning – Inland Area (LUCE Part I)***

The Framework for Planning – Inland Area describes the official County policies on the location of land uses and their orderly growth and development, and represents the County’s values and goals regarding land use in each unincorporated community and the rural areas of the county (County of San Luis Obispo 2015). Below are principles and policies from the Framework for Planning – Inland Area that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Principle 1:** Preserve open space, scenic natural beauty and natural resources. Conserve energy resources. Protect agricultural land and resources.

*Policy 3.* Preserve and sustain important water resources, watersheds and riparian habitats.

*Policy 5.* Conserve energy resources by:

- a. Decreasing reliance on environmentally costly energy sources, increasing conservation efforts, and encouraging use of alternative energy sources.

*Policy 7.* Give highest priority to avoiding significant environmental impacts from development through site and project design. Where such impacts cannot be avoided, minimize them to the maximum extent feasible.

### ***The Area Plans (LUCE Part II)***

The LUCE Part II is comprised of four inland planning areas and their area plans: Carrizo, North County, San Luis Obispo, and South County (County of San Luis Obispo 1980). The Proposed Project area, reasonably foreseeable distribution components, and alternatives are located within the North County Planning Area, and therefore are covered under the North County Area Plan (County of San Luis Obispo 2014a).

#### **North County Area Plan**

Within the North County Planning Area, the Proposed Project, reasonably foreseeable distribution components, and alternatives are located within both the El Pomar-Estrella and Salinas River sub-areas. Goals and policies within the North County Area Plan are identified by sub-area, as discussed further below. The North County Area Plan also discusses categories called combining designations, which are special overlay categories applied in areas of the county with hazardous conditions or special resources (County of San Luis Obispo 2014a). More detailed project review is needed in these areas to avoid adverse environmental impacts or effects of hazardous conditions.

#### ***El Pomar-Estrella Sub-Area***

The following goals and policies from the El Pomar-Estrella Sub-Area are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives (County of San Luis Obispo 2014a):

**Goal 1:** Land use consistent with the area’s heritage and historic rural character.

**Goal 5:** Natural resources that are protected and reserved.

*Policy 1.* Preserve agricultural operations by directing new development toward existing communities and subdivisions and away from agricultural uses, requiring new development to mitigate its impacts on existing agricultural operations, and supporting and maintaining the County Right-to-Farm Ordinance.

*Policy 3.* Protect the area near Paso Robles and the airport for agricultural use, and avoid any land use category changes that would diminish its agricultural potential and introduce non-agricultural uses in the area.

### *Salinas River Sub-Area*

Goals for the Salinas River Sub-Area that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives include the following (County of San Luis Obispo 2014a):

**Goal 12.** Preserve or minimize impacts to important native habitats, such as significant stands of oak woodlands, riparian vegetation and important wildlife corridors.

**Goal 13.** Recognize the importance of the Salinas River as a natural and multi-use resource, and permit development that will minimize or avoid impacts to this resource.

## **COUNTY OF SAN LUIS OBISPO LAND USE ORDINANCE (TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE)**

The County’s Land Use Ordinance is the primary tool it uses to carry out the goals, objectives, and policies of the General Plan (County of San Luis Obispo 2017). Table 2-2, “Allowable Land Uses and Permit Requirements” in the Land Use Ordinance states that transmission lines are an allowable use on all types of designated land uses except for open space where they are a permitted use. Table 2-2 also states that public utility facilities are an allowable use, subject to the land use permit required by Section 22.08.030, Table 2-3, on lands designated as Commercial/Service and Industrial. Similar to transmission lines, public utility facilities are a permitted use in open space. Public utility facilities are subject to a conditional use permit if they will be constructed on any other land use types.

When not preempted by state law, the County land use ordinance includes standards that project proponents must adhere to in order for their project to be approved. These standards include environmental quality assurance (schedule and plan for monitoring, demonstration of compliance with Conditional Use Permit), clearing and revegetation (minimizing how much vegetation is removed, topsoil salvage, replanting), and fencing and screening (creating a visual barrier).

## **CITY OF PASO ROBLES GENERAL PLAN**

The *Land Use Element* (City of Paso Robles 2003b) of the City of Paso Robles General Plan establishes a planned land use pattern and long-range policies to guide growth within the City limits and Sphere of Influence. Goals and policies in the *Land Use Element* that are potentially

relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives include the following:

**Goal LU-2: Image/Identity.** Maintain/enhance the City’s image/identity.

*Policy LU-2B, Visual Identity.* Promote architectural and design excellence by imposing stringent design and construction standards for commercial, industrial, mixed-use, and multi-family projects.

*Policy LU-2E: “Purple Belt” (Open Space/Conservation Areas Around the City).* Create a distinct “Purple Belt” surrounding the City by taking actions to retain the rural, open space, and agricultural areas.

*Policy LU-2K: Support Environmental Responsibility.* Manage the natural landscape to preserve the natural beauty and rural identity of the community, which enhances ecological functions and maintains environmental and public health.

**CITY OF PASO ROBLES ZONING ORDINANCE**

The City of Paso Robles Zoning Ordinance identifies permitted activities/developments within City zoning districts. The following shows the City of Paso Robles regulations for transmission lines and electric substations in zoning districts that occur along or within the Proposed Project, reasonably foreseeable distribution components, and alternatives.

P (permitted use) denotes a land use which is permitted.

C (conditional use) denotes a land use which requires approval of a conditional use permit (CUP).

Land Use	Zoning District									
	AG	RA	R1	R2	C1	C3	RC	PM	AP	POS
Power transmission lines	C	C	C	C	P	P	P	P	P	P
Substations	C	C	C	C	C	C	C	C	C	P

Zoning Districts: agriculture (AG); residential agriculture (RA); single-family residential (R1); duplex/triplex (R2); general retail commercial (C1); commercial/light industry (C3); regional commercial (RC); planned industrial (PM); airport planned (AP), and; parks and open space (POS).

**CITY OF ATASCADERO GENERAL PLAN**

The City of Atascadero General Plan *Land Use, Open Space and Conservation Element* (2002a) includes the following policy related to land use that is potentially relevant to Alternative BS-2:

*Policy 1.3.* Enhance the rural character and appearance of the City, including commercial corridors, gateways and public facilities.

Programs:

1. Require landscaping and/or screening to buffer non-residential uses from residential areas.

*Policy 2.1.* Ensure that new development is compatible with existing and surrounding neighborhoods.

## A.12 MINERAL RESOURCES

### COUNTY OF SAN LUIS OBISPO LAND USE ORDINANCE (TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE)

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

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

The EX1 combining designation, by contrast, is used to identify areas of the county that the California Geological Survey (CGS) has classified as containing or being highly likely to contain significant mineral deposits. This designation is used to protect existing resource extraction operations from encroachment by incompatible land uses that could hinder resource extraction.

For projects within County jurisdiction, discretionary approval of any use other than energy production or mineral resource extraction may be granted by the County only when the finding is made that the proposed use would not adversely affect the continuing operation or expansion of the energy or extraction use (LUO 22.14.040 and 22.14.050).

### COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *Conservation and Open Space Element* (County of San Luis Obispo 2010) of the County of San Luis Obispo General Plan establishes goals, policies, and implementation measures for the protection and preservation of natural resources, including mineral resources. The following goals and policies are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal MN 2:** Significant mineral resources will be protected from land uses that threaten their availability for future mining.

*Policy MN 2.1, Protect Mineral Resources.* Protect mineral and aggregate resources from incompatible uses in designated areas likely to contain significant mineral deposits in order that such deposits may be available for future use. Extract in-stream aggregate materials in a sustainable manner that balances the rate of extraction with the rate of natural replenishment.

*Policy MN 2.2, Incompatible Development.* Protect existing resource extraction operations from encroachment by incompatible land uses, land use category changes, and land divisions that could hinder resource extraction.

### **CITY OF PASO ROBLES GENERAL PLAN**

No goals or policies in the City of Paso Robles General Plan related to mineral resources are relevant to the Proposed Project, reasonably foreseeable distribution components, or alternatives.

### **CITY OF ATASCADERO GENERAL PLAN**

The City of Atascadero General Plan *Land Use, Open Space and Conservation Element* (2002a) includes the following policy related to mineral resources that are potentially relevant to Alternative BS-2:

*Policy 10.4.* Ensure that development in mineral resource areas is appropriate and compatible with existing uses.

## **A.13 NOISE**

### **COUNTY OF SAN LUIS OBISPO GENERAL PLAN**

The County of San Luis Obispo General Plan *Noise Element* (County of San Luis Obispo 1992) contains the following goals and policies that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal 1:** To protect the residents of San Luis Obispo County from the harmful and annoying effects of exposure to excessive noise.

**Goal 2:** To protect the economic base of San Luis Obispo County by preventing incompatible land uses from encroaching upon existing or planned noise-producing uses.

**Goal 3:** To preserve the tranquility of residential areas by preventing the encroachment of noise-producing uses.

**Goal 5:** To avoid or reduce noise impacts through site planning and project design, giving second preference to the use of noise barriers and/or structural modifications to buildings containing noise-sensitive land uses.

*Policy 3.3.5:* Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modifications that may increase noise levels shall be mitigated as follows and shall be the responsibility of the developer of the stationary noise source:

...

- c. Noise levels shall be reduced to or below the noise level standards in Table 3-2 where the stationary noise source will expose an existing noise-sensitive land use



(which is listed in the Land Use element as an allowable use within its existing land use category) to noise levels which exceed the standards in Table 3-2. When the affected noise-sensitive land use is Outdoor Sports and Recreation, the noise level standards in Table 3-2 shall be increased by 10 Db.

Where the noise source is one of the following electrical substations which is not modified so as to increase noise levels, the noise standards shall instead be fifty dB between 10 p.m. and 7 a.m. and fifty-five dB between 7 a.m. and 10 p.m., determined at the property line of the receiving land use: the Cholame, San Miguel, Templeton, Cambria, Perry, Cayucos, Baywood, Highway 1 between Morro Bay and the California Men’s Colony, Goldtree, Foothill, San Luis Obispo, Oceano, Mesa, Union Oil, Callender, and Mustang electrical substations.

- d. Noise levels shall be reduced to or below the noise level standards in Table 3-2 where the stationary noise source will expose vacant land in the Agriculture, Rural Lands, Residential rural, Residential Suburban, Residential Single-Family, Residential Multi-Family, Recreation, Office and Professional, and Commercial Retail land use categories to noise levels which exceed the standards in Table 3-2.

Where the noise source is one of the following electrical substations which is not modified so as to increase noise levels, the noise standards shall instead be fifty dB between 10 p.m. and 7 a.m. and fifty-five dB between 7 a.m. and 10 p.m., determined at the property line of the receiving land use: the Cholame, San Miguel, Templeton, Cambria, Perry, Cayucos, Baywood, Highway 1 between Morro Bay and the California Men’s Colony, Goldtree, Foothill, San Luis Obispo, Oceano, Mesa, Union Oil, Callender, and Mustang electrical substations.

This policy may be waived when the Director of Planning and Building determines that such vacant land is not likely to be developed with a noise sensitive land use.

...

**[General Plan] Table 3-2. Maximum Allowable Noise Exposure-Stationary Noise Sources<sup>1</sup>**

	<b>Daytime (7 a.m. to 10 p.m.)</b>	<b>Nighttime<sup>2</sup> (10 p.m. to 7 a.m.)</b>
Hourly Leq9, dB	50	45
Maximum level, dB	70	65
Maximum level, dB-Impulsive Noise	65	60

<sup>1</sup> As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures.

<sup>2</sup> Applies only where the receiving land use operates or is occupied during nighttime hours.

## COUNTY OF SAN LUIS OBISPO NOISE ORDINANCE

The County of San Luis Obispo Noise Ordinance is largely consistent with the policies and standards outlined in the General Plan Noise Element (see above). However, the Noise Ordinance specifically exempts construction activities from the exterior noise level standards provided that they do not occur before 7 a.m. or after 9 p.m. any day except Saturday or Sunday, or before 8 a.m. or after 5 p.m. on Saturday or Sunday (Section 23.06.042 [d]). The County Noise Ordinance includes the same exterior noise level standards as shown in Table 3-2 of the Noise Element, and includes the same provisions for electrical substations described in the Noise Element.

## CITY OF PASO ROBLES MUNICIPAL CODE

The City of Paso Robles Municipal Code contains the following regulations that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

### Chapter 9.07 – PROHIBITED CONDUCT

#### 9.07.030 – Description of representative offensive conduct.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section, but said enumeration shall not be deemed to be exclusive namely:

...

- j) Construction or repairing of buildings. The erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the zoning administrator, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of seven p.m. and seven a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of seven p.m. and seven a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.

...

- l) Pile drivers, hammers, etc. The operation between the hours of seven p.m. and seven a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector or the director of public services authorizing such

devices to be operated during the otherwise prohibited hours while the emergency continues.

#### Chapter 21.60 – NOISE

##### 21.60.060 – Exterior and interior noise standards.

- A. The noise standards contained in Table 1 below, unless otherwise specifically indicated in this chapter, shall apply to all noise-sensitive exterior and interior areas within the city.
- B. It is unlawful for any person at any location within the city to create any noise which causes the noise levels on an affected property, when measured in the designated sensitive exterior or interior location, to exceed the noise standards specified below in Table 1.

**Table 1. Exterior Noise Standards for Locally Regulated (non-transportation) Noise Sources Paso Robles Noise Control Ordinance**

Receiving Land Use	Period <sup>3</sup>	Exterior Areas <sup>1</sup>		Interior Spaces <sup>2</sup>	
		Lmax <sup>4</sup>	Leq <sup>5</sup>	Lmax <sup>4</sup>	Leq <sup>5</sup>
Residential	Day	75	55	60	45
	Evening	70	50	55	40
	Night	65	45	45	35
Mixed Use Residential	Day	-	-	60	45
	Evening	-	-	55	40
	Night	-	-	45	35
Hotels, Hospitals <sup>6</sup> & Nursing Homes	Day	75	60	60	45
	Evening	75	55	55	40
	Night	70	50	45	35
Uptown Town Center S.P. Are (UTCSP) Residential	Day	80	60	60	45
	Evening	75	55	55	40
	Night	70	50	45	35
Theaters & Auditoriums	Day	75	55	40	35
	Evening	70	50	40	35
	Night	-	-	40	35
Churches, Meeting Halls, Libraries	Day	75	55	55	45
	Evening	70	50	55	40
Schools <sup>7</sup>	Day	-	-	55	40
	Evening	-	-	55	40

Receiving Land Use	Period <sup>3</sup>	Exterior Areas <sup>1</sup>		Interior Spaces <sup>2</sup>	
		Lmax <sup>4</sup>	Leq <sup>5</sup>	Lmax <sup>4</sup>	Leq <sup>5</sup>
Office/Professional	Day	80	60	60	45
	Evening	75	55	60	45
Commercial/Retail Buildings	Day	80	60	60	50
	Evening	75	55	60	50
Playgrounds, Parks, etc.	Day	75	55	-	-
	Evening	75	55	-	-
Industrial	Day	80	60	60	50
	Evening	75	55	60	50

## Specific Notes:

1. Noise sensitive areas are defined in the acoustic terminology section.
2. Interior noise level standards are applied within noise-sensitive areas of the various land uses, as defined in the acoustic terminology section, with windows and doors closed.
3. Daytime hours = 7 a.m. to 7 p.m. Evening hours = 7 p.m. to 10 p.m. Nighttime hours = 10 p.m. to 7 a.m.
4. Lmax = Highest measured sound level occurring during a given interval of time (typically 1 hours).
5. Leq = Average or "Equivalent" noise level during the worst-case hour in which the building is in use.
6. Hospitals are often noise-generating uses. The exterior noise level standards for hospitals are applicable only at clearly identified areas designated for outdoor relaxation by either hospital staff or patients.
7. Exterior areas of school uses are not typically noise-sensitive. As a result, the standards for schools are focused on the interior office and classroom spaces.
  - a. Where the noise source in question consists of speech or music, or is impulsive in nature, or contains a pure tone, the noise standards of this table are reduced by 5 dB.
  - b. Where ambient noise levels exceed the noise level standards shown above, the noise standards shall be increased in 5 dBA increments to encompass the ambient.
  - c. Reductions in the noise standards for noise sources identified in general note "A" above shall be applied after any increases warranted by elevated ambient conditions prescribed in general note "B," subject to verification through a noise study.

## 21.60.090 – Prohibited noise disturbances.

Notwithstanding any of the provisions of this chapter, include full compliance with Table 1 (Section 21.60.060.B.) the following acts are prohibited within the city, subject to the exceptions cited in this chapter:

...

6. Vibration. Operating or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of an individual at any

sensitive location if the source is on private property or at one hundred fifty feet from the source if on a public space or public right-of-way.

#### 21.60.100 – Exemptions.

The following sources of noise shall be exempt from the provisions of this chapter:

1. Emergency warning devices and equipment operated in conjunction with emergency situations, such as sirens and emergency generators which are activated during power outages. The routine testing of such warning devices and equipment, including generators, is also exempt provided such testing occurs during daytime hours.

...

5. Construction and demolition activities located within one thousand feet of noise-sensitive land uses provided they occur during normal daytime hours, excluding Sundays and federal holidays, subject to the conditions imposed by city permit. For construction activities, daytime hours are defined as seven a.m. to seven p.m. Construction activities occurring between the hours of seven p.m. and seven a.m. must comply with the interior noise level standards identified in Table 1 unless an exception has been granted by the city planning department. An exception for concrete pours or other construction activities requiring an early morning start time may be authorized by the community development director.
6. Construction and demolition activities located beyond one thousand feet of noise-sensitive land uses, subject to the conditions imposed by city permit. For construction activities, daytime hours are defined as seven a.m. to seven p.m.
7. When an unforeseen or unavoidable condition occurs during a construction project and the nature of the project necessitates that work in process be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work outside of the hours delineated above and to operate machinery and equipment necessary until completion of the specific work in progress can be brought to conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner.

## CITY OF ATASCADERO GENERAL PLAN

The following goals in the City of Atascadero General Plan *Safety and Noise Element* (2002b) are potentially relevant to Alternative BS-2:

**Goal SFN 6.** Protect the citizens of Atascadero from the harmful and annoying effects of exposure to excessive noise.

**Goal SFN 7.** Protect the economic base of Atascadero by preventing incompatible land uses from encroaching upon existing or planned noise-producing uses.

**Goal SFN 8.** Preserve the tranquility of residential areas by preventing the encroachment of noise-producing uses.

**Goal SFN 10.** Avoid or reduce noise impacts through site planning and project design, giving second preference to the use of noise barriers and/or structural modifications to buildings containing noise-sensitive land uses.

## A.14 POPULATION AND HOUSING

### SAN LUIS OBISPO COUNCIL OF GOVERNMENTS

The San Luis Obispo Council of Governments (SLOCOG) is a Joint Powers Agency comprising the County of San Luis Obispo and the incorporated cities of Arroyo Grande, Atascadero, Paso Robles, Grover Beach, Morro Bay, Pismo Beach, and San Luis Obispo. SLOCOG prepares the Regional Housing Needs Allocation (RHNA) and the Sustainable Communities Strategy as part of the Regional Transportation Plan. SLOCOG adopted the 2019 RHNA Plan that covers 2020 through 2028 (SLOCOG 2020). This plan does not provide regulation but discloses information on the anticipated growth within the region over the given period, thereby allowing the county and cities to anticipate and plan for this growth.

### COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The County of San Luis Obispo General Plan *Housing Element* (County of San Luis Obispo 2014b) provides the framework by which the County identifies long term housing needs, assesses the adequacy of existing housing, and identifies sites for future housing development in sufficient quantity and variety based on projected population growth. The *Housing Element* includes the following goals and policies related to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Overall Goal:** Achieve an adequate supply of safe and decent housing that is affordable to all residents of San Luis Obispo County.

*Policy HE 1.12:* Reduce infrastructure constraints for development of housing to the extent possible. Infrastructure such as sewage disposal systems, water systems, and roads are necessary to support new housing.

### CITY OF PASO ROBLES GENERAL PLAN

The City of Paso Robles General Plan *Housing Element* (City of Paso Robles 2014) generally seeks to maintain the rural, agricultural atmosphere of the City of Paso Robles area. The following goals in the *Housing Element* potentially relate to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal H-1:** Develop a range of housing types, densities, and affordability levels to meet the diverse needs of the community, maintaining a balanced supply of ownership and rental units.

**Goal H-3:** Preserve the City's neighborhoods in a safe and decent condition and eliminate the causes and spread of blight.

**Goal H-4:** Mitigate or remove existing and potential governmental constraints to housing production and affordability.

**Goal H-6:** Design neighborhoods, subdivisions, sites, and housing units to effectively manage natural resources.

### **CITY OF ATASCADERO GENERAL PLAN**

No goals or policies in the City of Atascadero General Plan related to population and housing are potentially relevant to Alternative BS-2.

## **A.15 PUBLIC SERVICES**

### **COUNTY OF SAN LUIS OBISPO GENERAL PLAN**

No goals or policies in the County of San Luis Obispo General Plan are directly related to public services and the Proposed Project, reasonably foreseeable distribution components, and alternatives.

### **CITY OF PASO ROBLES GENERAL PLAN**

The City of Paso Robles General Plan *Land Use Element* (City of Paso Robles 2003b) contains the following policy and action item related to public services and the Proposed Project, reasonably foreseeable distribution components, and alternatives:

*Policy LU-4A: Service Levels.* Strive to ensure that City services and facilities are maintained at current levels and/or adopted standards and are funded as revenues become available. These standards are summarized as follows:

- Police: Maintain a ratio of 0.5 non-sworn personnel per 1,000 population.
- Emergency Services: Strive to achieve a 4-minute response to 90% of the calls for service. Maintain a ratio of 0.8 to 1.3 firefighters per 1,000 population.
- Library: Maintain 0.5 square feet per capita of library facilities.

Action Item 1. Direct City revenues toward continuing to fund the public services and on-going maintenance/operation of public facilities and utilities provided by the City (water, sewer, storm drains, police, emergency services, library, recreational services, and solid waste).

### **CITY OF ATASCADERO GENERAL PLAN**

No goals or policies in the City of Atascadero General Plan related to public services are potentially relevant to Alternative BS-2.

## A.16 RECREATION

### COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The County of San Luis Obispo General Plan *Parks and Recreation Element* (County of San Luis Obispo 2006b) includes the following goals and policies related to recreation and the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal 1:** An equitable and quality public park system within San Luis Obispo County.

*Policy 2.4:* Preserve County parkland for active and passive recreation. Community facilities, which have little to no recreational component, shall be placed outside of an existing or proposed park.

**Goal 7:** High quality park maintenance that is cost effective and environmentally sensitive.

*Policy 2.4:* Require new development adjacent to parks, recreation and natural areas to be designed to function with and enhance park resources. Adjacent, new private development should not detract from or use adjacent park or natural area resources for their own private use.

### SAN LUIS OBISPO COUNTY BIKEWAYS PLAN

The 2015/2016 *County Bikeways Plan* (County of San Luis Obispo 2016b) identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bike lanes, routes, parking, connections with public transportation, educational programs, and funding. The plan outlines bikeway classifications, rules of operation, and standards including design manuals and local planning documents. The plan also summarizes the County's bicycle circulation network including existing and future bicycle facilities, education, demand, safety, and future funding priorities. The Plan identifies River Road as a Class III bikeway, proposed to be improved as a Class II bikeway, located near the Proposed Project and Alternatives SE-PLR-1, SE-1A, and BS-2. There are no other designated County bikeways near the Proposed Project, reasonably foreseeable distribution components, or alternatives.

### CITY OF PASO ROBLES GENERAL PLAN

The City of Paso Robles General Plan *Parks and Recreation Element* (City of Paso Robles 2003e) includes the following goals, policies, and action items related to recreation and the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal PR-1:** Optimize the use and development of parks and recreation facilities to serve the existing and projected population.

*Policy PR-1A. Parks and Recreation Facilities.* Strive to Achieve a 7-acres per 1,000 population parkland standard.

Action Item 3. Allow activities and land uses near park areas that are compatible with the setting of a park.



## CITY OF PASO ROBLES BICYCLE & PEDESTRIAN MASTER PLAN

The City of Paso Robles *Bicycle & Pedestrian Master Plan* (City of Paso Robles 2018) was established to meet the City's goal of becoming a bike and walk-friendly city. The plan sets out to establish better bicycle and pedestrian connections, provide bike and pedestrian safety education, and increase bicycle- and walking-related tourism. The plan implements City of Paso Robles General Plan policies to provide connected neighborhoods and districts so that alternative modes of transportation, such as bicycling and walking, are viable alternatives for transportation.

## SALINAS RIVER TRAIL CONCEPTUAL MASTER PLAN

The *Salinas River Trail Conceptual Master Plan* (San Luis Obispo Council of Governments 2014) addresses the development of the Salinas River Trail along a 35-mile section between the communities of San Miguel and Santa Margarita, and defines specific trail alignments within the Salinas River corridor. The *Bicycle and Pedestrian Master Plan* (see above) identifies the proposed Salinas River Trail routes in and around the City of Paso Robles.

## CITY OF ATASCADERO GENERAL PLAN

No goals or policies in the City of Atascadero General Plan are directly related to recreation and Alternative BS-2.

# A.17 TRANSPORTATION

## COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The County of San Luis Obispo General Plan *Land Use and Circulation Elements, Framework for Inland Areas* (County of San Luis Obispo 2015) describes the official County policy on the location and orderly development of land uses; correlates land use with transportation, and sets forth programs to implement countywide goals and policies for land use and circulation in the unincorporated areas of the County. The following goals in the *Circulation Element* are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal 2:** Plan transportation system improvements to provide for, but not exceed, the capacities that are needed to serve the travel demand generated by the year 2010 population, consistent with the land use patterns allowed by the Land Use Element and the cities' general plans, so that growth is not facilitated or induced in inappropriate amounts or locations.

**Goal 4:** Coordinate the transportation system between different modes of travel, sensitive to the needs and desires of citizens in a manner that will provide an optimum benefit for the investment of public funds.

**Goal 7:** Design a transportation system that provides for safe travel within attainable, feasible economic and technical means.

## COUNTY OF SAN LUIS OBISPO ENCROACHMENT PERMITS

The County of San Luis Obispo Department of Public Works issues encroachment permits for construction and other activities proposed in the County right-of-way. The standard conditions of this permit include requirements to minimize inconvenience to the traveling public and ensure that all warning signs, lights, devices, and procedures conform to the latest California Manual of Uniform Traffic Control Devices (CMUTCD) (San Luis Obispo County 2019c).

## CITY OF PASO ROBLES GENERAL PLAN

The *Circulation Element* (2019) of the City of Paso Robles General Plan addresses infrastructure needs for the mobility of people, and to support the development of an efficient system allowing travel by multiple modes. The following goal and policies in the *Circulation Element* are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal CE-1:** Establish a safe, balanced, efficient, and multimodal circulation system, focusing on the mobility of people, and preserving the City’s small town character and quality of life.

*Policy CE-1B: Reduce Vehicle Miles Traveled (VMT).* The City shall strive to reduce VMT generated per household per weekday by making efficient use of existing transportation facilities and by providing direct routes for pedestrians and bicyclists through the implementation of sustainable planning principles.

*Policy CE-1F: Pedestrian and Bicycle Access.* Provide safe and convenient pedestrian and bicycle access to all areas of the city.

## CITY OF PASO ROBLES ENCROACHMENT PERMITS

The City of Paso Robles Department of Public Works issues encroachment permits for construction and other activities proposed in the City right of way. The standard conditions of this permit include requirements to minimize inconvenience to the traveling public; ensure that all warning signs, lights, devices, and procedures conform to the latest CMUTCD; and provide traffic control for lane closures in compliance with Caltrans Standard Plans for Traffic Control Systems (City of Paso Robles 2019).

## CITY OF ATASCADERO GENERAL PLAN

No goals or policies in the City of Atascadero General Plan directly relate to transportation and Alternative BS-2.

# A.18 TRIBAL CULTURAL RESOURCES

## COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *Conservation and Open Space Element* (2010) of the County of San Luis Obispo General Plan states that “Cultural resources include sites of important events, traditional cultural places and sacred sites, and places associated with an important person. Sites of important events,

traditional cultural places, and sacred sites, or places associated with an important person may lack obvious physical characteristics.”

### **CITY OF PASO ROBLES GENERAL PLAN**

The City of Paso Robles General Plan *Conservation Element* (2003a) includes the following policy and action item related to tribal cultural resources (TCRs) that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

*Policy C-6B, Archaeological Resources.* Strive to preserve/protect “unique archaeological resources” as defined by the California Environmental Quality Act (CEQA).

Action Item 1. Require the preparation of archaeological studies and/or preliminary evaluation reports for new developments that are subject to CEQA and the site could potentially contain a “unique archaeological resource.” Incorporate mitigation measures identified by such studies into the development.

### **CITY OF ATASCADERO GENERAL PLAN**

The City of Atascadero General Plan *Land Use, Open Space and Conservation Element* (2002a) includes the following policy related to TCRs and Alternative BS-2:

*Policy 6.2.* Protect prehistoric cultural resources from disturbance associated with development.

Programs:

5. If determined appropriate by a qualified archaeologist, actively involve Native Americans with any work located within known archaeological sites.
6. If archaeological resources are unearthed during construction, suspend all earth-disturbing work until appropriate mitigation is established.

## **A.19 UTILITIES AND SERVICE SYSTEMS**

### **COUNTY OF SAN LUIS OBISPO INTEGRATED WASTE MANAGEMENT AUTHORITY ORDINANCE NO. 2008-3**

The purpose of the County of San Luis Obispo’s Integrated Waste Management Authority Ordinance No. 2008-3 is to establish requirements for the recycling of recyclable materials generated from residential facilities (both single family and multi-family), commercial facilities (including institutional, governmental and other public buildings), and special events. These requirements are intended to increase the diversion of recyclable materials from landfill disposal, reduce greenhouse gas emissions by recycling more materials, and avoid the potential financial and other consequences of failing to meet and maintain AB 939 (California Integrated Waste Management Act of 1989) requirements (County of San Luis Obispo 2009).

## COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The County of San Luis Obispo General Plan *Conservation and Open Space Element* (2010) includes the following goals related to utilities and service systems that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal E 5:** Recycling, waste diversion, and reuse programs will achieve as close to zero waste as possible.

**Goal WR 1:** The County will have a reliable and secure regional water supply (IRWM).

**Goal WR 4:** Per capita potable water use in the county will decline by 20 percent by 2020.

## CITY OF PASO ROBLES GENERAL PLAN

The City of Paso Robles General Plan *Conservation Element* (2003a) includes the following goals and policies related to utilities and service systems that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal C-1:** Utilities and Infrastructure. Ensure that public utilities, facilities, and services are designed to meet existing and planned land uses, and ensure that provisions are made for continued operation maintenance, and updates as necessary.

*Policy C-1A, Water Source, Supply, and Distribution.* Develop and implement various innovative water provision and conservation programs that help to ensure an adequate supply of water for the City.

*Policy C-1B, Sewer Service.* Provide adequate wastewater conveyance and treatment facilities as part of the Capital Improvement Plan/Budget.

*Policy C-1C, Storm Drainage.* Provide storm drain systems that efficiently and safely mitigate flood risk, while effectively managing storm water through implementation of LID features, so that downstream run-off is limited to pre-development volumes and velocity before it is conveyed to the Salinas River, Huerhuero Creek, and their tributaries.

*Policy C-1D, Solid Waste.* Ensure that the City's landfill maintains sufficient capacity to serve the needs of the City through the year 2025.

## CITY OF ATASCADERO GENERAL PLAN

No goals or policies in the City of Atascadero General Plan relate directly to utilities and service systems and Alternative BS-2.

## A.20 WILDFIRE

### COUNTY OF SAN LUIS OBISPO EMERGENCY OPERATIONS PLAN

The County of San Luis Obispo (2016) has adopted an Emergency Operations Plan (EOP) that addresses several overall policy and coordination issues and functions related to emergency management. The functions focus on actions such as public alert and notification, and protective actions that local government may need to take during the initial phase of response operations and that fall outside of the day-to-day field and related response missions. The EOP is the overall master planning document for emergency preparedness, response, and recovery activities for the County of San Luis Obispo.

### COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The County of San Luis Obispo General Plan *Safety Element* (1999) contains the following goal and policies related to wildfire prevention that potentially apply to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal S-4:** Reduce the threat to life, structures and the environment caused by fire.

*Policy S-13 Pre-Fire Management:* New development should be carefully located, with special attention given to fuel management in higher fire risk areas. Large, undeveloped areas should be preserved so they can be fuel-managed. New development in fire hazard areas should be configured to minimize the potential for added danger.

*Policy S-14 Facilities, Equipment and Personnel:* Ensure that adequate facilities, equipment and personnel are available to meet the demands of fire fighting in San Luis Obispo County based on the level of service set forth in the fire agency's master plan.

*Policy S-16 Loss Prevention:* Improve structures and other values at risk to reduce the impact of fire. Regulations should be developed to improve the defensible area surrounding habitation.

### CITY OF PASO ROBLES GENERAL PLAN

The City of Paso Robles General Plan *Safety Element* (2003d) contains the following goal and policies related to natural and manmade hazards, including wildfire, that are potentially relevant to the Proposed Project, reasonably foreseeable distribution components, and alternatives:

**Goal S-1:** Minimize exposure to natural and manmade hazards.

*Policy S-1A: Hazard Education.* Continue to inform the public about hazards, hazard avoidance, and disaster response.

*Policy S-1B: Disaster Response.* Review/Update the community-wide Multi-Hazard Emergency Response Plan on a periodic basis.

*Policy S-1D: Structural Safety.* Rely on the City’s planning and building permit review process to ensure that existing and proposed structures are adequately designed, and to reduce susceptibility to damage from fire, flooding, and geologic hazards.

## **CITY OF ATASCADERO GENERAL PLAN**

The City of Atascadero General Plan *Safety and Noise Element* (2002b) includes the following goals and policies related to wildfire and Alternative BS-2:

**Goal SFN 3.** Reduce the threat to life, structures, and the environment caused by fire.

*Policy 3.2.* Plan for adequate facilities, equipment, and personnel to meet firefighting demands.

*Policy 3.3.* Sustain the ability of the Fire Department to respond to emergencies.

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