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## **2.0 IMPACT ANALYSIS**

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## **2.0 IMPACT ANALYSIS INTRODUCTION**

The following is an introduction to the environmental analysis of the project-specific and cumulative impacts resulting from implementation of the proposed project. This introduction describes the general assumptions used in the analysis. The reader is referred to the individual technical sections of the DEIR (Sections 2.1 to 2.6) regarding the specific assumptions and methodologies used in the analysis for that particular technical subject.

The Impact Analysis section of this DEIR (Sections 2.1 through 2.6) contains a discussion of the possible environmental effects of the proposed project for the specific issue areas that were identified as having the potential to experience significant impacts.

“Significant effect” is defined by the State California Environmental Quality Act (CEQA) Guidelines Section 15382 as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”

### **2.0.1 BASELINE ENVIRONMENTAL CONDITIONS ASSUMED IN THE DRAFT EIR**

Section 15125(a) of the State CEQA Guidelines requires that an environmental impact report (EIR) include a description of the physical environmental conditions in the vicinity of a project, as they exist at the time the Notice of Preparation (NOP) is published. The CEQA Guidelines also specify that this description of the physical environmental conditions should serve as the baseline physical conditions by which a lead agency determines whether the impacts of a project are considered significant.

The individual analysis sections of the DEIR (see Sections 2.1 through 2.5) identify the environmental setting conditions of the project area as they existed when the NOP for the project was released in March 2010. In addition, the DEIR also includes a summary of the regulatory setting, including any regulations put in place or updated since release of the NOP.

### **2.0.2 ORGANIZATION**

The individual technical sections of the Draft EIR follow the following format.

#### **EXISTING SETTING**

This subsection provides a reference for the physical setting conditions associated with the technical area of discussion, consistent with State CEQA Guidelines Section 15125. As previously identified, the environmental setting is based on conditions, as they existed when the NOP for the project was released on March 18, 2010.

#### **REGULATORY FRAMEWORK**

This subsection consists of the identification of applicable federal, state, regional, and local plans, policies, laws, and regulations that apply to the technical area of discussion.

#### **PROJECT IMPACTS AND MITIGATION MEASURES**

The Project Impacts and Mitigation Measures subsection identifies direct and indirect environmental effects associated with implementation of the proposed project. Standards of

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significance are identified and utilized to determine whether identified environmental effects are considered "significant." Significance thresholds are those criteria adopted by the County or other agencies, which are universally recognized, or are developed specifically for this analysis to determine whether potential effects are significant. Each environmental impact analysis is identified numerically (e.g., Impact 2.1.1 – Substantially Damage Scenic Resources Within State Scenic Highway) and is supported by substantial evidence included in the discussion.

The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact, as follows:

- **Class I.** Significant and Unavoidable: An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the State CEQA Guidelines.
- **Class II.** Significant but Mitigable: An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made under §15091 of the State CEQA Guidelines.
- **Class III.** Less than Significant: An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **Class IV.** Beneficial: An effect that would reduce existing environmental problems or hazards.

A discussion of effects found to be less than significant is found in Section S, Impact and Mitigation Summary, subsection S.1, of the DEIR.

### CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

The proposed project's contribution to cumulative impacts to the environment is discussed at the end of each impact analysis section (Sections 2.1 through 2.5) and summarized in a narrative format in Section S, subsection S.5. This analysis focuses on whether the proposed project's contribution is "cumulatively considerable" (State CEQA Guidelines Section 15130). A cumulative impact occurs from the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time CEQA Guidelines Section 15355(b). Accordingly, the cumulative setting includes related past, present, and reasonably foreseeable projects in the region.

### 2.0.3 INFORMATION UTILIZED IN THIS EIR

This Draft EIR utilizes technical information and analyses from previously prepared documents that are relevant to the consideration of environmental effects of the proposed project, which is supported by the State CEQA Guidelines (see Sections 15148 and 15150).

## **2.1 AESTHETICS/VISUAL RESOURCES**

This section describes the existing visual resources within San Luis Obispo County, identifies regulations in place to protect resources, and discusses the potential impacts to aesthetics and visual resources associated with implementation of the proposed Bob Jones Pathway project (BJP; project). The analysis focuses on any anticipated alteration of the landscape, visual changes within the Highway 101 corridor, and potential impacts associated with individual visual resources.

### 2.1.1 EXISTING SETTING

#### REGIONAL SETTING

The County of San Luis Obispo is characterized by visual resources such as rolling hills, the Pacific Ocean coastline, scenic corridors (areas that have scenic or historic qualities that are visible from recognized roadways), agricultural and open spaces (agricultural and natural, undeveloped land), and the built environment (urban landscape). Mountains and ridgelines, unique geological forms ("seven sisters"), bays, and coastal views are the most obvious of these features. The county also includes many other visual resources such as open meadows, riparian corridors, wetland areas, forested areas, and open spaces. Agricultural areas also contribute to the county's visual quality and aesthetic character. Scenic views of these resources enhance the travel experience on rural roads and highways.

#### Community Separators

A characteristic that distinguishes unincorporated San Luis Obispo County from metropolitan areas is the presence of a defined rural landscape between identifiable communities and towns. These rural landscape areas between individual communities are referred to as community separators and are often considered scenic. The 2006 *San Luis Obispo County Community Separator Study* recommended ways to implement separation in key areas. **Figure 2.1-1** illustrates the general locations identified in the Conservation and Open Space Element (COSE) of the San Luis Obispo County General Plan where special policies should apply (SLOCO 2010a). The BJP is located within a community separator between the City of San Luis Obispo and the community of Avila Beach.

#### Scenic Corridors

View areas, or "viewsheds," from popular public roads and highways that have unique or outstanding scenic qualities are frequently designated as scenic corridors. Inappropriate development or other introduced features such as billboards can intrude on these viewsheds. Some examples are highly visible graded roads and pads, buildings that are placed too close to a highway, buildings that are sited to silhouette against the skyline, or telecommunications facilities, utilities, signage, and other structures that dominate rather than blend with the natural landscape.

Scenic corridors are areas along highways and/or roadways that have been officially designated by the California Department of Transportation (Caltrans) in order to conserve and enhance their scenic beauty. The COSE suggests that several roadways, including Highway 101, should be designated scenic corridors (see COSE Table VR-2). At this time, however, Highway 101 is not an officially designated scenic corridor. The nearest officially designated scenic corridor is Highway 1, which is a designated State Scenic Highway and National Scenic Byway from San Luis Obispo city limits to the Monterey county line.

On a local level, the County has adopted Highway Corridor Design Standards for portions of Highway 101 (San Luis Obispo Land Use Ordinance §22.108.020). These development standards

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are applicable to residential and related development located in specifically designated Sensitive Resource Areas (SRAs) and within 100 feet of the roadway. The proposed project is not subject to design requirements of the Land Use Ordinance; however, it is subject to the policies of the General Plan. According to the San Luis Obispo Area Plan (SLOCO 2010d), the SRA area covers the Irish and San Miguelito hills from the southern boundary of the planning area to the 200-foot elevation because these areas are highly visible from Highways 101 and 227, Los Osos Valley Road, Foothill Boulevard, and Prefumo Canyon Road.

### PROJECT AREA VISUAL SETTING

The majority of the proposed path would be separated from existing streets and would parallel Highway 101 and the San Luis Obispo Creek (SLO Creek) corridor. Both sides of the pathway will be in a natural setting, with 50 percent of the route adjacent to orchards and fields.



*The Octagon Barn*

A Visual Impact Assessment (VIA) for the proposed project was prepared by Wallace Group in conjunction with SWCA Environmental Consultants in January 2010 (Wallace Group 2010), which is included in **Technical Appendix T1** of this DEIR. Along the affected portion of Highway 101, the general character of the area is agricultural with scattered residences. The adjacent Irish Hills are a significant natural feature of this area. The existing visual environment of the BJP route is described as a trail segment, consistent with the areas identified in **Figure 1.0-2**.

**Segment 1** – The Octagon Barn and the South Higuera/northbound Highway 101 on-ramp form the boundaries of Segment 1. The Octagon Barn, located at the trailhead, is a prominent historic architectural feature on the landscape and is clearly visible from Highway 101. The 5,000-square-foot, eight-sided building has a cupola on top reaching over 40 feet above the floor. The octagon structure was built around



*Segment 2: View from South Higuera looking southeast toward Clover Ridge Lane*

1900 as a dairy barn and is accompanied by smaller buildings referred to as the Milking Parlor, which was built in 1938, and the Calf Shed. Restoration of the barn began in 1997, when the barn was near collapse. San Luis Obispo Creek runs along the northwest side of South Higuera Street, with flat, fallow agricultural land southeast of the roadway. The creek crosses to the southeast just north of the Highway 101 on-ramp. Cyclists and vehicles are consistently visible along this stretch of roadway, which is rural in character.



*Segment 1: View of South Higuera facing northeast looking toward Octagon Barn*

**Segment 2** – This segment continues south from the northbound Highway 101 on-ramp located near the existing South Higuera Bridge, past the interchange with Ontario Road, and ends at the Bunnell Bridge crossing of SLO Creek. South Higuera Street, Highway 101, and Ontario Road lie to the west. Riparian habitat along the SLO Creek corridor and agricultural land lie to the east, with the Irish Hills in the distance. This area is classified as generally rural, with the Highway 101/Ontario Road interchange providing the dominant visual element.

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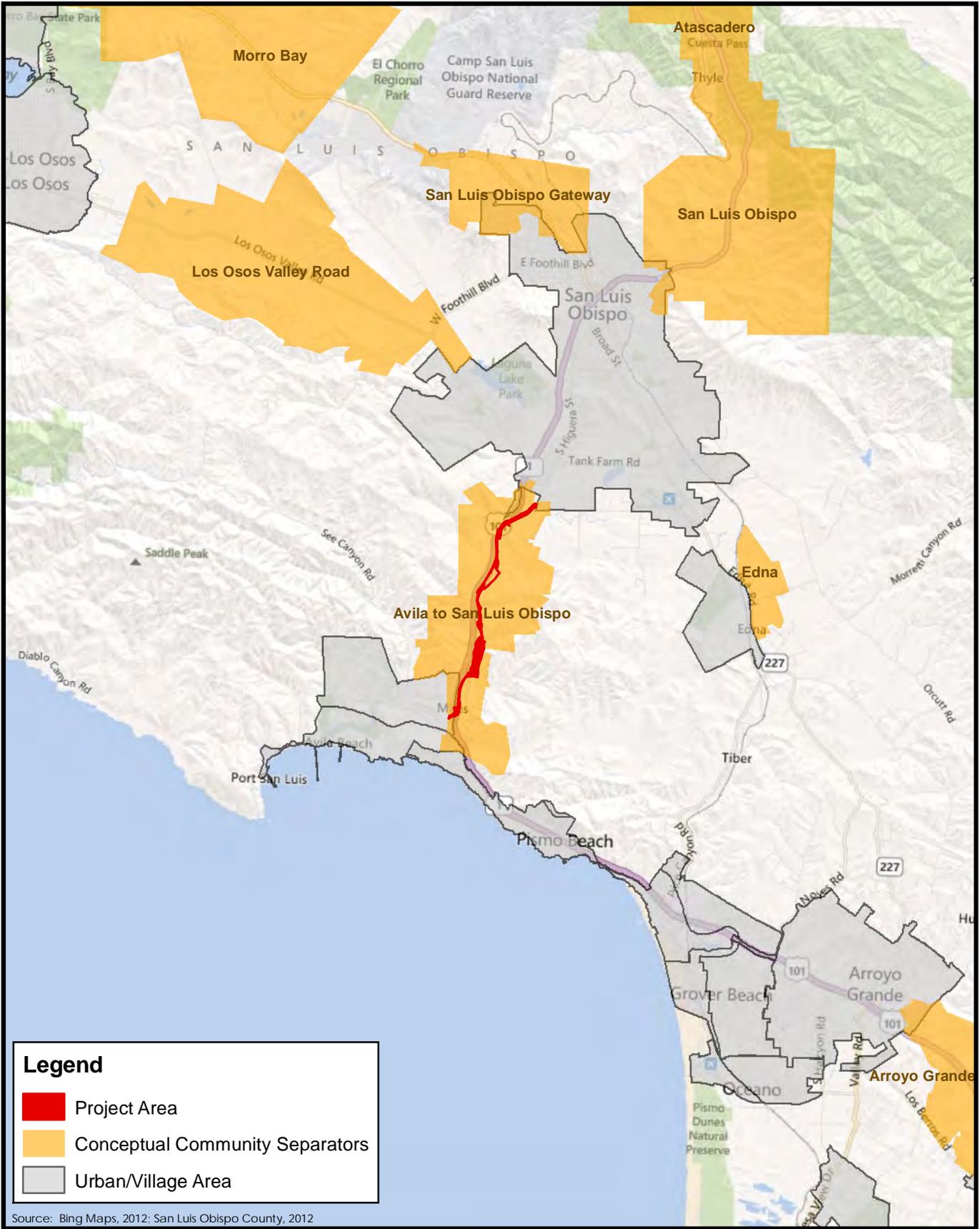


Figure 2.1-1  
Conceptual Community Separators

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Segment 3: Monte Road looking north

**Segment 3** – This segment runs parallel to Highway 101 from the Bunnell Bridge crossing to San Luis Bay Drive. The pathway connects to Monte Road near Baron Canyon Ranch Road. The visual character is dominated by the gap in the hills created by San Luis Obispo Creek. Apple orchards and vineyards run on either side of SLO Creek between the highway and Monte Road. The woodland and riparian vegetation within SLO Creek corridor and the adjacent farm and orchard land to the east provide an important secondary visual pattern in the visual scene.

**Segment 4** – This segment runs between the Monte Road/San Luis Bay Drive intersection and the Highway 101/San Luis Bay Drive northbound off-ramp. SLO Creek crosses San Luis Bay Drive, and relatively dense riparian vegetation extends along the southeast side of the Highway 101/San Luis Bay Drive interchange. There are rolling hills with a residential community entrance off Ontario Road on the west side of Highway 101. The visual character of this area is a mix between rural and residential suburban.



Segment 4: San Luis Bay Drive from Monte Road looking west



Segment 5: Highway 101 looking north toward the San Luis Bay Drive overcrossing

**Segment 5** – This segment starts on the eastern side and ends on the western side of Highway 101 at the existing Ontario Road Staging Area, where the existing Bob Jones Pathway continues. This segment is dominated by Highway 101 and the rolling hills along Ontario Road on the western side of the highway. There are a few commercial businesses and residences within view of the highway, and agricultural fields continue to run along the eastern side of the Highway 101 corridor. There is an existing overcrossing located at San Luis Bay Drive. SLO Creek runs parallel where the hills begin rising to create Squire Canyon; however is not visible from the highway due to dense riparian vegetation. From the Ontario Road Staging

Area, the existing Bob Jones Pathway follows the creek out to the community of Avila Beach.

## EXISTING VISUAL CHARACTERISTICS

### Viewer Sensitivity and Visibility

Those traveling through the project area will have varying sensitivities regarding changes to the visual environment; however, they are anticipated to have moderately high expectations given the overall rural character of the area. A viewer's activities and expectations affect his or her sensitivity level. The number of potential viewers and the duration and dominance of views are important factors to consider, as is anticipated public opinion regarding the established visual character of the landscape.

While the project area has not been specifically designated as a scenic highway, the COSE (Table VR-2) suggests that Highway 101 should be designated a scenic corridor (SLOCO 2010a). Many of the viewers traveling along Highway 101 in the vicinity of the project area will be visitors and tourists to the Central Coast and will have higher visual sensitivity and expectations than the average commercial traveler on Highway 101. While retaining a high level of visual interest and quality, the project area is not a natural destination point such as a seashore community or an

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area that generates high view quality expectations such as the vistas along Highway 1 farther to the north and south.

As shown in **Figures 2.1-2a** and **2.1-2**, the project area lies within a community separator between the City of San Luis Obispo and the community of Avila Beach. COSE Goal VR3 and associated policies and implementation strategies aim to preserve the visual identities of communities by maintaining these community separators between cities and communities. Policies include distinction between rural areas, preservation of rural character and open space, conservation tools and community involvement. In addition, the area has high scenic qualities and a well-defined sense of "vividness" as defined by Caltrans. The existing visual sensitivity of each segment of the BJP would vary, as summarized in **Table 2.1-1**. However, according to the VIA, the visual sensitivity of the overall area was determined to be moderately high.

**TABLE 2.1-1**  
**EXISTING VISUAL SENSITIVITY AND VISIBILITY FOR EACH PROJECT SEGMENT**

Segment	Visual Sensitivity and Visibility Rating
1: Octagon Barn to South Higuera Street Crossing	Moderate
2: South Higuera Street Crossing to Bunnell Crossing	Moderately High
3: Bunnell Crossing to San Luis Bay Drive	Very Low
4: San Luis Bay Drive Crossing	Moderately Low
5: San Luis Bay Drive to Ontario Road Staging Area	High

Notes: Low < 1,000 AADT; Moderate 1,000-10,000 AADT; High > 20,000 AADT

Source: Wallace Group 2010

### Project Visibility

The greatest number of potential views of the project area will be from Highway 101, which averaged approximately 68,000 trips per day in 2007 (Wallace Group 2010). Portions of the proposed BJP, especially the highway overcrossing, will predominantly be visible from the highway and portions would be visible from South Higuera Street and Ontario Road, which have approximately 7,300 trips per day (Wallace Group 2010). According to the VIA, a travelway with potential users of less than 1,000 trips per day is classified as low; between 1,000 and 10,000 trips per day is classified as moderate; and over 10,000 trips or annual average daily trips (AADT) is classified as high. Put another way, rural roads are low, major highways such as Highway 101 are high, and most arterials and collectors will fall into the moderate category. The total combined AADT would result in approximately 79,400 potential viewers per day, which would be classified as high (Wallace Group 2010). However, the visibility of the various segments would vary greatly.

### **Visual Quality**

In general, the project area has moderately high scenic qualities created by the hills and vegetation along the proposed BJP. Visual quality is evaluated based on the following three criteria: vividness, intactness, and unity. Vividness is the visual power or memorability of the landscape components as they combine in striking and distinctive visual patterns. Intactness is the visual integrity of the landscape and its freedom from non-typical encroaching elements. If all of the various elements of a landscape seem to "belong" together, there will be a high level of intactness. Unity is the visual harmony of the landscape considered as a whole. Unity represents the degree to which potentially diverse visual elements maintain a coherent visual pattern. These criteria are evaluated on a scale of one to seven (with one being very low and

seven being very high), both pre- and post-project, from various key viewing areas (KVAs) to assess the magnitude of the potential visual changes caused by a proposed project. The existing visual quality ratings range from moderately low to moderate as summarized in **Table 2.1-2**.

**TABLE 2.1-2  
EXISTING VISUAL QUALITY FOR EACH PROJECT SEGMENT AND KEY VIEWING AREA**

Segment/Key Viewing Area (KVA)	Vividness (V)	Intactness (I)	Unity (U)	Visual Quality (V + I + U/3)
1: Octagon Barn to South Higuera Street Crossing				Moderately Low to Moderate
KVA 1-1	4.00	3.00	4.00	3.67
KVA 1-2	5.00	4.00	4.00	4.33
KVA 1-3	4.00	3.00	3.00	3.33
2: South Higuera Street Crossing to Bunnell Crossing				Moderate
KVA 2-1	5.00	5.00	4.00	4.67
3: Bunnell Crossing to San Luis Bay Drive				Moderate
KVA 3-1	5.00	4.00	4.00	4.33
4: San Luis Bay Drive Crossing				Moderately Low
KVA 4-1	3.50	3.50	4.00	3.66
5: San Luis Bay Drive to Ontario Road Staging Area				Moderately Low to Moderate
KVA 5-1	5.00	5.00	4.00	4.67
KVA 5-2	5.00	5.00	4.50	4.83
KVA 5-3	4.50	4.50	4.00	4.33
KVA 5-4	3.67	3.50	3.33	3.50
KVA 5-5	4.00	4.00	3.00	3.67

Notes: 1 – very low; 2 – low; 3 –moderately low; 4 – moderate; 5 – moderately high; 6 – high; 7 – very high

Source: Wallace Group 2010

**2.1.2 REGULATORY SETTING**

Applicable state and local regulations that apply to aesthetic and visual resources within San Luis Obispo County are identified below.

STATE REGULATIONS

**California State Scenic Highways Program**

The California Scenic Highway Program aims to preserve and enhance the natural beauty of California by preserving and minimizing visual intrusion of highway improvements in areas of outstanding scenic quality and resources. A local jurisdiction defines and nominates a scenic corridor to the State Scenic Highway Program. Once a roadway is designated a state scenic highway, the city or county must also adopt (or document) ordinances and/or policies to preserve the scenic quality of the corridor, which make up the Corridor Protection Program. The Corridor Protection Program is required to include at a minimum the following five elements: (1) regulation of land use and density of development; (2) detailed land and site planning; (3) control of outdoor advertising; (4) careful attention to and control of earthmoving and landscaping; and (5) the design and appearance of structures and equipment.

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### LOCAL REGULATIONS

#### **San Luis Obispo County General Plan**

The San Luis Obispo County General Plan includes various land use objectives, goals, and policies to protect visual resources within various areas within the county. Sensitive Resource Areas (SRA) are highly scenic areas that have been identified as important visual resources, related to communities, rural areas, and viewpoints as well as roads and highways. SRAs are designated in the General Plan and as a zoning overlay. The overlay zoning includes requirements for new development applications, to be designed to protect the existing resources, including but not limited to Highway Corridor Design Standards as applicable.

#### Land Use and Circulation Element (LUCE)

The LUCE and the accompanying Land Use Ordinance provide the framework for County decisions on land use and development, and represent the values and goals of the county regarding land use.

#### Parks and Recreation Element (PRE)

The Parks and Recreation Element, adopted December 19, 2006 (Resolution 2006-47), identifies objectives and policies to ensure adequate park and recreation opportunities including trails for both residents and visitors. Parks and recreation opportunities often are valued primarily for aesthetic and resource preservation reasons. Policies 2.1 and 6.8 of the PRE require that parks are aesthetic and that signs and structures are minimized to reduce impacts on aesthetics of the park facilities.

#### Conservation and Open Space Element (COSE)

The COSE, adopted in May 2010, identifies objectives, goals, and policies to ensure protection of natural resources including majestic natural landmarks, outstanding scenic vistas, and other scenic resources. COSE Goal VR3 and associated policies and implementation strategies aim to preserve the visual identities of communities by maintaining community separators between cities and communities. Policies include distinction between rural areas, preservation of rural character and open space, conservation tools, and community involvement. Goal VR4 and associated policies and implementation strategies identify and protect distinct visual resources within scenic corridors. Policy VR4.1 requires that the County designate scenic corridors based on the recommendations for Scenic Corridor Studies. Policy VR4.2 requires the balanced protection of scenic resources with the protection of biological resources and agricultural resources that may co-exist within the scenic corridor. Goal VR5 and associated policies and implementation strategies protect views from scenic vistas and vista points. Additional COSE goals and policies can be found on the County's website.

#### **General Plan Area Plans**

The General Plan planning area is divided into 13 planning areas, with two of those further subdivided into inland and coastal areas. The proposed BJP lies within the San Luis Obispo Inland planning area and the San Luis Bay Inland planning area, and a small portion of Segment 5 lies within the Avila Beach Urban Reserve Line. The project area is designated for agriculture and rural land uses. The *San Luis Bay Inland Area Plan* (SLOCO 1980) includes rural area programs to protect viewsheds by preserving natural ridgeline profiles and scenic backdrops through open space agreements, contracts, or other appropriate instruments along the Highway 101 corridor.

### **2.1.3 IMPACTS AND MITIGATION MEASURES**

#### STANDARDS OF SIGNIFICANCE

An aesthetic or visual resources impact is considered significant if implementation of the proposed project would result in any of the following (based on State CEQA Guidelines Appendix G):

- a) Have a substantial adverse effect on a scenic vista.
- b) Substantially affect scenic resources or scenic views, including trees, rock outcroppings, or historic buildings within a State Scenic Highway, designated County Scenic Roadway, Scenic River Corridor, roadway eligible for listing as a scenic roadway/highway, or other public vantage point or scenic vista locally known for its scenic qualities.
- c) Substantially degrade the existing visual character or quality of the county.
- d) Create a new source of substantial light or glare that would adversely affect daytime or nighttime views within the county.

For the purpose of this analysis, an adverse visual impact is also considered to be significant if:

1. Short-term visual impacts (those impacts lasting less than five years) result in the following: lower the visual quality rating by 1.5 (as identified in the Visual Quality Evaluations); have a viewer group with a high sensitivity rating to visual change; and have a number of viewers greater than 1,000.
2. Long-term impacts result in the following: degradation of the visual environment by a factor greater than "1" in the visual quality ratings as defined in the Visual Quality Evaluation tables; and are visible by a population with a viewer sensitivity rating of moderately high or above, and the number of viewers is classified as moderate or higher (greater than 1,000 persons daily).

#### METHODOLOGY

The visual resource analysis is based on review of the project plans prepared by Questa Engineering and SWCA Environmental Consultants in January 2012 (**Appendix A**) and the *Visual Impact Assessment for the Bob Jones Pathway – San Luis Obispo to Ontario Road, San Luis Obispo County, California* (VIA) prepared by Wallace Group in January 2010, which is included as **Technical Appendix T1** of this DEIR. The VIA analyzed the proposed project's potential impacts on sensitive visual resources as seen from public roadways, primarily Highway 101. The analysis methodology evaluated the aggregate effect that each of the individual project components may have on the overall visual character of the landscape. Where a change in character was identified, it was compared to the viewers' expected sensitivity and expectations, and was revised for consistency with applicable planning policies.

#### **Key Viewing Areas**

##### Determination of Key Viewing Areas

Eleven key viewing areas (KVAs) were identified as representative of views where the proposed project and its components are visible. While there may be glimpses from other areas along Highway 101 and the frontage roads, these eleven areas were judged to best represent or illustrate the potential impacts of the project, including the worst-case scenarios. Context photos

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are included in the VIA (**Technical Appendix T3**) to provide a sense of the character and context of the countryside between those locations selected for the KVAs, which are shown in **Figures 2.1-2a** and **2.1-2b**.

### Visual Quality Evaluations by Segment

A Visual Quality Evaluation (VQE) was conducted in order to assess the magnitude of the potential visual changes caused by the proposed project consistent with the Federal Highway Administration's (FHWA) visual assessment methodology. The VQE compares the visual quality of both the existing and proposed conditions from each of the eleven KVAs. A numerical rating between one and seven was assigned for the visual quality of existing conditions from each viewpoint, with one having the lowest value and seven the highest. The rating was based on vividness, intactness and unity. Photo-simulations were prepared illustrating the likely appearance of each view after project construction. Numerical ratings were assigned to each of these "proposed" views. The numerical difference, if any, between the existing and proposed conditions quantifies the change that may occur as a result of the proposed project. If a numerical change in visual criteria was identified, this change was analyzed for its potential effect on the existing scenic character. In order to determine levels of visual impact, this numerical difference is compared to the expected sensitivities of potential viewer groups, as well as to community scenic values, as identified in applicable planning documents.

### **Alternative Conceptual Overcrossing Designs**

To better identify design solutions to the Highway 101 overcrossing, three conceptual design alternatives were evaluated in the VIA. While the span remained the same for all of the overcrossing alternatives, two of the conceptual design alternatives included concrete spans with varying safety fences and the third alternative was a truss span, which was evaluated in two colors. These configurations are shown in Figure 2c of the VIA, which is included in **Technical Appendix T1**. Based on the VQE and visual simulations conducted on the various overcrossing alternatives, it was determined that an open truss design (Alternative C) in a gray-green color was the least intrusive alternative. This analysis is based on the project plans and the open truss overcrossing design in the gray-green color.

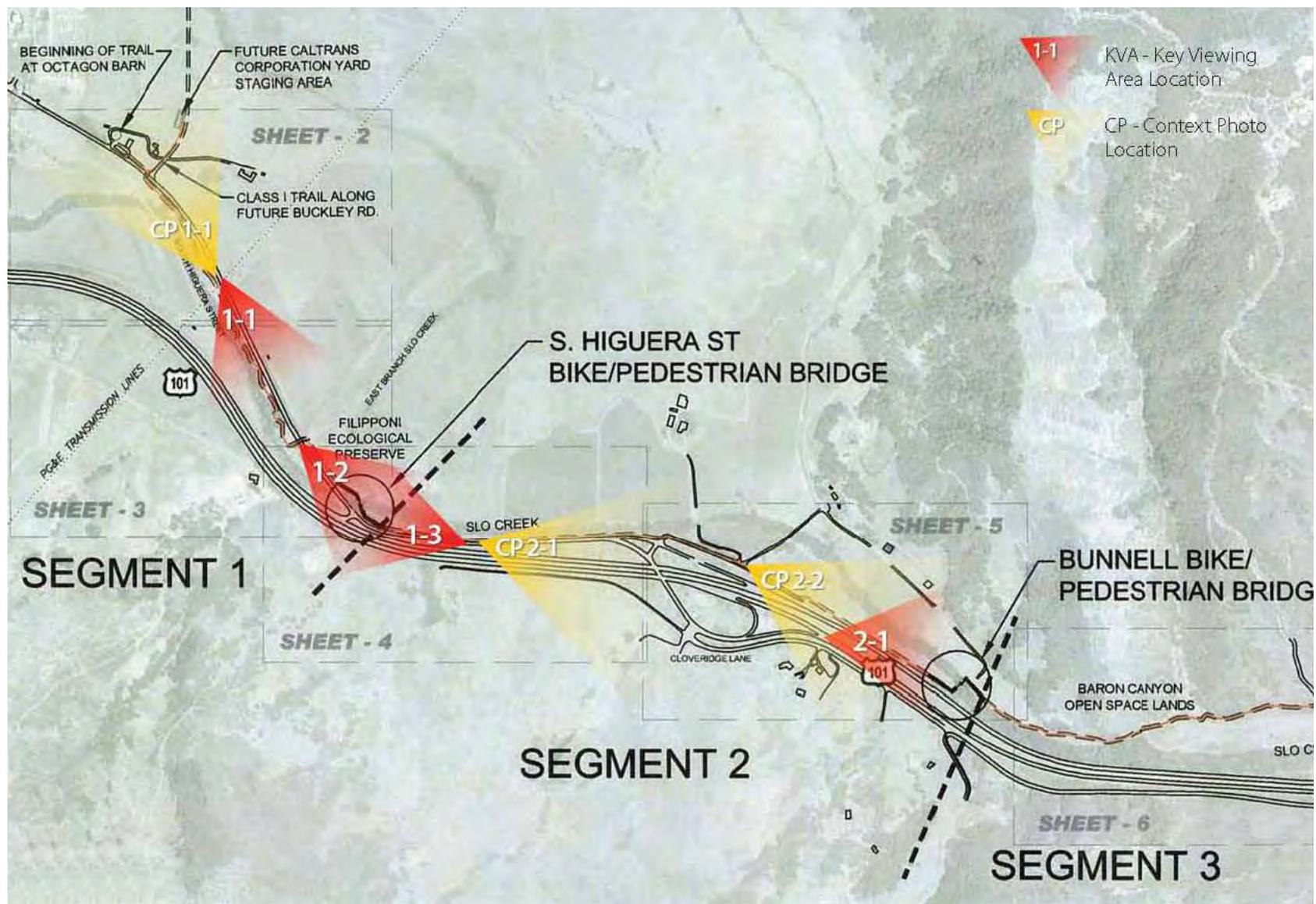
## PROJECT IMPACTS AND MITIGATION MEASURES

### **Adverse Effect on a Scenic Vista**

There are no officially designated scenic vistas within the project area. Therefore, the proposed project would have **no impact** on a scenic vista, and this issue is not addressed further below.

### **Light and Glare**

Implementation of the proposed project will not introduce new sources of light and glare to the project alignment or adjacent properties. Therefore, **no impacts** to daytime or nighttime views within the county are expected, and this issue will not be addressed further.

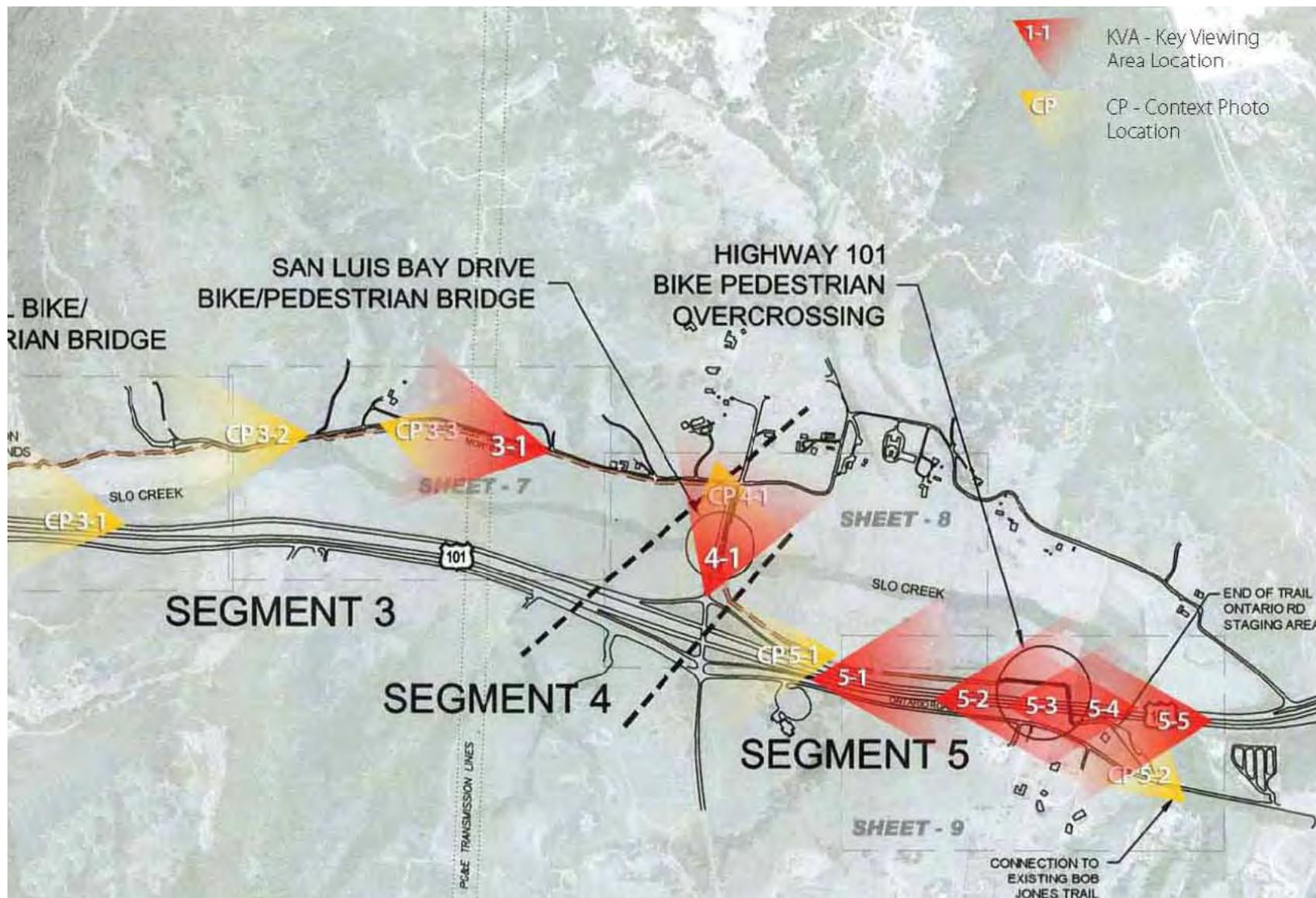


Source: Wallace Group 2010



Figure 2.1-2a  
Key Viewing Areas (KVAs) - Segments 1-3

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Source: Wallace Group 2010



Figure 2.1-2b  
Key Viewing Areas (KVAs) - Segments 3-5

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### Substantially Damage Scenic Resources Within a State Scenic Highway

**Impact 2.1-1** Implementation of the proposed project would result in the removal of vegetation, disturbance of land, and development of a new pathway, three bridges, and an overcrossing. These project components may result in short- and long-term effects to scenic resources adjacent to Highway 101. Although this section of Highway 101 is not currently a designated State Scenic Highway, County-adopted Highway Corridor Design Standards are applicable to two parcels within Segments 2 and 3. This would be considered a **Class II, significant but mitigable**, project impact.

The proposed project would result in the development of a multi-use pathway parallel to Highway 101. This section of Highway 101 is not a designated State Scenic Highway. However, it should be noted that the COSE suggests that this roadway be designated a scenic corridor. A future official scenic highway designation could result in more attention to sensitive design along Highway 101. In addition, the County has adopted Highway Corridor Design Standards for portions of Highway 101, which are applicable to two parcels (APNs 076-121-030 and 076-243-024) within the southern portion of Segment 2 and the northern portion of Segment 3. Development of the proposed project would potentially result in both short- and long-term effects on scenic resources in the area as described below.

The proposed project includes voluntary mitigation measure **VMM 1.1**, which requires that visibility from the scenic roadway/highway be minimized to the greatest extent practical by screening with topography, native landscaping, berms or fencing. Alternative locations or standards may be allowed where visual effects are reduced to an insignificant level or where visibility is desired.

#### Short-Term Effects

Construction activities associated with the proposed project will include, but not be limited to, grading and earthwork, paving, vegetation removal, and revegetation. These construction activities will be visible to travelers on South Higuera Street, Ontario Road, and Highway 101 at multiple locations. The removal of vegetation during construction may result in short-term adverse visual changes, which would be considered a potentially significant impact. Compliance with voluntary mitigation measure **VMM 1.1** would ensure that grading and landform alterations are minimized to the extent feasible and blend with the natural topography by following existing contours where feasible. In addition to compliance with voluntary mitigation measure **VMM 1.1**, implementation of the following mitigation measures would reduce this impact to a less than significant level.

#### Mitigation Measures

**MM 2.1-1a** For land within the project's footprint under the County's jurisdiction, the San Luis Obispo County General Services Agency shall retain a qualified professional to select appropriate native plant materials (i.e., ground cover for pathway shoulders, shrubs and trees for areas where these plants have been removed in the area of proposed bridges) that will cover graded cut and fill slopes and that are compatible with adjacent vegetation to minimize visual impacts. Selected species shall be compatible with the requirements of the Environmental Coordinator, or its designee. Landscape and planting plans shall be submitted to San Luis Obispo County Parks and the Environmental Coordinator, or its designee, for review and approval prior to start of construction. Revegetation of disturbed areas shall occur concurrent with construction. The San Luis Obispo County Environmental Coordinator or

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its designee shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.

### **MM 2.1-1b**

For land within the project's footprint under Caltrans jurisdiction, the San Luis Obispo County General Services Agency shall select appropriate plant materials that will cover graded cut and fill slopes and that are compatible with adjacent vegetation to minimize visual impacts. Selected species shall be compatible with Caltrans requirements and landscape standards. Plans shall be submitted to Caltrans or its designee for review and approval prior to start of construction. Revegetation of disturbed areas shall occur concurrent with construction. The San Luis Obispo County Environmental Coordinator or its designee shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.

Implementation of the above mitigation measures combined with voluntary mitigation measure **VMM 1.1** would ensure that short-term adverse effects to visual resources are minimized by requiring a revegetation plan for disturbed areas and immediate implementation of the approved plantings and that those plantings are monitored and maintained for a period of five years. These actions will reduce this impact to a less than significant level; therefore, the proposed project's short-term effect on visual resources would be considered a **Class II, significant but mitigable**, project impact.

### Long-Term Effects

The majority of the proposed project would not result in visually prominent development features that would adversely affect scenic resources. Most of the route will remain screened from view and subordinate to the surrounding landscape. The primary visual components of the proposed BJP include an 8-foot-wide asphalt surfaced pathway with a 2-foot-wide shoulder on each side surfaced with base material; grading and landscaping on each side of the pathway, which would disturb an area approximately 12 to 20 feet wide; three bridges over SLO Creek; one 300-foot-long Highway 101 overcrossing with an elevated ramp on the eastern side of the overcrossing; and two at-grade crossings on South Higuera Street. Development of these proposed improvements would result in vegetation removal and alteration of the landscape that could substantially damage scenic resources over the long term. In addition, the proposed project would make improvements at the trailhead near the historic Octagon Barn Center, which would also be considered a scenic and historic resource adjacent to Highway 101. The totality of these changes would be considered a potentially significant impact.

As previously noted above, compliance with voluntary mitigation measure **VMM 1.1** would require that grading and landform alterations are minimized to the extent feasible and blend with the natural topography by following existing contours where feasible. In addition, new structures visible from the public right-of-way shall not silhouette against the sky, shall be low-profile, and colors shall complement the surroundings. Furthermore, implementation of mitigation measures **MM 2.1-1a**, **MM 2.1-1b**, **MM 2.1-2a** through **MM 2.1-2f**, **MM 2.3-1a**, **MM 2.3-1b**, **MM 2.3-4g**, and **MM 2.3-7** would all serve to minimize vegetation removal and trimming, require special landscaping treatment along the highway corridor to maximize screening, and require design limitations for bridge structures to limit visibility. Proposed improvements adjacent to the Octagon Barn would include a 10,000-square-foot trailhead, approximately 65 additional parking spaces (a total of 112 parking spaces), storage and restrooms, and bike parking facilities. Implementation of mitigation measure **MM 2.4-1b** would ensure that proposed trailhead improvements are consistent with the previously approved restoration activities at the Octagon Barn Center and ensure that the integrity of the historic Octagon Barn itself is not damaged. With implementation of these measures, impacts to scenic resources along Highway

101 would be reduced to a less than significant level; therefore, the proposed project's long term effect on scenic resources would be considered a **Class II, significant but mitigable**, project impact.

### **Substantially Degrade the Existing Visual Character or Quality**

**Impact 2.1-2** Implementation of the proposed project may result in the degradation of the existing visual quality and/or character of the project area, which serves as a community separator, has moderately high visual sensitivity and quality, and high visibility. This visual change would be considered a **Class II, significant but mitigable**, project impact.

The project area lies within the community separator between the City of San Luis Obispo and the community of Avila Beach (refer to **Figure 2.1-1**). The general character of the project area is agricultural with scattered residences, which are surrounded by the Irish Hills, a natural feature in this area. The vistas within the project area are the ridgelines of the Irish Hills and agricultural fields and orchards as viewed from Highway 101; however, there are no designated vista points, scenic vistas, or scenic corridors within the project area. The COSE does suggest that Highway 101 should be designated a scenic corridor, as previously noted above. According to the VIA, this area was determined to have moderately high visually sensitivity and visual quality, and due to the volume of trips on Highway 101, visibility is considered high.

The proposed improvements would provide a beneficial impact to the visual character of the existing Bob Jones Pathway by providing an improved route of travel that is primarily removed from traffic and in a more natural setting adjacent to riparian and agriculture habitat; however, various segments may be considered by some to adversely affect the overall visual quality and character of the surrounding area. The proposed bridge and overcrossing structures are the primary features that would most likely result in adverse effects to the visual character of the surrounding area, understanding that a person's sensitivity to changes in the visual character of the area can be very subjective. In order to evaluate the project's effect on the visual character, a Visual Quality Evaluation (VQE) was conducted to assess the magnitude of the potential visual changes consistent with the FHWA's visual assessment methodology. The VQE compares the visual quality of both the existing and proposed conditions from key viewing areas and quantifies the change in character based on a numerical rating.

### Proposed Improvements

The proposed project will provide an off-street bicycle route giving bicycle users an alternative, to the shoulders of South Higuera Street and Ontario Road. The project will result in a separated Class I trail, where possible, between the Octagon Barn Center (south of the City of San Luis Obispo) and the existing Ontario Road Staging Area near the start of the existing Bob Jones Trail at the intersection of Ontario Road and San Luis Obispo Creek. The proposed alignment will separate pedestrians and cyclists from vehicle traffic and also offer greater scenic quality for users. Both sides of the pathway will be in a natural setting with approximately 50 percent of the route adjacent to orchards and fields, paralleling little-used roads as compared to the existing route along South Higuera Street and Ontario Road.

As identified previously, the primary visual components of the proposed BJP include an 8-foot-wide asphalt surfaced pathway, with a 2-foot-wide shoulder on each side surfaced with base material; grading and landscaping on each side of the pathway, disturbing an area approximately 12 to 20 feet wide; three bridges over SLO Creek; one 300-foot-long Highway 101 overcrossing with an elevated ramp on the eastern side of the overcrossing; and two at-grade crossings on South Higuera Street. A majority of the pathway would be unobtrusive and

## 2.1 AESTHETICS/VISUAL RESOURCES

screened by vegetation. Therefore, most segments would have minimal impact on the existing visual quality of local surroundings. However, where extensive vegetation removal would be required and where the pathway is proposed to cross over Highway 101, the potential to degrade visual quality would increase. One segment of the pathway, Segment 5, would include an overcrossing and elevated ramp, which would bisect the visual plane of those traveling on Highway 101.

The Highway 101 overcrossing will consist of three prefabricated steel truss overcrossing segments (Alternative C on Sheet 6 of **Appendix A.5**) that are each 10 feet wide by 80 feet long constructed at a 2 percent grade. The overcrossing requires an elevated ramp on the eastern side of Highway 101. The elevated ramp will consist of nine prefabricated steel truss segments that are 10 feet wide by 50 feet long constructed at a 5 percent grade. The overcrossing will have a minimum clearance of 19 feet above Highway 101. Above the deck, the overcrossing will reach an elevation of 18 feet with safety fencing to a height of 10.5 feet. Refer to Sheet 9 in **Appendix A.2** and Sheets 5–7 in **Appendix A.5** for details of the proposed overcrossing.

### Visual Quality Analysis

Various segments of the BJP would result in different effects to the visual quality and resources of the surroundings within each segment as viewed from eleven key viewing areas (KVAs). As previously mentioned, the magnitude of visual change is evaluated based on a change in pre- and post-project vividness, intactness, and unity, rated on a scale of one (very low) to seven (very high) as viewed from the KVAs. A Visual Quality Evaluation was performed from eleven KVAs located within the five segments (refer to **Figures 2.1-2a** and **b**). Pre- and post-project visual quality ratings are summarized in **Table 2.1-3**.

**TABLE 2.1-3  
VISUAL QUALITY RATING SUMMARY FOR EACH PROJECT SEGMENT AND KEY VIEWING AREA**

Segment/Key View Area (KVA)	Visual Quality Rating		
	Existing	Post-Project	Difference
1: Octagon Barn to South Higuera Street Crossing			
KVA 1-1	3.67	3.67	0.0
KVA 1-2	4.33	4.33	0.0
KVA 1-3	3.33	3.33	0.0
2: South Higuera Street Crossing to Bunnell Crossing			
KVA 2-1	4.67	4.67	0.0
3: Bunnell Crossing to San Luis Bay Drive			
KVA 3-1	4.33	4.00	(0.33)
4: San Luis Bay Drive Crossing			
KVA 4-1	3.66	3.33	(0.33)
5: San Luis Bay Drive to Ontario Road Staging Area			
KVA 5-1	4.67	4.67	0.00
KVA 5-2	4.83	4.00	(0.83)
KVA 5-3	4.33	3.25	(1.08)
KVA 5-4	3.50	2.50 <sup>(1)</sup>	(1.00) <sup>(1)</sup>
KVA 5-5	3.67	3.33	(0.34)

Notes: 1 – very low; 2 – low; 3 – moderately low; 4 – moderate; 5 – moderately high; 6 – high; 7 – very high

(1) West ramp = 3.33 with a difference of (0.17)

Source: Wallace Group 2010

The change between the existing visual quality rating and the post-project visual quality rating was used to determine if the project would have an adverse visual quality impact on a particular KVA. A negative difference in visual quality rating between existing and post-project conditions results in an adverse change to visual quality at that KVA. As shown in **Table 2.1-3**, proposed improvements within Segments 3, 4, and 5 would result in adverse changes to visual quality because the project results in negative changes in visual quality ratings. Visual simulations of these adverse changes are shown in **Figures 2.1-3a** through **2.1-3g** (visual simulations of all KVAs are included in **Technical Appendix T1**). The context of the changes is briefly described below by segment.

### Segment 3

The proposed project will introduce the bicycle trail and orchard fencing shown in the simulation in **Figure 2.1-3a**. This segment is not visible from Highway 101 but is visible from Monte Road. Construction disturbance will vary between 16 and 20 feet in width; however, after the vegetation grows in per the landscaping plan, the only visible additional pavement will be 8 feet in width with 2 feet of base material on each side, which will be separated from Monte Road approximately 10 to 15 feet depending on the location. Since the grading and paving changes would be at ground level and the fence will be seen in the context of the adjacent orchard, the proposed project will create a minimal loss in both intactness and visual unity. However, the viewer will see more of the trail as a result of the higher viewing location along Monte Road, which is why the scenic value decreased by 0.33.

### Segment 4

Construction of the bridge parallel to the existing San Luis Bay Drive Bridge will be most visible to travelers on eastbound San Luis Bay Drive due to the required trimming and/or removal of a 50-foot-wide strip of willow and related riparian vegetation adjacent to the existing road as reflected in **Figure 2.1-3b**. Viewers on the other three legs of the intersection would only glimpse views of the proposed change, given that their primary cones of vision are either away from or parallel to the visual change under discussion. According to the VIA, the removal of vegetation will affect the scenic value more than the visibility of the proposed bridge structure itself. The proposed improvements will not silhouette or affect the existing dominance of the hills and riparian vegetation of SLO Creek and agricultural land. The vividness of the scene would remain relatively unchanged, but both the intactness and unity factors would be somewhat reduced, which is why the scenic value decreased by 0.33.

### Segment 5

**Southbound Highway 101** – The proposed overcrossing northeast of the Salisbury Winery (Old Sante Fe Schoolhouse) would be clearly visible to those traveling southbound on Highway 101 as shown **Figures 2.1-3c** and **2.1-3d**. Views of the 550-foot-long elevated ramp would be visible to the east as shown in **Figure 2.1-3e**; however, most of the ramp would be screened by existing vegetation. While the proposed overcrossing would not silhouette above the backdrop hills from the north at this distance, it would ultimately silhouette for approximately 2 seconds before the traveler passes under the structure. The overcrossing would clearly introduce a significant new visual element for southbound travelers and would be the next major vertical man-made element visible after traveling under the existing San Luis Bay Drive Bridge. The proposed overcrossing would reduce the vividness of the natural scene, the intactness, and the unity ratings. Compared to existing conditions, the visual quality would decrease by 0.83 at KVA 5-2 and by 1.08 at KVA 5-3. The remaining portion of the BJP will not be visible from Highway 101 since it is at grade and completely screened by existing vegetation paralleling the highway.

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**Northbound Highway 101** – The proposed overcrossing would silhouette above the backdrop hills along portions of Highway 101 (refer to **Figure 2.1-3f**) and add a new and significant visual component to the view of the northbound Highway 101 traveler as shown in **Figure 2.1-3f**. As with southbound travelers, the overcrossing structure will be the major vertical man-made element, which will silhouette prior to the traveler passing under the structure. The overcrossing structure would reduce the overall natural vividness of the scene, intactness, and the unity components, decreasing the visual quality by 1.00 at KVA 5-4 and by 0.34 at KVA 5-5. In addition, the approach ramp retaining wall located west of the overcrossing structure would be visible to northbound Highway 101 travelers as shown in **Figure 2.1-3g**. This improvement component would result in a 0.17 decrease in visual quality in an area that already has negative visual impacts. Neither the bicycle trail nor the eastern approach ramp to the overcrossing would be visible to those traveling northbound on Highway 101.

### Proposed Improvement Impacts

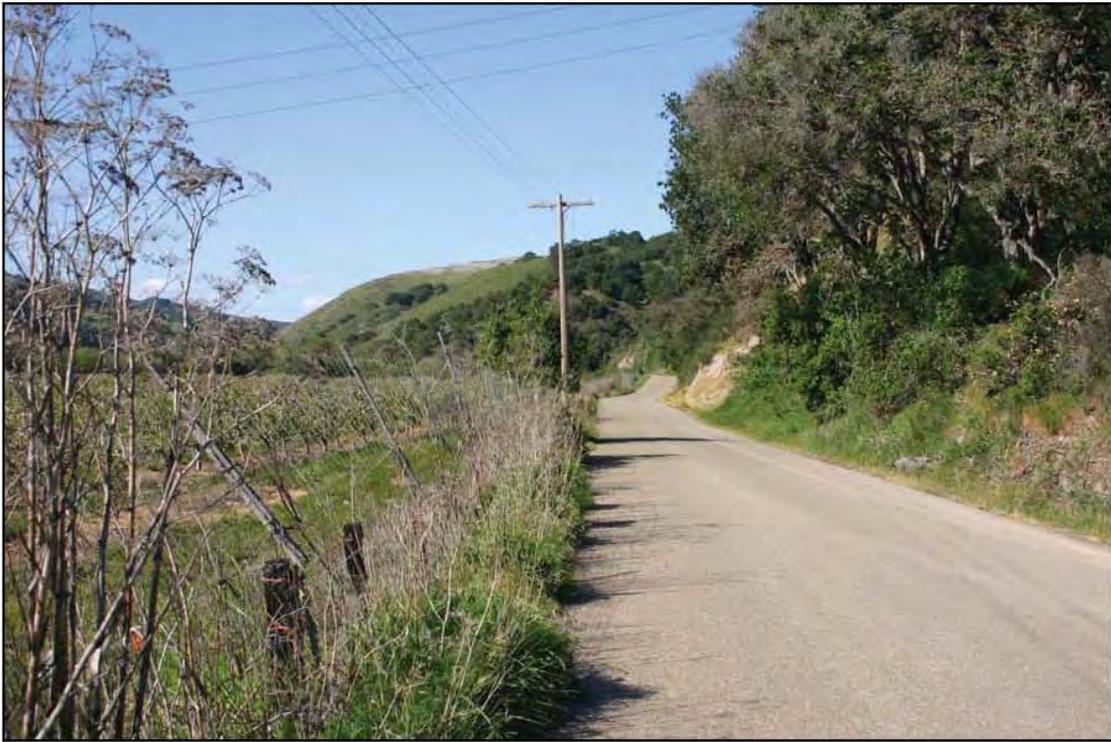
The proposed project includes several components that have the potential to substantially degrade the existing visual character or quality. Most impacts are associated with removal of vegetation and construction of new man-made structures. Visual quality and character impacts associated with the proposed project are summarized below by improvement type.

According to the VIA, short-term impacts were identified as significant if the improvements lowered the visual quality rating by 1.5, had a viewer group with a high Sensitivity Rating to visual change, and had a number of viewers greater than 1,000 persons per day. Long-term impacts were identified as significant if the improvements lowered the visual quality rating by more than 1.0, were seen by a population with a sensitivity rating of moderate-high or above and where the number of viewers was greater than 1,000 persons per day.

The proposed project was designed consistent with the standard mitigation measures provided in Appendix F of the PRE, which address siting/design, building location, screening, ridgetop development, significant rock outcrops, slope limitations, building height and mass, and light and glare. Implementation of voluntary mitigation measure **VMM 1.1** also provides screening and grading requirements consistent with the standard mitigation measures in the PRE.

### At-Grade Pathway Improvements

Most of the proposed BJP is not visible to local viewers because it is located primarily at grade, with primary impacts associated with vegetation removal as discussed above. With existing vegetation and trees in place, travelers on Highway 101 may occasionally see glimpses of the at-grade pathway within Segment 5 east of Highway 101. Removal of vegetation may increase visibility of the at-grade pathway improvements, which would be considered a potentially significant impact. However, implementation of mitigation measures **MM 2.1-1a** and **2.1-1b** would reduce any potential increase visibility of the at-grade pathway by ensuring that any disturbed areas are revegetated and maintained for a minimum of five years to ensure that any new plants are well established. This would ensure that visual impacts associated with the at-grade pathway improvement are reduced to a less than significant level; therefore, the effect of the proposed at-grade pathway improvements are considered a **Class II, significant but mitigable**, impact. No additional mitigation measures would be necessary.



**Photo A:** Existing conditions: Monte Road looking north.



**Photo B:** Simulation of the proposed project – Typical representation of new bike trail along Monte Road.

Source: Wallace Group 2010

**Figure 2.1-3a**  
Segment 3 (KVA 3-1) Visual Simulations

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**Photo A:** Existing conditions: San Luis Bay Drive at the US 101N off-ramp looking east toward Monte Road.



**Photo B:** Simulation of the proposed project.

Source: Wallace Group 2010

**Figure 2.1-3b**  
Segment 4 (KVA 4-1) Visual Simulations

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**Photo A:** Existing conditions: US 101S looking south approximately 1,200 feet from proposed bridge crossing.



**Photo B:** Simulation of the proposed project – Gray-green Steel Truss Bridge Alternative C.

Source: Wallace Group 2010

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**Photo A:** Existing conditions: US 101S looking south approximately 400 feet from proposed bridge crossing.



**Photo B:** Simulation of the proposed project – Gray-green Steel Truss Bridge Alternative C.

Source: Wallace Group 2010

Figure 2.1-3d  
Segment 5 (KVA 5-3) Visual Simulations

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**Photo A:** Existing conditions: US 101S approximately 1,200 feet north from proposed bridge crossing looking south and zoomed in.



**Photo B:** Simulation of the proposed project – Approach ramp with Alternative C design.

Source: Wallace Group 2010

**Figure 2.1-3e**  
Segment 5 (KVA 5-2 Ramp) Visual Simulations

## **2.1 AESTHETICS/VISUAL RESOURCES**

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**Photo A:** Existing conditions: US 101N looking north approximately 300 feet south of proposed bridge crossing .



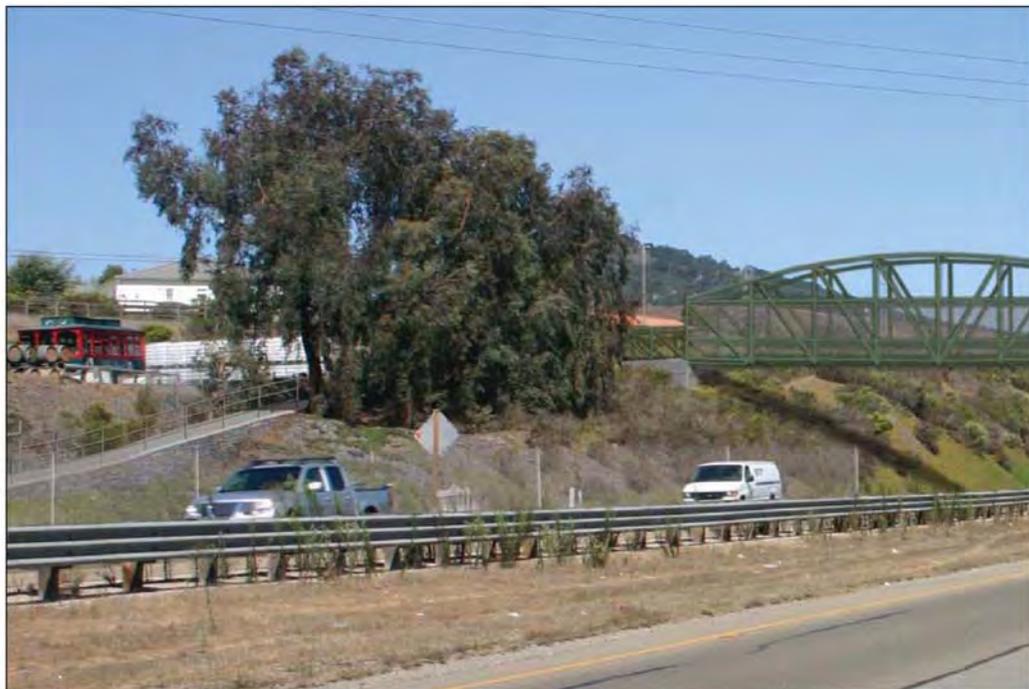
**Photo B:** Simulation of the proposed project – Gray-green Steel Truss Bridge Alternative C.

Source: Wallace Group 2010

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**Photo A:** Existing conditions: US 101N approximately 300 feet south of proposed bridge crossing zoomed in.



**Photo B:** Simulation of the proposed project – Retaining wall detail

Source: Wallace Group 2010

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### Bridge Improvements

The proposed project includes three bridge crossings over SLO Creek, which are referenced herein as the following: South Higuera Bridge, Bunnell Bridge, and San Luis Bay Bridge. The South Higuera Bridge, located within Segment 1; the Bunnell Bridge, located within Segment 2; and the San Luis Bay Bridge, located within Segment 4. Removal of vegetation and the introduction of bridge structures themselves may decrease visual quality, which would be considered a potentially significant impact. However, implementation of mitigation measures **MM 2.1-1a** through **2.1-1c** provided below would require a revegetation monitoring and maintenance plan to ensure disturbed areas are revegetated and that plants are well established. These measures would reduce construction and vegetation removal impacts on visual character to a less than significant level. Potential impacts associated with proposed bridge improvements are summarized below, by segment.

**Segment 1: South Higuera Bridge** – Within this segment, the most visible change will be the addition of the bicycle path and the related wood rail fence on the west side of South Higuera Street. The VQE determined there would be no change in scenic values. The bridge would not be a primary visual component within this segment. Therefore, construction of this bridge would be considered a less than significant impact to visual quality and character.

**Segment 2: Bunnell Bridge** – There is potential for the bridge crossing of SLO Creek to be visible within this segment. The bridge visibility would be primarily the result of removal of vegetation at the crossing. This bridge is also located within an area subject to the Highway Corridor Design Standards. While the removal of vegetation will not result in a change in visual quality, it may be considered a loss of scenic character; therefore, construction of this bridge would be considered a potentially significant impact. Implementation of the mitigation measures below would reduce this impact to less than significant level.

**Segment 4: San Luis Bay Bridge** – Due to the required trimming and/or removal of a 50-foot-wide strip of willow and related riparian vegetation adjacent to the existing road bridge, construction of the San Luis Bay Bridge (parallel to the existing San Luis Bay Drive Bridge) will be most visible to viewers traveling eastbound on San Luis Bay Drive as shown in **Figure 2.1-3b**. Viewers at the other three legs of the intersection would only glimpse views of the proposed change, given that their primary cones of vision are either away from or parallel to the visual change under discussion. Although the removal of vegetation would affect the scenic value more than the visibility of the proposed bridge structure itself, the proposed project would still result in an adverse effect to the visual character; therefore, construction of this bridge would be considered a potentially significant impact. However, implementation of the mitigation measures provided below would reduce this impact to less than significant.

### Mitigation Measures

**MM 2.1-2a** The San Luis Obispo County General Services Agency shall design the bridge structure and pathway improvements between Venado Lane and the end of Segment 2 (on Assessor's Parcel Number 076-121-030) and adjacent to Monte Road within Segment 3 (on Assessor's Parcel Numbers 076-243-024) in accordance with the Highway Corridor Design Standards. In addition, the bridge structure at the SLO Creek crossing within Segment 2 (Bunnell Bridge) shall have a maximum height limit that does not exceed an elevation of 80 feet (North American Vertical Datum 88 (NAVD88)), which equates to roughly 8 feet above the adjacent northbound Highway 101 lane, in order to reduce the vertical dimension of the structure and the potential for visual intrusion into the viewshed.

## 2.1 AESTHETICS/VISUAL RESOURCES

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**MM 2.1-2b** The San Luis Obispo County General Services Agency shall utilize some form of truss configuration and limit the maximum height of the bridge structure at the SLO Creek crossing within Segment 4 (new San Luis Bay Bridge) to an elevation of 80 feet (NAVD88), which equates to roughly 10 feet above the adjacent San Luis Bay Drive Bridge deck, to reduce the vertical dimension of the structure and the potential for visual intrusion into the viewshed.

**MM 2.1-2c** The San Luis Obispo County General Services Agency shall prepare a landscape plan that provides maximum feasible screening of all new structures (i.e., bridges, ramps, retaining walls) when seen from adjacent roadways. New trees shall be planted in conformity with County lists and shall be compatible with adjacent vegetation to supplement the screening of the bridge structures as seen from Highway 101 and San Luis Bay Drive. The design shall be prepared by a qualified professional and plans shall be approved by the Environmental Coordinator, or its designee, prior to start of construction. All revegetation and planting shall be implemented concurrent with project construction. The Environmental Coordinator, or its designee, shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.

In addition to compliance with voluntary mitigation measure **VMM 1.1**, implementation of mitigation measures **MM 2.1-2a** through **MM 2.1-2c** would reduce the significance of potential impacts associated with the construction of the pathway and bridge structures by establishing height limits and ensuring compliance with Highway Corridor Design Standards for the proposed Bunnell Bridge structure; requiring a truss configuration for the proposed San Luis Bay Bridge; and by requiring a landscape plan that provides maximum screening of new structures. These measures would ensure that the proposed structures do not result in substantial degradation of the existing visual character and quality of the area. The resulting effect on visual character would be considered a **Class II, significant but mitigable**, project impact.

### Overcrossing Improvement Impacts

The most visible component of the proposed project is the 300-foot Highway 101 overcrossing structure. The proposed overcrossing of Highway 101 within Segment 5 of the proposed BJP would introduce a new bridge and two ramp structures, which would degrade the existing visual quality ratings from various KVAs. The proposed overcrossing structure (Alternative C) consists of a steel truss design that incorporates a bottom deck structure just over 3 feet in height, with a curved arc truss varying from 5.5 feet to 18 feet in height with a protective 10.5-foot-high screen. The steel truss would be painted in a neutral gray-green. According to the VIA, the structure will decrease the visual quality rating by a factor of 0.83 at KVA 5-2, 1.08 at KVA 5-3 in the southbound direction, 1.00 at KVA 5-4, and 0.34 at KVA 5-5 in the northbound direction. Although the visual quality rating at KVA 5-3 would decrease by more than 1.0, the existing visual quality rating at KVA 5-3 is 4.33, which is considered moderate (see Table 2.1-2). Since the existing visual quality rating is less than moderately-high, the decrease in the visual quality rating at KVA 5-3 would be not be considered a substantial short- and/or long-term effect on the visual quality of the area. In addition, standard mitigation measures (Appendix F of the PRE) state that alternative standards may be approved where visibility is desired. Visibility of the overcrossing structure may be desired since a pedestrian/bicycle overcrossing represents the community goal of encouraging the use of and investing in safe pedestrian and bicycle facilities. As the proposed overcrossing would not insubstantially degrade a visual quality rating of moderately-high or greater by 1.0, this would be considered a **Class III, less than significant**, project impact.

CUMULATIVE IMPACTS AND MITIGATION MEASURES

**Cumulative Adverse Impacts to Visual Character**

**Impact 2.1-3** Implementation of the proposed project, combined with other reasonably foreseeable projects may result in the degradation of the existing visual quality and/or character of the Highway 101 corridor between the cities of San Luis Obispo and Pismo Beach. This largely undeveloped area serves as a community separator, has moderately high visual sensitivity and quality, and high visibility. The proposed project's effect on the visual character of this area would be considered a **Class II, significant but mitigable**, cumulative impact.

The proposed overcrossing and two ramp structures proposed within Segment 5 would contribute to the cumulative and incremental degradation of the overall visual quality of the Highway 101 corridor between the Cities of San Luis Obispo and Pismo Beach. Although there are no "similar" projects to the BJP, the introduction of new construction, infrastructure, and man-made features within the corridor represents a regional concern to the visual integrity of the corridor. Although the 300-foot overcrossing would not degrade the visual quality of the area to a degree that would be considered significant, it would add another man-made structure to the Highway 101 corridor between the City of San Luis Obispo and Pismo Beach. In addition, a 550-foot elevated approach ramp would be constructed on the eastern side of the overcrossing and a vertical retaining wall would be constructed adjacent to the approach ramp on the western side of the overcrossing. The elevated eastern approach ramp is located at a lower elevation and some distance from Highway 101, as shown in **Figure 2.1-3f**. While the western approach ramp is smaller than the eastern approach ramp, the structure would be located closer to the highway and would present to viewers traveling on Highway 101 as a solid vertical 200-foot-long wall, varying in height from 2 to 6 feet as shown in **Figure 2.1-3g**. According to the design team, the retaining wall adjacent to the western approach ramp will be textured to create shadow patterns and to avoid a broad expanse of uniform concrete.

The resulting improvements would be considered a potentially significant cumulative impact. Implementation of mitigation measures **MM 2.1-1a**, **MM 2.1-1b**, and **MM 2.1-2a** through **MM 2.1-2c** would reduce the proposed project's contribution to short- and long-term effects on visual quality by requiring re-vegetation and continued maintenance of the disturbed areas, establishing design standards for the proposed bridges; and requiring landscape screening of new structures. In addition to these measures, an innovative method to address cumulative visual impacts is to remove an equivalent amount of visual clutter from the Highway 101 corridor in the vicinity of the project area. According to the VIA, the increased impact generated by an overcrossing structure would be decreased or offset for the typical driver by a reduction in other visual clutter within 4 to 5 minutes of travel time along this corridor. The Land Conservancy currently has a billboard on their property that is a candidate for removal, assuming they are compensated for the lost revenue generated by the leasing of the billboard space. Implementation of the following mitigation measures would reduce the project's cumulative impact.

Mitigation Measures

**MM 2.1-3a** The County of San Luis Obispo General Services Agency shall remove or cause to be removed one (1) standard-size billboard within the section of Highway 101 between San Luis Obispo and Pismo Beach. The removal of a standard-size billboard shall be considered an equivalent offset for the proposed project's incremental contribution toward the degradation of the

## 2.1 AESTHETICS/VISUAL RESOURCES

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visual quality within the corridor. The billboard shall be removed prior to the start of construction of the overcrossing and associated ramp improvements.

### **MM 2.1-3b**

Prior to approval of final improvement plans, the San Luis Obispo County General Services Agency shall ensure that the southwest approach of the western ramp structure is located in such a way that minimizes impacts to existing trees (within approximately 5 feet of conceptual design alignment). New trees deemed compatible with the adjacent vegetation shall be added to supplement the screening of the approach ramp. The design shall be prepared by a qualified professional and plans shall be subject to review and approval by the Environmental Coordinator, or its designee, prior to start of construction. All plantings and revegetation shall be implemented concurrent with construction.

For land within the project footprint under Caltrans jurisdiction, the San Luis Obispo County General Services Agency shall select appropriate plant materials that will cover graded cut and fill slopes and that are compatible with adjacent vegetation to minimize visual impacts. Selected species shall be compatible with Caltrans requirements. Plans shall be submitted to Caltrans or its designee for review and approval prior to start of construction. All plantings and re-vegetation shall be implemented concurrent with construction.

The Environmental Coordinator, or its designee, shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.

### **MM 2.1-3c**

Prior to approval of final improvement plans, the San Luis Obispo County General Services Agency shall identify a texture or pattern for the vertical retaining surface specifically designed to reduce the large plane of uniform vertical surface. In addition, appropriate landscape shrubs are to be planted between the retaining wall and the highway to provide screening. The design shall be subject to review and approval by the Environmental Coordinator or its designee for compliance prior to start of construction. Caltrans shall also be consulted where the project falls within its jurisdiction.

The Environmental Coordinator, or its designee, shall be responsible for mitigation monitoring to ensure mitigation planting is installed and maintained for five years.

### **MM 2.1-3d**

Prior to approval of final improvement plans, the San Luis Obispo County Environmental Coordinator shall ensure that all proposed design and landscaping requirements are incorporated into the final design drawings. Final design drawings and visual simulations from KVAs 5-3 and 5-4 shall be subject to review and recommendation by County of San Luis Obispo Parks and Recreation Commission.

Implementation of mitigation measure **MM 2.1a** would remove existing man-made structures within the corridor offset the proposed project's new man-made structures. Implementation of mitigation measures **MM 2.1-3b** and **MM 2.1-3c** would require retention of existing trees and special design and landscaping requirements at the approach ramps. These measures, combined with mitigation measure **MM 2.1-3d**, would reduce the proposed project's incremental contribution towards the degradation of the visual quality along the Highway 101

corridor. Therefore, the proposed project's affect on visual quality would not be considered cumulative considerable and this would be considered a **Class II**, *significant but mitigable*, cumulative impact.

## **2.1 AESTHETICS/VISUAL RESOURCES**

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## **2.2 AGRICULTURAL RESOURCES**

## 2.2 AGRICULTURAL RESOURCES

This section addresses the agricultural resources within San Luis Obispo County, identifies regulations in place to protect those resources, and discusses the impacts to agricultural resources associated with implementation of the proposed Bob Jones Pathway (BJP; project). This analysis is based in part on the *Bob Jones Pathway – San Luis Obispo to Ontario Road Agriculture Report* prepared by SWCA Environmental Consultants in February 2012 (SWCA 2012a). This report describes the agricultural setting, regulatory setting, and potential impacts to agriculture. The report is included in **Technical Appendix T2** of this Draft EIR.

### 2.2.1 EXISTING SETTING

Proximity to the City of San Luis Obispo and South County markets, access to Highway 101, and available water make the project area productive for high value crops such as apples, tomatoes, squash, and other row crops. Production can occur year-round due to favorable climate and soil conditions.

All but one parcel have a land use designation of Agriculture (AG) according to the County's Land Use Map, with the remaining parcel (APN 076-243-024) designated Rural land (RL). Land uses to the north are more urban (i.e., residential, commercial), whereas land uses to the south are more rural. Approximately 0.5 mile south of the Octagon Barn Center, agricultural operations are generally shielded from potential incompatibilities by a number of physical barriers, including Highway 101, San Luis Obispo Creek (SLO Creek), and the narrow nature of the valley between South Higuera Street and the Highway 101/Ontario Road interchange. Recent residential development in Squire Canyon and Baron Canyon, which are both accessed from San Luis Bay Drive and Monte Road, theoretically increase the potential for incompatibilities with existing agricultural operations; however, local producers have not noticed an increase in the number of conflicts/complaints (SWCA 2012a). This is likely due to the relatively low density of the residential developments and the proximity to active agricultural operations.

#### SOILS

Based on the Soil Survey of San Luis Obispo County, California, Coastal Part soil survey maps, eleven soil units are present within the general area of potential effect (APE). The eleven soil units include Chamise Shaly Loam (116), Concepcion Loam (120), Diablo and Cibo Clays (131), Gaviota Fine Sandy Loam (142), Lodo-Rock Outcrop Complex (156), Lopez Very Shaly Clay Loam (156), Marimel Sandy Clay Loam (169), Nacimiento-Calodo Complex (181), Pismo-Tierra Complex (191), Riverwash (194), Salinas Silty Clay Loam (197), Salinas Silty Clay Loam (198), and Still Gravelly Sandy Clay Loam (210). **Table 2.2-1** summarizes some of the general characteristics of these soils that are important to agricultural production.

**TABLE 2.2-1  
SUMMARY OF SOIL CHARACTERISTICS**

Soil Type Reference/Name		LCC	Storie Index	Prime Farmland?	Acres	% of total Acres
116	Chamise Shaly Loam	VI	Grade 3 – Fair	Not Prime Farmland	0.94	0.63
120	Concepcion Loam	III	Grade 4 – Poor	<b>Farmland of Statewide Importance</b>	<b>3.06</b>	2.06
131	Diablo And Cibo Clays	IV	Grade 4 – Poor	Not Prime Farmland	4.71	3.17
142	Gaviota Fine Sandy Loam	VII	Grade 4 – Poor	Not Prime Farmland	2.11	1.42

## 2.2 AGRICULTURAL RESOURCES

Soil Type Reference/Name		LCC	Storie Index	Prime Farmland?	Acres	% of total Acres
152	Lodo-Rock Outcrop Complex	VII	Grade 5 – Very Poor	Not Prime Farmland	0.07	0.05
156	Lopez Very Shaly Clay Loam	VII	Grade 6 – Nonagricultural	Not Prime Farmland	7.31	4.92
169	Marimel Sandy Clay Loam	III	Grade 2 – Good	Prime Farmland if Irrigated and Drained	55.73	37.48
181	Nacimiento-Calodo Complex	VI	Grade 4 – Poor	Not Prime Farmland	0.23	0.15
191	Pismo-Tierra Complex	VII	Grade 4 – Poor	Not Prime Farmland	1.53	1.03
194	Riverwash	VIII	Not Rated	Not Prime Farmland	4.21	2.83
197	Salinas Silty Clay Loam	I	Grade 1 – Excellent	Prime Farmland if Irrigated	10.11	6.80
198	Salinas Silty Clay Loam	II	Grade 1 – Excellent	Prime Farmland if Irrigated	9.40	6.32
210	Still Gravelly Sandy Clay Loam	II	Grade 3 – Fair	Prime Farmland if Irrigated	13.40	9.01

Notes: LCC= Land Capability Class (Irrigated): see Table 2.2-2 for definitions

Source: SWCA 2012a; NRCS 2012

### Land Capability Classification

The US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) assesses potential and/or existing agricultural productivity by utilizing the Land Capability Classification (LCC) system. The LCC system classifies soil units based on limitations for field crop production, the risk of damage due to crop production, and how the soil responds to management, as summarized in **Table 2.2-2**. The system has three tiers, including capability classes, subclasses, and capability units. LCC classes range from I to VIII, and subclasses include erosion (e); water (w); shallow, droughty, or stony (s), and very cold or very dry (c).

**TABLE 2.2-2  
LAND CAPABILITY CLASSIFICATIONS**

Class	Definition
I	Slight limitations that restrict use
II	Moderate limitations that reduce the choice of plants or require moderate conservation practices
III	Severe limitations that reduce the choice of plants or require special conservation practices, or both
IV	Very severe limitations that restrict the choice of plants or require very careful management, or both.
V	Little or no hazard of erosion but have other limitations, impractical to remove, that limit their use mainly to pasture, range, forestland, or wildlife food and cover.
VI	Severe limitations that make them generally unsuited to cultivation and that limit their use mainly to pasture, range, forestland, or wildlife food and cover.
VII	Very severe limitations that make them unsuited to cultivation and that restrict their use mainly to grazing, forestland, or wildlife

## 2.2 AGRICULTURAL RESOURCES

Class	Definition
VIII	Limitations that preclude their use for commercial plant production and limit their use to recreation, wildlife, or water supply or for aesthetic purposes.

Source: SWCA 2012a

Every LCC is represented within the project area, with the exception of LCC V. The LCC classifications of the soils within the APE are summarized in **Table 2.2-1**.

### Storie Index

The Storie Index is a soil rating based on soil properties that govern a soil's potential for cultivated agriculture in California. The Storie Index assesses the productivity based on the following characteristics: degree of soil profile development; texture of the surface layer; slope; and manageable features, including drainage, microrelief, fertility, acidity, erosion, and salt content. A score ranging from 0 to 100 percent is determined for each characteristic, and the scores are then multiplied together to derive an index rating. Storie Index ratings are combined into six grade classes as follows: grade 1 (excellent), 100 to 80; grade 2 (good), 79 to 60; grade 3 (fair), 59 to 40; grade 4 (poor), 39 to 20; grade 5 (very poor), 19 to 10; and grade 6 (nonagricultural), less than 10. Every Storie Index rating is represented within the project area. The Storie Index ratings of the soils within the APE are summarized in **Table 2.2-1**.

### Prime Farmland

#### California Department of Conservation Classification

The California Department of Conservation (CDC) Division of Land Resource Protection developed the Farmland Mapping and Monitoring Program (FMMP) in 1984 to analyze impacts to California's agricultural resources. Land is rated and designated based on the land capability classification system, Storie Index, and land use (SWCA 2012a). FMMP designations are summarized in **Table 2.2-3** and shown in **Figure 2.2-1**.

**TABLE 2.2-3  
FARMLAND MAPPING AND MONITORING PROGRAM DESIGNATION SUMMARY**

Farmland Mapping and Monitoring Program Designation	Acres
Prime Farmland	79.5
Farmland of Statewide Importance	0.4
Unique Farmland	4.8
Local Potential	38.7
Grazing Land	15.0
Other Land	10.5

Source: USDA-NRCS 2008

As summarized in **Table 2.2-3**, the following farmland designations are located within the project area: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Potential, and Grazing Land. These land designations are described below.

## 2.2 AGRICULTURAL RESOURCES

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**Prime Farmland (P):** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. According to the FMMP, approximately 79.5 acres are designated Prime Farmland within the APE.

**Farmland of Statewide Importance (S):** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. According to the FMMP, there is approximately 0.4 acre designated Farmland of Statewide Importance within the APE.

**Unique Farmland (U):** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date. According to the FMMP, approximately 4.8 acres are designated Unique Farmland within the APE.

**Farmland of Local Potential (LP):** Lands having the potential for farmland, which have Prime or Statewide characteristics and are not cultivated. According to the FMMP, there are approximately 38.7 acres designated Farmland of Local Potential within the APE.

**Grazing Land (G):** Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres. According to the FMMP, approximately 15.0 acres are designated Grazing Land within the APE.

### County Department of Agriculture

The San Luis Obispo County Department of Agriculture defines "prime agricultural lands or soil" in the Agriculture Element of the County of San Luis Obispo General Plan (SLOCO 2010e) as land meeting any of the following criteria:

- Land with a Natural Resources Conservation Service land capability rating of Class I or Class II (all land to qualify for these ratings must be irrigated); or
- Other irrigated lands that have suitable soils, climate, and water supply which sustain irrigated crops valued according to one of the following criteria:
  - 1) Land planted in crops which have produced an annual gross value of \$1,000 or more per acre for three of the previous five years.
  - 2) Land planted in orchards, vineyards, and other perennial crops that would produce an average annual gross value of \$1,000 or more per acre if in full commercial bearing. Value is calculated by multiplying the average production per acre by the average value of the commodity for the previous five years as determined from the Annual Reports of the San Luis Obispo County Department of Agriculture and Measurements Standards.

## 2.2 AGRICULTURAL RESOURCES

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The LCC classes of the eleven soil units in the APE are summarized in **Table 2.2-1**. Three of the soil units, comprising approximately 33 acres (22 percent) within the 149-acre APE, meet the San Luis Obispo County Department of Agriculture's definition of prime agricultural land or soil because they meet the first criteria by being either NRCS Land Capability Class I or II. These soils include Salinas Silty Clay Loam (197, 198) and Still Gravelly Sandy Clay Loam (210) and are generally located in the northern two-thirds of the project study area near South Higuera Street and Clover Ridge Lane (Segments 1 and 2). In addition, according to the 2006–2010 annual agricultural reports (SLOCO DAWM 2006, 2007, 2008, 2009, 2010) numerous crops have met or exceeded the value of \$1,000 or more per acre in gross production value over the those five years. Therefore, the agricultural land located along Monte Road (Segment 3 and portions of Segment 5) may also be considered prime agricultural land and/or soil even though the soil type has NRCS Land Capability Class III. These soils units comprise approximately 58 acres (38 percent) within the APE. Based on the San Luis Obispo County Department of Agriculture's definition, up to approximately 91 acres (61 percent) of the APE may be considered prime agricultural land or soil.

### WILLIAMSON ACT LAND

The California Land Conservation Act of 1965, also known as the Williamson Act, encourages and enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming uses rather than full market value. Local governments receive a subsidy for forgone property tax revenues from the state via the Open Space Subvention Act of 1971. According to the San Luis Obispo Williamson Act Land Map (CDC 2010b), Assessor's Parcel Numbers 076-121-027 and -028 were enrolled in the Williamson Act and a Farmland Security Zone contract (Prime Agriculture Land) as of January 2009 (as shown in **Figure 2.2-2**).

### FORESTLAND/TIMBERLAND

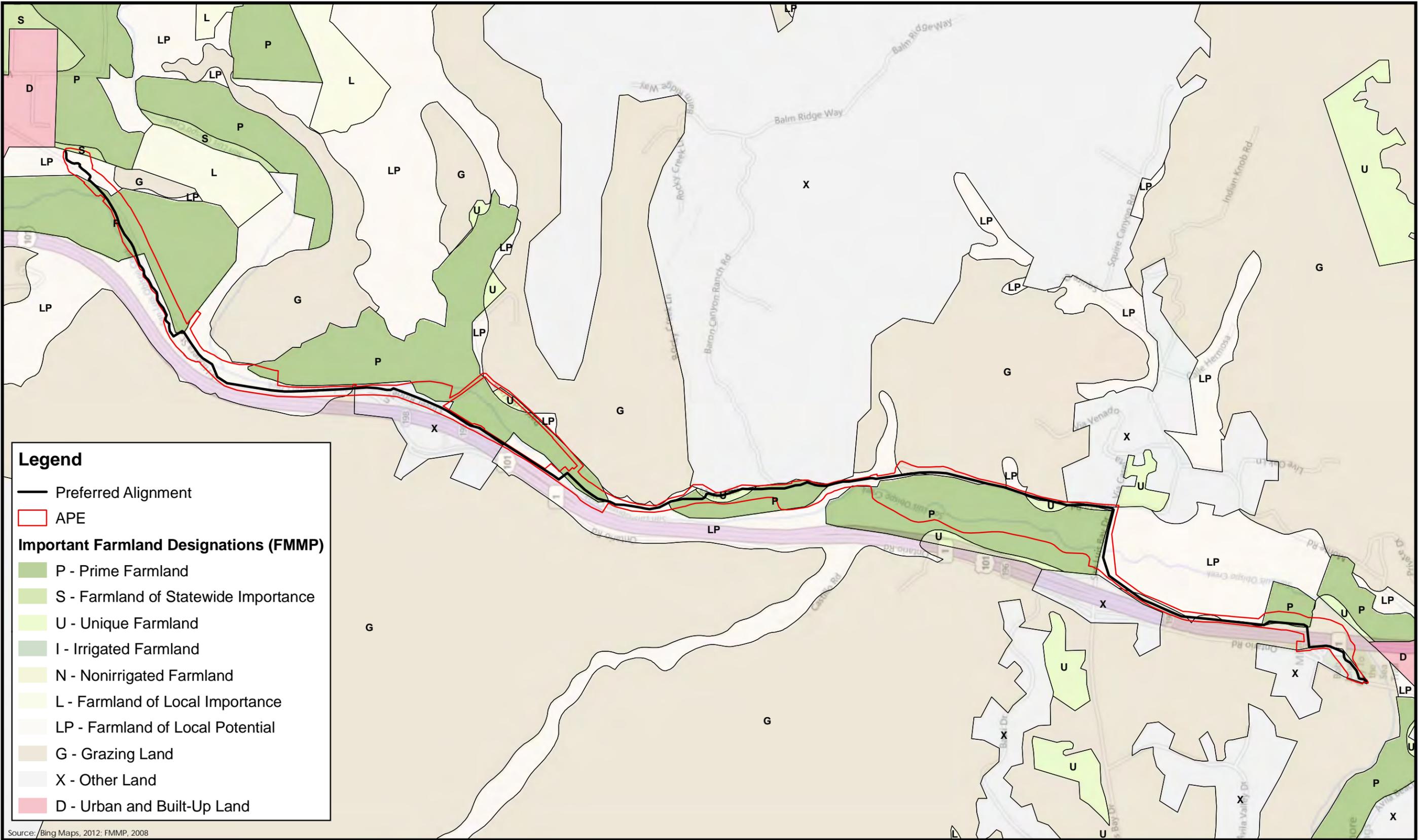
The riparian forest within the SLO Creek corridor would qualify as forestland pursuant to Public Resources Code Section 12220(g) since it can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and allows for management of fish and wildlife and of water quality. The amount of riparian forestland within the project area is unknown; however, the amount of riparian forest, riparian scrub, freshwater marsh, and riverine area combined totals approximately 30.70 acres. Therefore, a maximum of 30.70 acres of forestland are located within the biological study area (BSA), which is larger than the project area. The riparian forest habitat within the BSA is classified as central coast arroyo willow riparian forest that supports the following dominant tree species: California black walnut (*Juglans californica*), western sycamore (*Platanus racemosa*), cottonwood (*Populus* spp.), box elder (*Acer negundo* var. *californicum*), California bay (*Umbellularia californica*), white alder (*Alnus rhombifolia*), arroyo willow (*Salix lasiolepis*), and coast live oak (*Quercus agrifolia*).

## **2.2 AGRICULTURAL RESOURCES**

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**Legend**

- Preferred Alignment
- ▭ APE
- Important Farmland Designations (FMMP)**
- P - Prime Farmland
- S - Farmland of Statewide Importance
- U - Unique Farmland
- I - Irrigated Farmland
- N - Nonirrigated Farmland
- L - Farmland of Local Importance
- LP - Farmland of Local Potential
- G - Grazing Land
- X - Other Land
- D - Urban and Built-Up Land

Source: Bing Maps, 2012; FMMP, 2008



Figure 2.2-1  
Important Farmland



## 2.2 AGRICULTURAL RESOURCES

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Backside Figure 2.2-1

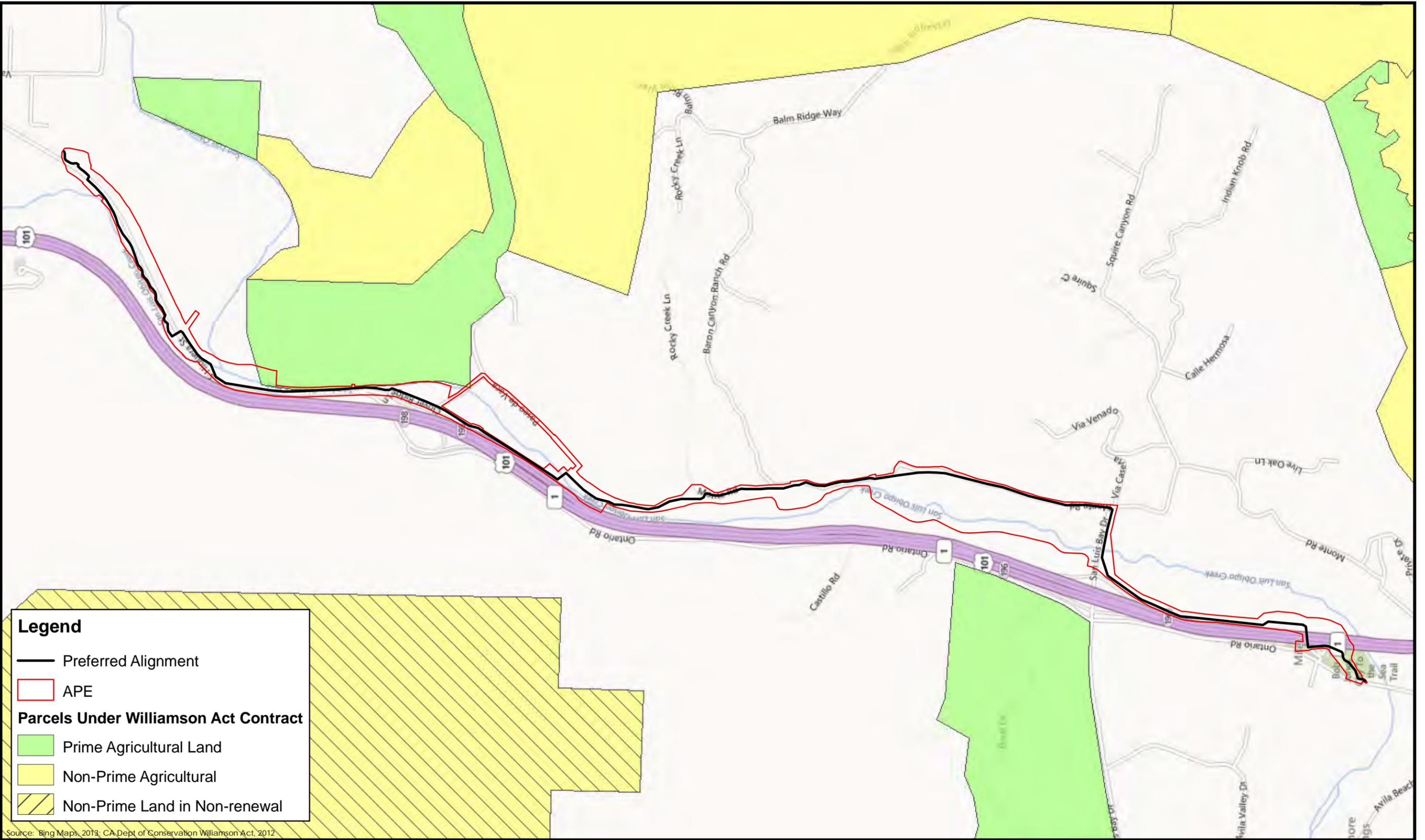


Figure 2.2-2  
Williamson Act

## 2.2 AGRICULTURAL RESOURCES

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Backside Figure 2.2-2

### 2.2.2 REGULATORY SETTING

Applicable federal, state, and local regulations that apply to agricultural resources within San Luis Obispo County are identified below.

#### FEDERAL REGULATIONS

##### **Farmland Protection Policy Act**

The Farmland Protection Policy Act requires completion of a Farmland Conversion Rating Form, Form AD-1006, and coordination with the Natural Resources Conservation Service to determine the significance of farmland impacts. Farmlands located within an existing right-of-way are not subject to the Farmland Protection Policy Act.

##### **Public Resources Code**

According to Public Resources Code Section 12220(g), forestland is land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

According to Public Resources Code Section 4526, timberland means land, other than land owned by the federal government and land designated by the board as experimental forestland, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species are determined by the board on a district basis.

#### STATE REGULATIONS

##### **California Land Conservation Act (Williamson Act)**

The California Land Conservation Act, also known as the Williamson Act, was adopted in 1965 to encourage the preservation of the state's agricultural lands and prevent their premature conversion to urban uses. The act encourages and enables local governments to enter into contracts with private landowners and restrict specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming and open space uses as opposed to full market value. Local governments receive a subsidy for forgone property tax revenues from the State via the Open Space Subvention Act of 1971.

Under a Williamson Act contract, the property owner agrees not to develop the property for a period of 10 to 20 years. The contract automatically renews each year for a new 10-year period unless the owner files a Notice of Non-Renewal to indicate his or her intention to terminate the contract at the end of the current 10-year period. Williamson Act contracts may also be terminated by a public agency if the property under contract is being acquired for another purpose in the public's interest or other public acquisition procedures.

#### LOCAL REGULATIONS

## 2.2 AGRICULTURAL RESOURCES

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### General Plan

#### Land Use Element

Land designated for agricultural land use is intended to promote and protect the agricultural industry of the county and the soils essential to agriculture. The purpose of the Agriculture land use designation is as follows:

- a) To recognize and retain commercial agriculture as a desirable land use and as a major segment of the county's economic base;
- b) To designate areas where agriculture is the primary land use with all other uses being secondary, in direct support of agriculture;
- c) To designate areas where a combination of soil types, topography, water supply, existing parcel sizes, and good management practices will result in the protection of agricultural land for agricultural uses, including the production of food and fiber;
- d) To designate areas where rural residential uses that are not related to agriculture would find agricultural activities a nuisance, or be incompatible;
- e) To protect the agricultural basis of the county economy and encourage the open space values of agriculture to continue agricultural uses, including the production of food and fiber;
- f) To recognize that agricultural activities on a small scale can supplement income from other sources, particularly where older subdivisions have resulted in parcels smaller than would currently qualify for new subdivisions within the parcel size range for the Agriculture category;
- g) To support conversion of agricultural lands to other uses only when such conversion would be appropriate or because the continuing agricultural productivity of a specific site is infeasible, considering the factors in purpose statement c, above; and
- h) To give high priority to the protection of commercial prime and nonprime agricultural soils where the commercial viability, siting (whether inside or outside urban reserve lines), and natural resources allow for agricultural uses, including the production of food and fiber.

#### Agricultural Element

The San Luis Obispo General Plan addresses agricultural resources separately in an Agricultural Element. Land designated in the Agricultural Element as "Agricultural" includes many different croplands and grazing lands that are individually and collectively important to the local agricultural economy. In addition, all lands covered by Williamson Act agricultural preserve contracts are included in this designation. Policies in the Agricultural Element encourage the continued use and preservation of agricultural land in the county. Through the goals, policies, implementation programs, and measures provided within the Agricultural Element, the County's intent is "to promote and protect the agricultural industry of the County, to provide for a continuing sound and healthy agriculture in the County, and to encourage a productive and profitable agricultural industry."

There are currently 34 agricultural-related policy topics in this element, with Policies AGP-14, AGP-17, and AGP-24 the three most relevant to this analysis. Policy AGP-14, Agricultural Preservation Program, encourages the County to maintain and increase participation by local property owners in its agricultural preserve program. The County's preserve program is currently active, with thousands of acres of land in Williamson Act contracts. Agricultural preserves are seen as one of the most direct and measurable ways to protect agricultural lands. Policy AGP-17, Agricultural Buffers, aims to minimize the effects of incompatibilities through the use of buffer zones between the areas in production and incompatible uses such as residences, schools, etc. Conflicts between uses can adversely affect the agricultural viability of the land and the health of nearby residents. Policy AGP-24, Conversion of Agricultural Land, discourages the conversion of agricultural lands to nonagricultural uses. This policy primarily pertains to changes in land use designations or zoning; however, it may provide guidance when physical changes to agricultural land are proposed. It focuses on two types of development that can adversely affect agriculture: (1) expansion of the existing urban boundaries into agricultural lands, and (2) "leapfrog" development that results in "pockets" of urban development surrounded by agricultural areas. Both of these scenarios put pressure on agricultural lands to convert to other uses. In addition, AGP-24 allows approval of conversion of agricultural land to non-agricultural designations based on the following findings:

- a. the land does not meet the criteria for inclusion in the Agriculture designation in this plan or the Land Use Element; and
- b. agricultural production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses; and
- c. adjacent lands are already substantially developed with uses that are incompatible with agricultural uses; and
- d. the conversion to non-agricultural uses shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture; and
- e. there is an over-riding public need for the conversion of the land that outweighs the need to protect the land for long-term agricultural use, such as the orderly expansion of an incorporated city or community.

Approval of agricultural land conversions also requires a finding that the conversion will not materially reduce groundwater recharge.

### Conservation and Open Space Element

The Conservation and Open Space Element (COSE) provides policies to conserve important agricultural soils. Policy SL 3.1 requires that any conversion of agricultural lands to nonagricultural 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. Important agricultural soils are mapped in Figure SL-1 of the COSE and listed in Table SL-2. The APE contains five of the important agricultural soils (four Prime Farmland, one Farmland of Statewide Importance, and one listed as "other productive soil") listed under the Coastal Soil Survey Area.

## 2.2 AGRICULTURAL RESOURCES

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### Parks and Recreation Element

The consolidated goals, objective and policies are provided in Appendix E of the Parks and Recreation Element. Policy 3.8 requires that trail project be consistent with standards in the General Plan including the County's Agriculture and Open Space Element; stay as far away as reasonable from production agriculture, commercial activities and residences; be built to minimize impacts to sensitive resources; provide signs that identify permitted trail uses, directions to relevant public areas, and provide for safety and protection of trail users and adjacent private property; provide trail fencing where necessary to discourage trespass onto neighboring land and to protect sensitive resources; impose enforceable limitation on the trail use, as appropriate; and be designed and constructed consistent with the trails standards contained in Appendix B of the Parks and Recreation Element. Appendix F of the Parks and Recreation Element provides standard mitigation measures for agricultural resources, which have been voluntarily incorporated into the project design.

### **San Luis Obispo County Agricultural Preserve Program**

The objectives of the San Luis Obispo County Agricultural Preserve Program, as provided by the California Land Conservation Act of 1965 (the Williamson Act), are to protect agricultural lands for continued production of food and fiber and limited types of land devoted to open space and recreational uses.

An agricultural preserve is established by landowner request in an area devoted to an agricultural use, recreational use, and/or an open space use as defined in and established in accordance with the California Land Conservation Act of 1965. Establishment of an agricultural preserve is a prerequisite for landowners to enter into land conservation contracts with the County. A land conservation contract is a contract entered into by and between the property owner and lien holders (if any) and the County to restrict the use of the land for agricultural and compatible uses for a minimum term of 10 years or more.

### **San Luis Obispo County Right-to-Farm Ordinance**

The San Luis Obispo County Right-to-Farm Ordinance states that the use of real property for agricultural operations is a high priority and favored use. Ordinance No. 2561 (August 1992), added Chapter 5.16 to Title 5 of the San Luis Obispo County Code relating to Agricultural Lands, Operations, and the Right To Farm. Paragraph "b" of Section 5.16.020 (Findings and Policy) states:

*Where non-agricultural land uses occur near agricultural areas, agricultural operations frequently become the subjects of nuisance complaints due to lack of information about such operations. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investments in farm improvements to the detriment of agricultural uses and the viability of the County's agricultural industry as a whole.*

The Right-to-Farm Ordinance advises purchasers of residential and other property types adjacent to existing agricultural operations of the inherent potential problems associated with the purchase of such property. Concerns may include the noise, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations.

### 2.2.3 IMPACTS AND MITIGATION MEASURES

#### STANDARDS OF SIGNIFICANCE

The California Environmental Quality Act (CEQA) requires state and local agencies to assess the potential environmental constraints of their actions. In addition, it requires that these constraints, if considered significant, be avoided or reduced when feasible. Appendix G of the CEQA Guidelines, provides the following questions to encourage thoughtful assessment of impacts. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).
- d) Result in the loss of forestland or conversion of forestland to non-forest use.
- e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use.

Additional potential effects associated with agriculture recognized by the County include whether or not the proposed project would:

- Cause an adverse effect to agricultural viability by placing incompatible or potentially incompatible land uses near active agricultural areas.
- Adversely affect agricultural production on and/or off site.

The Farmland Protection Policy Act requires that the NRCS be consulted so that impacts on farmlands can be minimized. No specific thresholds have been developed by the NRCS; however, it is necessary to review project alternatives and evaluate whether or not they would reduce impacts to farmland.

#### METHODOLOGY

##### Farmland

This analysis is based in part on the *Bob Jones Pathway – San Luis Obispo to Ontario Road Agriculture Report* prepared by SWCA Environmental Consultants in February 2012 (SWCA 2012a). This report describes the agricultural setting, a regulatory setting, and potential impacts to agriculture. The report is included in **Technical Appendix T2** of this DEIR.

Impacts to agricultural resources were assessed by utilizing data and maps published by the USDA-NRCS web Soil Survey, FMMP, and Williamson Act GIS data, and San Luis Obispo County Department of Agriculture, including soil information, farmland mapping, and economic data.

## 2.2 AGRICULTURAL RESOURCES

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The proposed project was analyzed for the potential conversion of productive farmland, loss of productive agricultural soils, incompatible land uses, and inconsistencies with regulations and policies intended to preserve agricultural resources. A Farmland Conversion Impact Rating form (Form AD-1006) was completed and submitted to the local NRCS office for review (refer to Appendix A of the Agricultural Report included in **Technical Appendix T2** of this Draft EIR).

The analysis of agricultural impacts included a review of geographic information systems (GIS) maps, local and state literature and records, consultation with the County Department of Agriculture and NRCS, and field visits to the project study area and the surrounding region. GIS data provided by the County was utilized to determine soil types and identify parcels within and adjacent to the project study area that were part of agricultural preserves. This data was joined with the project study area layer to determine precisely how much Prime Farmland and/or acreage within agricultural preserves might be affected by future development within the project study area.

Documents used for the literature review included the County Crop Report (SLOCO DAWM 2010) and the Agriculture Element of the County of San Luis Obispo General Plan. Other documents included the USDA-NRCS Soil Survey Geographic (SSURGO) database for San Luis Obispo County, and the State CEQA Guidelines. Field visits to the project study area were performed on multiple occasions to crosscheck aerial photos.

### Forestland/Timberland

The riparian forest within the SLO Creek riparian corridor would likely qualify as forestland, as it can support 10 percent native tree cover under natural conditions and allows for the management of water quality and of fish and wildlife. Therefore, the loss of forestland was quantified based on the loss of riparian habitat as identified in Section 2.3, Biological and Natural Resources.

### PROJECT IMPACTS AND MITIGATION MEASURES

#### Conversion of Important Farmland (Prime Farmland, Unique Farmland, Farmland of Statewide Importance)

**Impact 2.2-1** Implementation of the proposed project would result in the conversion of approximately 1.6 acres of important farmland (1.4 acres designated Prime and 0.2 acre of Unique Farmland) to nonagricultural uses, which represents a loss of approximately 1.89 percent of the 84.7 acres of important farmland designated within the area of potential effect (APE). When existing farmland constraints, and ownership patterns are considered, however, the amount of productive Prime and/or Unique Farmland that would be converted to non-agricultural uses would be reduced from 1.6 acres to 0.5 acres. This impact is considered **Class III, less than significant**, project impact.

According to the Important Farmland Map for San Luis Obispo County (USDA-NRCS 2008), the APE encompasses approximately 79.5 acres (53. percent) designated as Prime Farmland, approximately 0.4 acre (0.27 percent) designated as Farmland of Statewide Importance, and approximately 4.8 acres (3.22 percent) designated as Unique Farmland. Implementation of the proposed project would result in the direct conversion of approximately 1.5 acres of important farmland (designated Prime and Unique Farmland) and the indirect conversion of approximately 0.1 acre of important farmland (designated Prime Farmland) as summarized in **Table 2.2-4a**.

TABLE 2.2-4A  
SUMMARY OF FMMP DESIGNATED IMPORTANT FARMLAND AFFECTED

Segments	Important Farmland Converted (Acres)			
	Direct Conversion			Indirect Conversion
	Prime Farmland		Unique Farmland	Prime Farmland
	Productive	Non-Productive	Productive	Productive
Segment 1		0.3		
Segment 2				0.1
Segment 3	0.8		0.2	
Segment 4				
Segment 5		0.2		
<b>Totals</b>	<b>0.8</b>	<b>0.5</b>	<b>0.2</b>	<b>0.1</b>

As shown in **Table 2.2-4a**, construction of Segments 2 and 3 of the proposed project would result in the conversion of approximately 0.9 acre of agricultural land designated as Prime Farmland and 0.2 acre designated as Unique Farmland. The conversion of farmland within each segment is described in detail below.

**Segment 1:** Construction of Segment 1 would result in the direct conversion of approximately 0.3 acre of prime soils, located on the Hayashi parcel (0.2 acre) and right-of-way near the Filipponi Ecological Reserve (0.1 acre). The 0.2 acre of prime soils on the Hayashi parcel is located between SLO Creek and South Higuera Street, and is isolated from the remainder of the existing cultivated area. A majority of this land is fallow, although the northern portion is used for storage of agricultural equipment, and implementation of the proposed project would require relocation of that equipment. The 0.1 acre of prime soils on the Filipponi Ecological Reserve is not currently farmed nor would be in the future, as that property is intended to be managed specifically for flood control and wildlife habitat. Construction of Segment 1 would result in the direct conversion of 0.3 acre of important farmland. However, these soils are not currently and not likely to be cultivated in the future; therefore, the loss of prime soils would not result in the loss of important farmland or farmland production.

**Segment 2:** Construction of Segment 2 would result in the conversion of approximately 0.1 acre of prime soils located on the Bunnell parcel. An existing farm access road would be used for the proposed pathway, which would require the construction of a new access road if the property were to remain in production. The new access road would result in the conversion of actively farmed prime soils to nonagricultural use; therefore, construction of Segment 2 would result in the indirect conversion of 0.1 acre of important farmland (Prime Farmland).

**Segment 3:** Construction of Segment 3 would result in the conversion of approximately 1.0 acre of prime soils. Prime soils in the northern portion of Segment 3 are located in an area that is not actively cultivated due to proximity to SLO Creek and the adjacent steep slopes even though the underlying soils have a Land Capability Classification of III and are capable of producing high value crops, as evidenced by the orchard downstream. Between this constricted area and Monte Road (and along Monte Road), the proposed pathway would avoid prime soils. Between Monte Road and the intersection with San Luis Bay Drive and Segment 4, the proposed BJP would result in the conversion of 0.1 acre of prime soil located on the Bunnell parcel, 0.4 acre of

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prime soil and 0.2 acre of Unique Farmland on the Land Conservancy of San Luis Obispo County parcel, and 0.3 acre of prime soils on the Gable parcel. All of this land is currently and could be actively in production; therefore, construction of Segment 3 would result in the conversion of up to 1.0 acre of important farmland (Prime and Unique Farmland).

**Segment 4:** Segment 4 would be located within the right-of-way adjacent to San Luis Bay Drive and co-located adjacent to an agricultural access road, in an easement, west of SLO Creek. Although located near prime soils, the segment would avoid impacts to prime soils because it would be located within existing rights-of-way. Therefore, construction of Segment 4 would not result in the conversion of important farmland.

**Segment 5:** Construction of Segment 5 would result in the conversion of 0.1 acre of prime soils within the right-of-way of an existing access road and 0.1 acre of prime soils on the Kruse parcel. A portion of Segment 5 would be co-located with the existing “cattle road” easement created during construction of Highway 101, which is located between the Highway 101 embankment and an existing fence and is not likely to be commercially farmed. Construction of Segment 5 would result in the direct conversion of 0.2 acre of important farmland. However, these soils are not currently and not likely to be cultivated in the future; therefore, the loss of prime soils would not result in the loss of important farmland.

### Conclusion

Although implementation of the proposed project would result in the direct and indirect conversion of 1.6 acres of land designated as Prime and/or Unique Farmland to nonagricultural (pathway) uses, the actual loss of productive important farmland would be reduced when taking into consideration existing applicable standard mitigation measures, productivity constraints, ownership patterns, and long-term farmland protection.

The proposed project has been designed to be consistent with standard mitigation measures provided in Appendix F of the Parks and Recreation Element. In order to provide a Class I pathway, portions of the alignment are located on and/or adjacent to agricultural land. However, the project has been designed to site the pathway along the margins of the agricultural land to ensure that users are located as far away as feasible from farm operations, which is consistent with the intent of Appendix F and Policy 3.8 of the Parks and Recreation Element.

Within Segments 1, 4, and 5, the shape, size, and relative isolation from the other actively farmed areas results in an existing condition where approximately 0.5 acre is already constrained from production. Acknowledging these constraints, the proposed project would result in the conversion of approximately 1.1 acres of productive important farmland. The conversion of 1.1 acres represents a loss of less than 1 percent (0.74 percent) of total agricultural within the APE and a loss of 1.3 percent of the 84.7 acres of important farmland designated within the APE. According to the *Bob Jones Pathway – San Luis Obispo to Ontario Road Agriculture Report* (SWCA 2012a), in the context of the entire APE the conversion of 1.0 acre of active operations on prime soil was considered insignificant.

Construction of Segments 2 and 3 would result in the conversion of approximately 1.1 acres of productive important farmland (approximately 0.9 acre of Prime Farmland and 0.2 acre of Unique Farmland) that are part of active agricultural operations. The 0.9 acre of Prime Farmland is under three different ownerships, with the largest (0.4 acre) under the ownership of the Land Conservancy of San Luis Obispo County. The 0.2 acre of Unique Farmland is also under the ownership of the Land Conservancy. Ownership by a land conservancy will serve to reduce the

potential for future development pressure on adjacent active agriculture. The Land Conservancy of San Luis Obispo County is the lead agency restoring the Octagon Barn Center at the trailhead of the pathway and is a cooperating partner in the proposed project. Considering the agency's conservation efforts at the Octagon Barn, as well as on the Filipponi Ecological Preserve, the stewardship of the Conservancy in the immediate vicinity of the BJP project will ensure long-term protection of adjacent farmland and yield other tangible environmental benefits with respect to historic and biological resources.

Taking into consideration the existing farmland constraints and ownership patterns the amount of productive Prime and/or Unique Farmland that would be converted to non-agricultural uses would be reduced from 1.6 acres to 0.5 acres as shown in **Table 2.2-4b**.

**TABLE 2.2-4B  
SUMMARY OF FMMP DESIGNATED IMPORTANT FARMLAND AFFECTED**

Important Farmland Considerations	Important Farmland Converted (Acres)		
	Prime Farmland	Unique Farmland	Total
<b>Total Important Farmland Affected</b>	<b>1.4</b>	<b>0.2</b>	<b>1.6</b>
Constrained	-0.5	0.0	-0.5
Ownership Limits Future Development	-0.4	-0.2	-0.6
<b>Remaining Important Farmland Affected</b>	<b>0.5</b>	<b>0.0</b>	<b>0.5</b>

The conversion of 0.5 acre of productive important farmland represents 0.6 percent of the 84.7 acres of all important farmland located within the APE, which would be considered incidental.

San Luis Obispo General Plan Policy AGP-24 allows for the conversion of agriculture to non-agricultural uses based upon a detailed site specific evaluation and consistency with the certain findings (see Standards of Significance). The proposed project would not change the agricultural land use designation, but would require non-agricultural uses within an easement on land designated for agriculture. No occupied structures (beyond the restrooms at the Octagon Barn trailhead) are proposed. Given the small area of conversion needed for the project, an analysis of the findings identified in General Plan Policy AGP-24 is provided below.

- a. *The land does not meet the criteria for inclusion in the Agriculture designation in this plan or the Land Use Element.*

Although implementation of the proposed project would result in the development of passive recreation uses on 1.6 acres of land designated as Prime and/or Unique Farmland, all land would retain its agricultural designation. In addition, the actual loss of productive important farmland would be reduced to 0.5 acres when productivity constraints, ownership patterns, and long-term farmland protection are taken into consideration.

- b. *Agricultural production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses.*

The remaining "productive" 0.5 acres of the 1.6 acres of important farmland affected by the project is constrained by incompatible land uses and located along the margins of existing fields and roads.

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- c. *Adjacent lands are already substantially developed with uses that are incompatible with agricultural uses.*

The proposed project would result in development of passive recreation facilities on agricultural land that is located along the margins of a parcel and/or adjacent to existing developed public right-of-way, which already limits agricultural operations.

- d. *The conversion to non-agricultural uses shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture.*

The proposed project would develop passive recreation uses along the margins of agricultural parcels. Implementation of mitigation measures **MM 2.2-3a** through **MM 2.2-3e** would minimize disruption of existing agricultural access roadways by preparing a plan that educates users on ways to respect and appreciate the importance of agriculture in the area; designing the final alignment to minimize disruption of existing agricultural operations; ensuring that domestic pets do not contaminate agricultural products; and ensuring that the measures of the plan and San Luis Obispo General Plan Parks and Recreation Element are incorporated into the final design drawings. Implementation of the required mitigation measures would protect existing or potential agricultural production.

- e. *There is an over-riding public need for the conversion of the land that outweighs the need to protect the land for long-term agricultural use, such as the orderly expansion of an incorporated city or community.*

The proposed project would provide a high priority bicycle/pedestrian facility for the community. The public need for such a facility and the benefits of the project will greatly outweigh the incidental conversion of 0.5 acres of productive farmland.

- f. *Approval of land conversions from agriculture to non-agricultural land uses will include a finding that the conversion will not materially reduce groundwater recharge.*

The proposed project would result in a minor increase in impervious surface area; however, any runoff generated by the proposed project would be directed away from agricultural production and allowed to infiltrate onsite. Therefore, the proposed project would not reduce or otherwise affect groundwater recharge.

In addition, the NRCS was consulted consistent with Farmland Protection Policy Act as part of the NEPA process. A Farmland Conversion Impact Rating form was submitted to the NRCS through the NEPA process for the proposed project, which determined the proposed project would result in an impact score of 135, below the 160 point threshold at which alternative routes would have to be considered under the Farmland Protection Policy Act. Therefore, the proposed project affect on farmland was determined to be a less than significant impact under NEPA. Although no specific thresholds of significance have been developed by the NRCS for the conversion of important farmland, it is necessary to review project alternatives and evaluate whether or not they would reduce impacts to farmland. Section 3.0 of the EIR provides a comparative analysis of the alternatives and their potential impacts on important farmland. Alternative 2 was specifically designed to avoid impacts to important farmland.

The proposed project has been designed to avoid bisecting important farmland and limit impacts to farmland to the margins of existing agricultural operations to the maximum extent

possible. The residual conversion of farmland would occur over several parcels and would not be concentrated on one land owner. Based on the minimal quantity of productive important farmland to be converted to non-agricultural uses, and the existing limitations on that property due to proximity to public roadways, the conversion of 1.6 acres of important farmland would be considered a **Class III, less than significant**, project impact.

### Conversion of Williamson Act Land

**Impact 2.2-2** Implementation of the proposed project would convert land under Williamson Act contract to nonagricultural use. This impact is considered **Class III, less than significant**, project impact.

There are two parcels (APN : 076-121-027 and -028) under Williamson Act contract located within the APE, as shown in **Figure 2.2-2**. As noted in the Agriculture Report, the proposed project was taken to the San Luis Obispo County Agricultural Preserve Review committee on October 30, 2006, to assess the impact Segment 2 would have on land designated as agriculture preserve. The committee determined that the proposed project would not impact the existing agriculture preserve due the alignment being located on the opposite side of the creek and because the project would likely include additional mitigation to reduce agricultural incompatibilities and conflicts (SWCA 2012a). Implementation of mitigation measures **MM 2.3-3a** through **MM 2.3-3g** would ensure that conflicts with existing agricultural operations minimized to a less than significant level. Therefore, this is considered a **Class III, less than significant**, project impact.

### Conflict with Existing Agricultural Operations

**Impact 2.2-3** Implementation of the proposed project may result in the disruption of and/or conflicts with existing agricultural operations by encroaching on access points and roadways and/or through the introduction of a new nonagricultural population to an agricultural area, increasing the potential for trespassing, and potentially exposing the public to active agricultural operations and related hazards. This is considered a **Class II, significant but mitigable**, project impact.

Implementation of the proposed project may result in incompatibilities or conflicts for a number of reasons. Construction of various segments of the proposed pathway could conflict with existing agricultural access roadways. In addition, the BJP would introduce new users to an agricultural area, which could potentially expose users to pesticides, introduce new contaminants to the agricultural operations, and/or increase trespassing on private property.

The proposed project would have the potential to displace agricultural existing access points and roadways along South Higuera Street, Clover Ridge Lane, Monte Road, and San Luis Bay Drive, which may disrupt and/or conflict with existing agricultural operations within or adjacent to the APE. The proposed project consists primarily of a Class I pathway, although small portions would be Class III (shared use with road). At various points along the corridor, the pathway would be located on formerly unpaved farm roads used to access agricultural operations and may cross existing agricultural roadways. In some locations, there is limited area between the existing roadway and/or the creek and the agricultural roadways to accommodate the pathway alignment. As a result, the existing agricultural roadways may need to be realigned to allow for construction and use of the proposed pathway. In addition to directly affecting access to agricultural land, the proposed project is expected to attract local residents, cycling enthusiasts, and tourists looking for a recreational experience to an area that has traditionally

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been occupied by agricultural operators and a few local residents, which may result in incompatibilities or conflicts. Users could potentially be exposed to pesticides, dust, odors, and noise associated with the agricultural operations or could introduce new contaminants to the agricultural operations. However, many of the existing agricultural operations that would be affected by the proposed project are already having to adjust their operations due to proximity to existing public roadways and waterways. Domestic animals can harass livestock, and trespassers can injure themselves, remove/break fences and gates, or otherwise disrupt agricultural operations. Therefore, construction of the proposed project could result in potential conflicts with existing agricultural operations. This would be considered a potentially significant impact.

As noted in Appendix C of the Agricultural Element, agricultural buffers are applicable to occupied structures. Since the only occupied structures associated with the proposed project are restrooms at the Octagon Barn trailhead, buffers would not be appropriate in this case. The preferred alignment has been designed to minimize bisecting agricultural land, provide an alignment that is located within or adjacent to the existing rights-of-way to the greatest extent possible, and/or be located where existing agricultural roads are already located. Through this alignment, the proposed project would place the pathway and new users as far away as possible from existing agricultural operations and within areas where existing agricultural operations are currently limited due to land uses conflicts, roadways and habitat along the creeks. Fences (48-inch T-post wire and 36-inch split rail) are proposed along sections of the trail corridor, which would help to reduce potential trespass and conflicts. These design elements are consistent with the standard mitigation measures provided in Appendix F of the Parks and Recreation Element. However, conflicts may result in unintended consequences such as stricter regulations for operations, reduced yields, or, in some cases, lawsuits, the costs of which could make agriculture less viable. This would be considered a potentially significant impact. Implementation of the following mitigation measures would reduce this impact to a less than significant level.

### Mitigation Measures

**MM 2.2-3a** Prior to commencing construction, the San Luis Obispo County General Services Agency, in coordination with property owners and the San Luis Obispo County Department of Agriculture, shall develop and implement a Farmland Conflict Reduction Plan. The Farmland Conflict Reduction Plan shall be subject to review and approval by the San Luis Obispo Environmental Coordinator and shall include, at a minimum:

1. Methods for minimizing trespassing and disturbance by trail users;
2. Procedures for minimizing pesticide exposure (notification, pathway closure, etc.);
3. Rules to minimize conflicts between domestic animals and livestock;
4. Establishment of potential temporary pathway closure procedures; and
5. Examples of the signage, striping, and fencing required.

**MM 2.2-3b** As part of the Farmland Conflict Reduction Plan required through implementation of mitigation measure **MM 2.2-3a**, the San Luis Obispo County General Services Agency shall provide signage that describes the importance

of the local agricultural lands and educate the public/users how to respect the surrounding important resources and reduce conflicts, including, but not limited to, the following:

1. Staying on designated trails;
2. Maintaining control of domestic animals;
3. Minimizing litter/waste;
4. Prohibiting picking of crops; and
5. Prohibiting the feeding of or contact with livestock.

Signage shall be located at the trailheads and along portions of the pathway that are located adjacent to large private agricultural land holdings. All signage shall be installed prior to public use of the trail.

### **MM 2.2-3c**

As part of the Farmland Conflict Reduction Plan required through implementation of mitigation measure **MM 2.2-3a**, the San Luis Obispo County General Services Agency shall design the pathway alignment to avoid agricultural roads to the greatest extent feasible by locating the pathway alignment within existing rights-of-way and/or on ruderal lands. In addition, pathway alignment and intersections shall be designed to minimize conflicts with agricultural operations through use of deterring devices such as fencing, striping, signage, bollards, and paving. Pavement and intersection development standards shall be identified and accommodate use by agricultural machinery and vehicles at all pathway/agricultural road intersection locations in order to minimize maintenance requirements where the pathway crosses agricultural roads. All methods of reducing conflict shall be demonstrated on final construction documents and will be subject to review and approval by the San Luis Obispo County Environmental Coordinator.

### **MM 2.2-3d**

As part of the Farmland Conflict Reduction Plan required through implementation of mitigation measure **MM 2.2-3a**, circumstances that require temporary pathway closure shall be clearly defined. Such circumstances may include routine maintenance, agricultural spraying, or potential and/or actual flood conditions. The timing of and average duration of routine temporary closures shall be clearly defined in the Farmland Conflict Reduction Plan. Every effort shall be made to schedule temporary pathway closures during non-peak pathway usage periods, which are typically weekends, holidays, and commute hours. Any temporary closures shall be clearly posted at the trailheads, parking areas, and point of closure. The notification shall identify the reason for the closure, time and date of closure, and duration of closure. Signage shall be posted at least 24 hours prior to closure and removed immediately upon the identified duration or being cleared for re-opening by the San Luis Obispo Environmental Coordinator.

### **MM 2.2-3e**

Prior to issuance of grading permit, the San Luis Obispo County General Services Agency shall ensure that final construction documents include the requirements of the Farmland Conflict Reduction Plan and that the design is

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consistent with Appendices B, E, and F of the County of San Luis Obispo General Plan - Parks and Recreation Element. Plans shall be subject to review and approval by the San Luis Obispo County Environmental Coordinator.

Implementation of the above mitigation measures would minimize disruption of existing agricultural access roadways by requiring a coordinated effort to prepare a plan that educates users on ways to respect and appreciate the importance of agriculture in the area; design the final alignment to minimize disruption of existing agricultural operations; ensures that domestic pets do not contaminate agricultural products; and ensures that the measures of the plan and San Luis Obispo General Plan Parks and Recreation Element are incorporated into the final design drawings. Implementation of the above mitigation measures would reduce the proposed project's potential to conflict with existing agricultural operations to less than significant level; therefore, this would be considered a **Class II, significant but mitigable**, project impact.

Additional mitigation would be necessary to address the introduction of new populations to the area as discussed below.

### Increased Runoff onto Adjacent Agricultural Land

**Impact 2.2-4** Implementation of the proposed project may affect local drainage patterns by increasing runoff onto adjacent agricultural lands. This impact is considered **Class II, significant but mitigable**, project impact.

Construction of the pathway could impact agricultural operations by increasing the amount of stormwater runoff onto adjacent agricultural lands and altering local drainage patterns, which is considered a potentially significant impact. Most of the project area lies within the 100-year floodplain and would require that the proposed project be engineered in a manner that would not significantly alter floodplain levels. Standard mitigation measures in Appendix F of the Parks and Recreation Element have been incorporated into the project design to minimize the amount and rate of off-site runoff. Additionally, implementation of mitigation measure **MM 2.3-4h** would require the applicant to prepare and implement a sedimentation and erosion control plans and a stormwater pollution prevention plan (SWPPP). In addition, implementation of the following mitigation measures would reduce this impact to a less than significant level.

#### Mitigation Measures

**MM 2.2-4a** Prior to preparation of final construction drawings, the San Luis Obispo County General Services Agency shall ensure that the proposed project minimizes the quantity and rate of runoff off-site. The pathway shall be graded to convey runoff to away from agricultural crops, orchards and/or fields to reduce runoff onto adjacent agricultural lands.

**MM 2.2-4b** Prior to use of the BJP and throughout the life of the project, the San Luis Obispo County General Services Agency shall provide refuse bags and disposal cans for domestic animal waste at the trailheads and at accessible, serviceable points along the route.

Implementation of the above mitigation measures and compliance with local regulations would ensure that local runoff onto adjacent agricultural land does not result in an adverse effect and that this impact is reduced to a less than significant level. Therefore the increase runoff onto agricultural land as a result of the proposed project would be considered a **Class II, significant but mitigable**, project impact.

### Loss of Forestland

**Impact 2.2-5** Implementation of the proposed project would result in the permanent disturbance of 0.90 acre of riparian habitat along the SLO Creek corridor, which contains riparian forest. This is considered a **Class II, significant but mitigable**, project impact.

Implementation of the proposed project would result in the temporary disturbance of approximately 2.89 acres and the permanent disturbance of a maximum of 0.90 acre of riparian habitat, which includes riparian forest. Although the proposed project may result in the disturbance of riparian forestland, it is important to note that the project would not convert forestland to urban uses but would provide an access pathway through the forestland. In any case, there may be a loss of forestland as defined by Public Resources Code Section 12220(g) because the riparian forest habitat within the SLO Creek corridor contains more than 10 percent native tree cover, including hardwoods, and is located in an area that is managed for water quality and for fish and wildlife.

The project area contains central coast arroyo willow riparian forest, which supports California black walnut, western sycamore, cottonwood, box elder, California bay, white alder, arroyo willow, and coast live oak. The riparian forest within the SLO Creek riparian corridor provides suitable travel corridors for various birds and terrestrial wildlife species passing through surrounding developed areas and is managed for water quality and for fish and wildlife. SLO Creek provides a migration and travel corridor for steelhead trout and other aquatic species. The potential loss of riparian forestland may impair the management of water quality and of fish and wildlife management, which would be considered a potentially significant impact. However, implementation of mitigation measures **MM 2.3-1a, MM 2.3-4b, 2.3-4c, 2.3-4e, 2.3-4g,** and **MM 2.3-4i** would reduce potential impacts to riparian forestland by requiring the preparation and implementation of a final Habitat Mitigation and Management Plan, engaging a biological monitor, restricting construction activities, minimizing tree removal and pruning, and requiring preparation and implementation of a Construction Management Plan. Specifically, mitigation measure **MM 2.3-4g** requires the applicant to prepare a plan for minimizing the trimming and removal of trees to the extent feasible. It requires the project to avoid the potential for unnecessary removal or trimming of trees, with any trees to be removed marked with colored flagging or other suitable material. After construction, any loss of riparian trees is required to be replaced at a ratio of 3:1, or as otherwise directed by regulatory agencies. Methods for riparian vegetation replacement must be incorporated into the final Habitat Mitigation and Management Plan. The potential loss of forestland would be minimized and would have no adverse effect on the ability to manage water quality and fish and wildlife. Therefore, this impact would be reduced to a less than significant level and would be considered a **Class II, significant but mitigable**, project impact.

### CUMULATIVE IMPACTS AND MITIGATION MEASURES

#### Cumulative Loss of Important Farmland and/or Forestland

**Impact 2.2-6** Implementation of the proposed project would contribute to the cumulative loss of important farmland (designated Prime or Unique Farmland) and/or forestland within the county. This is considered a **Class III, less than significant**, cumulative impact.

Implementation of the proposed project would directly result in the loss of approximately 1.6 acres of land designated as important farmland; however, this conversion will result on in the loss

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of 0.5 acres of productive important farmland (designated Prime or Unique Farmland) and a maximum of 0.9 acre of forestland (riparian). When combined with other reasonably foreseeable similar projects within the County that convert farmland and forestland, the amount would not be considered cumulatively considerable in the context of countywide inventories of farmland and forestland. In addition, the County's policies severely limit the ability for cumulative conversion or for conflict to occur. Therefore, the proposed project's contribution towards the loss of improvement farmland and/or forestland would not be cumulative considerable and this would be considered **Class III**, *less than significant*, cumulative impact.

## **2.3 BIOLOGICAL AND NATURAL RESOURCES**

This section outlines the existing biological and natural resource setting in the county, describes the federal and state regulatory framework pertaining to biological resources, and evaluates the proposed Bob Jones Pathway (BJP; project) for biological and natural resource impacts. This evaluation was based on a Natural Environment Study (NES) and Biological Assessment (BA) prepared for the proposed project by SWCA Environmental Consultants in February 2012, which have been included in **Technical Appendix T3** of this Draft EIR. These studies focus on the area that may be directly, indirectly, temporarily, or permanently impacted by construction activities, which is referred to as the biological study area (BSA) throughout this section.

The BSA encompasses approximately 149 acres and is consistent with the general area of potential effect (APE) shown in **Figure 1.0-3**. The BSA includes the proposed pathway route, adjacent agricultural and conservation lands, various stream crossings over San Luis Obispo Creek (SLO Creek), potential access and staging areas, and roadside drainages and other aquatic areas in the immediate vicinity of proposed project activities.

**2.3.1 EXISTING SETTING**

VEGETATIVE COMMUNITIES

The BSA contains the following types of vegetative communities/habitats: agricultural land; ruderal (disturbed); landscaping/ornamental vegetation (including groundcover and planted trees); non-native annual grassland, serpentine bunchgrass; coastal scrub; coast live oak woodland; riparian (including riparian forest, riparian scrub, freshwater marsh, and riverine habitats); and seasonal wetlands. The general locations of these habitats are shown in **Figure 2.3-1**. The acreages of these vegetative communities within the BSA are summarized in **Table 2.3-1**. The remaining portions of the BSA consist of urban development such as roadways, buildings, and other artificial structures, which have been mapped as developed areas.

**TABLE 2.3-1  
VEGETATIVE COMMUNITY/HABITAT TYPES PRESENT WITHIN THE BIOLOGICAL STUDY AREA**

Community/ Habitat Type	Total Acres Present Within BSA
Agricultural Land	66.00
Ruderal (Disturbed)	14.60
Landscaping/Ornamental Vegetation	1.20
Non-Native Annual Grassland	12.80
Serpentine Bunchgrass	0.57
Coastal Scrub	7.04
Coast Live Oak Woodland	2.14
Riparian	30.70
Seasonal Wetland	0.15

Source: SWCA 2012b

Each of the vegetative communities/habitats located within the BSA is described below.

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### Agricultural Land

There are approximately 66.00 acres of agricultural land within the BSA (SWCA 2012b). This agricultural land primarily supports row crops, orchards, fallow areas, and disturbed dirt access roads and edges. Agricultural fields may provide habitat for wildlife such as rodents, other small mammals, and foraging birds, but are unlikely to support sensitive species because they are often subject to considerable disturbance unsuitable for these species (SWCA 2012b).

### Ruderal (Disturbed)

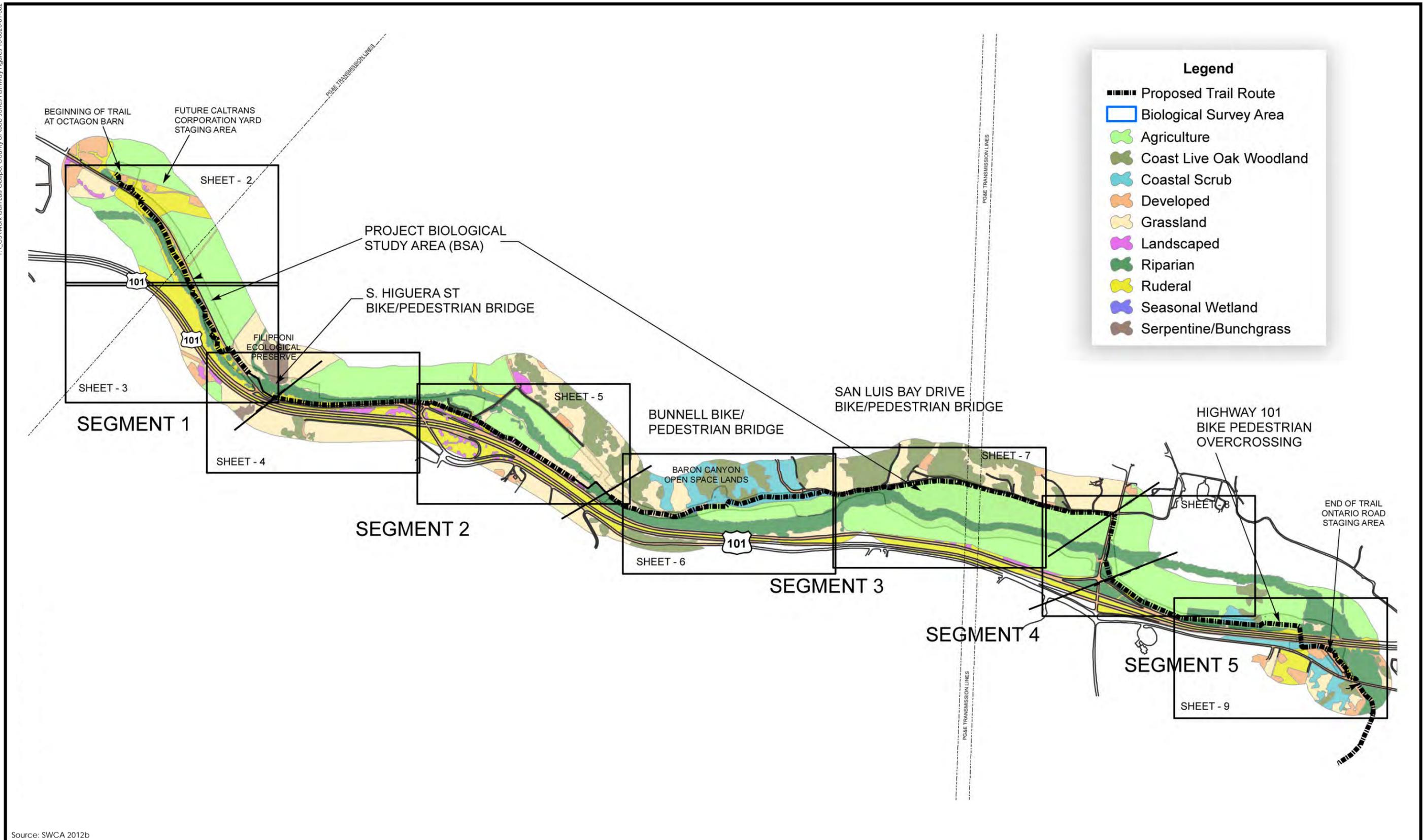
There are approximately 14.60 acres of ruderal (disturbed) land within the BSA (SWCA 2012b). Ruderal habitats are typically dominated by weedy species that are tolerant of disturbance. Within the BSA, ruderal habitat occurs in disturbed areas that are not landscaped, including road edges, unpaved lots, and areas where vegetation has been cleared. Ruderal areas within the BSA are dominated mainly by non-native annual weedy species such as red-stem filaree (*Erodium cicutarium*), common sow thistle (*Sonchus oleraceus*), Italian thistle (*Carduus pycnocephalus*), bull mallow (*Malva nicaensis*), wild radish (*Raphanus* spp.), black mustard (*Brassica nigra*), telegraph weed (*Heterotheca grandiflora*), castor bean (*Ricinus communis*), common groundsel (*Senecio vulgaris*), hoary cress (*Cardaria draba*), and several others. Non-native Mediterranean grass species also thrive in ruderal areas. Due to their disturbed nature, ruderal habitats are not likely to support sensitive plant or wildlife species, but may contain disturbance-tolerant wildlife species such as western fence lizard (*Sceloporus occidentalis*) or California ground squirrel (*Spermophilus beecheyi*).

### Landscaping/Ornamental Vegetation

There are approximately 1.20 acres of landscaping/ornamental vegetation within the BSA (SWCA 2012b). These areas are vegetated by ornamental species or other herbaceous plants, shrubs, and trees typically used for landscaping and primarily occurring near residences and along road edges and medians. Several introduced species have been planted, such as acacia tree (*Acacia* sp.), iceplant (*Carpobrotus edulis*), birdsfoot trefoil (*Lotus corniculatus*), garden nasturtium (*Tropaeolum majus*), ornamental lupine (*Lupinus* spp.), clover (*Trifolium* sp.), and violet (*Viola* sp.), as well as Monterey pine (*Pinus radiata*) that have been planted in certain residential areas. Since these plants tend to grow or be planted in disturbed areas, they do not typically support sensitive species habitat; however, areas landscaped with planted trees may support habitat for nesting, roosting, or foraging bird species.

### Non-Native Annual Grassland

There are approximately 12.80 acres of non-native annual grassland within the BSA (SWCA 2012b). This habitat is dominated by introduced annual grasses in association with many species of showy native forbs (herbaceous annual plants such as wildflowers), especially in years of abundant rainfall. Non-native grasslands comprise one of the more dominant plant communities in the region, particularly west of Highway 101, and are mostly undeveloped grasslands or used as rangeland or pastures. Areas vegetated by non-native annual grassland in or near the BSA include patches east of Monte Road, the southern portion of the Bunnell property, and a section of the Filipponi Ecological Reserve north of the East Fork of SLO Creek. Dominant species are typically introduced Mediterranean grasses such as wild oat (*Avena* spp.), brome grasses (*Bromus* spp.), Italian ryegrass (*Lolium multiflorum*), and Harding grass (*Phalaris aquatica*). Annual grasslands can support good quality habitat for sensitive species along the Central Coast of California, especially plant species.



Source: SWCA 2012b



Figure 2.3-1  
Vegetative Communities/Habitats

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### Serpentine Bunchgrass

There is approximately 0.57 acre of serpentine bunchgrass within the BSA (SWCA 2012b). Serpentine bunchgrass is a declining and rare plant community recognized as a sensitive habitat by the California Natural Diversity Database (CNDDDB) (SWCA 2012b). This community is restricted to serpentine rock sites in open grassland dominated by perennial bunchgrasses such as *Nassella* spp. Cover is typically low, but markedly dominated by native species. This sensitive habitat is scattered throughout the Coast Ranges.

### Coastal Scrub

There are approximately 7.04 acres of coastal scrub within the BSA (SWCA 2012b). Coastal scrub primarily occurs interspersed among coast live oak woodlands and annual grasslands along the west-facing hillsides east of Monte Road. These coastal scrub communities support a mixture of coastal sage scrub and central coastal scrub, with dominant species such as coyote brush (*Baccharis pilularis*), California sagebrush (*Artemisia californica*), black sage (*Salvia mellifera*), and bush monkeyflower (*Mimulus aurantiacus*), along with several other woody perennials and herbaceous annuals. Coastal scrub communities provide habitat for various wildlife species, including lizards, various nesting bird species, and rabbits (*Sylvilagus* spp. and *Leporis californicus*).

### Coast Live Oak Woodland

There are approximately 2.14 acres of coast live oak woodland within the BSA (SWCA 2012b). Coast live oak woodlands primarily occur along the west-facing hillsides east of Monte Road. These woodlands support nearly monotypic stands of coast live oak (*Quercus agrifolia*), with some toyon (*Heteromeles arbutifolia*) in the understory, and a ground cover of mainly introduced Mediterranean grasses. Coast live oak woodland communities provide habitat for various wildlife species, including lizards, various nesting bird species (including raptors), raccoon (*Procyon lotor*), and mule deer (*Odocoileus hemionus*).

### Riparian

There are approximately 30.70 acres of riparian habitat within the BSA (SWCA 2012b). Riparian communities generally occur adjacent to existing flowing stream channels, along seasonally flooded arroyos, or along ponds or depressional areas located close to groundwater. These communities occur as transitional areas between riverine and upland habitats.

Riparian habitats provide habitat for a variety of wildlife species. Native fish known to occur in the SLO Creek watershed include steelhead trout (*Oncorhynchus mykiss*), speckled dace (*Rhinichthys osculus*), threespine stickleback (*Gasterosteus aculeatus*), prickly sculpin (*Cottus asper*), and Pacific lamprey (*Petomyzon tridentat*) (SWCA 2012b). Fish species introduced to SLO Creek include goldfish (*Carassius auratus*), largemouth bass (*Micropterus salmoides*), green sunfish (*Lepomis cyanellus*), bluegill (*Lepomis macrochirus*), mosquitofish (*Gambusia affinis*), channel catfish (*Ictalurus punctatus*), brown bullhead (*Ameiurus nebulosus*), golden shiners (*Notemigonus crysoleucas*), fathead minnows (*Pimephales promelas*), and common carp (*Cyprinus carpio*) (SWCA 2012b). Amphibian and reptile species expected to occur within the riparian areas include Pacific chorus frog (*Pseudacris regilla*) and southwestern pond turtle (SWPT) (*Actinemys marmorata pallida*) and the non-native crayfish (*Procambarus* sp.) and bullfrog (*Rana catesbeiana*). Although there are no records from this stretch of SLO Creek, the federally threatened California red-legged frog (CRLF) also occurs in riverine habitats and

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adjacent uplands. Riparian areas also provide important nesting, roosting, and foraging habitat for a variety of migratory songbirds and various raptors.

The riparian habitat within the BSA includes a mosaic of riparian forest, riparian scrub, and the freshwater marsh and riverine habitats along SLO Creek and sections of tributaries, as well as isolated riparian trees in some areas. Riparian forest, riparian scrub, freshwater marsh, and riverine areas have been quantified together as "riparian habitat," but each type of riparian community is described below.

### Riparian Forest

Riparian forest habitat occurs within riparian corridors adjacent to perennial stream channels with seasonally variable depths to the water table. These communities typically provide a more contiguous upper canopy of larger tree species than riparian scrub habitat. SLO Creek itself has a nearly continuous riparian corridor from its headwaters at Cuesta Grade to Avila Beach. The BSA contains coast arroyo willow riparian forest (SWCA 2012b). Dominant tree species of the riparian forest communities within the BSA support a diverse assemblage, including southern California black walnut (*Juglans californica* var. *californica*), western sycamore (*Platanus racemosa*), cottonwood (*Populus* spp.) box elder (*Acer negundo* var. *californicum*), California bay (*Umbellularia californica*), white alder (*Alnus rhombifolia*), arroyo willow (*Salix lasiolepis*), and coast live oak.

### Riparian Scrub

Riparian scrub occurs below the riparian forest layer (SWCA 2012b). The BSA contains central coast riparian scrub (SWCA 2012b). Dominant plant species within the BSA include arroyo willow, with species such as California blackberry (*Rubus ursinus*), greater periwinkle (*Vinca major*), and garden nasturtium at the ground layer. Young coast live oak trees and coyote brush (*Baccharis pilularis*) are occasionally interspersed with the willows in these riparian scrub communities.

### Freshwater Marsh

Freshwater marsh communities typically occur in nutrient-rich mineral soils saturated throughout most of the year in locations containing slow-moving or stagnant shallow water and a high water table (SWCA 2012b). Such sites commonly occur in stream channels and around springs, seeps, and depressional areas. Standing water does not have to be present throughout the entire year, since the water table is so close to the soil surface that it can be tapped in the dry season by hydrophytic plants. Within the BSA, freshwater marsh vegetation ranges from sparse to moderately dense along the channel, including species such as watercress (*Rorripa nasturtium-aquaticum*), smartweed (*Polygonum* sp.), brownheaded rush (*Juncus phaeocephalus*), umbrella sedge (*Cyperus eragrostis*), and spikerush (*Eleocharis macrostachya*).

### Riverine

Riverine habitat along SLO Creek is seasonally variable and includes open water components (active, flowing channel), unvegetated sandbars (riverwash, active floodplain), and seasonally emergent wetlands (SWCA 2012b). SLO Creek can be described as riverine, upper perennial, unconsolidated bottom, and permanently flooded (SWCA 2012b).

It is important to note that riparian habitat is often indicative of waters of the United States and/or jurisdictional wetland habitat. Along stream channels, riparian habitat may fall within US Army Corps of Engineers (USACE) jurisdiction in areas below the ordinary high water mark

(OHWM) and within California Department of Fish and Wildlife (CDFW) jurisdiction toward the outer extent of riparian growth. Riparian habitat may also fall outside of the jurisdiction of these agencies if typically riparian trees such as willow, cottonwood, or walnut occur in isolated areas away from stream or other aquatic systems.

**Seasonal Wetlands**

There is approximately 0.15 acre of seasonal habitat within the BSA (SWCA 2012b). Certain areas of low relief adjacent to the floodplain of SLO Creek support seasonal wetlands and are inundated for only a portion of the year, but long enough to support the growth of hydrophytic (water-tolerant) vegetation. Portions of the BSA contain areas that are occasionally inundated and support stands of facultative wetland species such as poison hemlock (*Conium maculatum*). According to the NES, the seasonal wetlands within the BSA are isolated and not considered jurisdictional. This is discussed in more detail in the Wetland Assessment (refer to Appendix H of the NES included in **Technical Appendix T3** of this document).

OTHER IMPORTANT NATURAL COMMUNITIES

Other natural communities are considered important because of the abundance of species they support, their limited distribution, or because they provide a means for migration and/or breeding. The BSA contains two types of important natural communities: wetlands and other waters and riparian corridors / migration and travel corridors.

**Wetlands and Other Waters**

Wetlands are transitional areas between open water and upland habitats that function to improve water quality, detain stormwater runoff, recharge groundwater, and provide wildlife habitats. The BSA contains approximately 5.87 acres of USACE jurisdictional wetlands and other waters and 25.2 acres of CDFW jurisdictional area. These areas were identified along SLO Creek, its tributaries, and drainages with connectivity to SLO Creek and exhibited ordinary high water marks (SWCA 2012b). **Table 2.3-2** summarizes the acres of jurisdictional wetlands and other waters within the BSA, which are shown in **Figure 2.3-2**.

**TABLE 2.3-2  
JURISDICTIONAL WETLANDS AND OTHER WATERS PRESENT WITHIN THE BIOLOGICAL STUDY AREA**

Jurisdictional Area	Total Acres Present within BSA <sup>1</sup>
USACE Jurisdictional Wetlands (SLO Creek)	5.77
USACE Jurisdictional Other Waters	0.10
CDFW Jurisdictional Areas <sup>2</sup>	25.2

Source: SWCA 2012b

Notes:

1. Note that these quantities may not match the habitat impacts quantified in Table 2.3-3 due to differences between which SWCA mapped habitats by absolute cover and the parameters by which the various regulatory agencies delineate their jurisdiction in the field.
2. CDFW jurisdiction includes USACE areas up to the ordinary high water mark and typically extends to the top of bank or outer edge of riparian vegetation, whichever is greater.

**Riparian Corridors/Migration and Travel Corridors**

SLO Creek and sections of its tributaries provide riparian corridors within the BSA (SWCA 2012b). The diversity of wildlife species occurring within riparian habitats is typically high, and these

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habitats are sensitive to disturbance. Riparian vegetation provides important roosting and foraging habitat for migratory bird species, regulates water temperatures, and provides, directly or indirectly, food sources for aquatic organisms. Riparian habitats serve as migratory corridors for wildlife, and as such, are important in linking non-contiguous or fragmented wildlife habitats. SLO Creek provides a migration and travel corridor for steelhead trout and other aquatic species. No barriers to aquatic species migration have been observed within the BSA. The riparian corridor of SLO Creek contains sufficient tree canopy to provide suitable travel corridors for various birds and terrestrial wildlife species passing through surrounding developed areas. In addition, portions of the riparian corridor may be considered jurisdictional by the CDFW and/or the USACE.

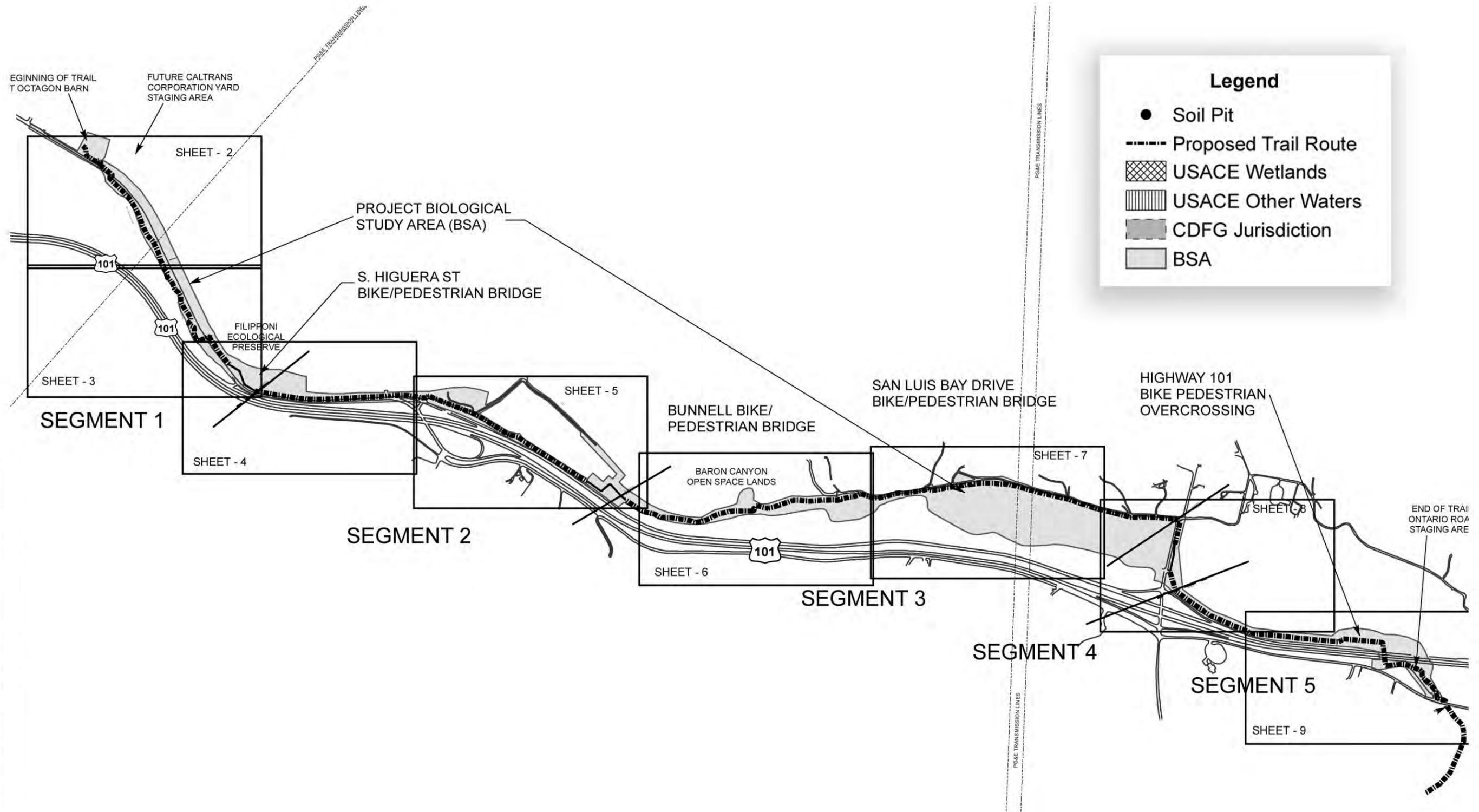
### SENSITIVE HABITATS/HABITATS OF CONCERN

Sensitive habitats include those that are regulated or considered sensitive by federal, state, or local agencies and/or the California Environmental Quality Act (CEQA). Coastal areas, streams, wetlands, riparian zones, and oak woodlands are recognized as especially sensitive. Special-status species can be particularly susceptible to the pressures of habitat loss and disturbance from urban development. Based on a review of the CNDDDB and US Fish and Wildlife Service (USFWS) database lists, the BSA has the potential to impact nine sensitive habitats (SWCA 2012b). The names and legal status of each sensitive habitat are identified in the NES included in **Technical Appendix T3**. The rationale section summarizes the potential for each to occur within the BSA or to be affected by the project. Based on a review of the local site conditions, it was determined that there was suitable or marginal habitat within the BSA to support only one of the nine sensitive habitats potentially occurring within the BSA.

Of the nine sensitive habitats potentially occurring within the BSA, one sensitive habitat was identified present within the BSA, which was the serpentine bunchgrass habitat. As noted above, serpentine bunchgrass is a CNDDDB Sensitive Habitat (SWCA 2012b). Serpentine bunchgrass is restricted to serpentine rock sites in open grassland dominated by perennial bunchgrasses. A small patch (0.57 acre) of serpentine bunchgrass habitat was identified just south of the East Fork of SLO Creek within the BSA.

### INVASIVE SPECIES

According to the NES, 36 invasive plant species were observed within the BSA (SWCA 2012b). Of the 36 species, 4 species had an invasiveness rating of High; 20 species had a rating of Moderate; and 12 species had a rating of Limited. The four highly invasive plant species included giant reed (*Arundo donax*), red brome (*Bromus madritensis*), iceplant (*Carpobrotus edulis*), and fennel (*Foeniculum vulgare*). The distribution of these invasive plant species is scattered throughout the BSA, with notable concentrations of giant reed along particular areas of the SLO Creek riparian corridor.



**Legend**

- Soil Pit
- Proposed Trail Route
- ▨ USACE Wetlands
- ▤ USACE Other Waters
- CDFG Jurisdiction
- BSA

Source: SWCA 2012b

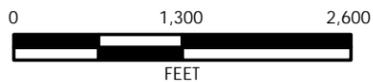


Figure 2.3-2  
Jurisdictional Waters of the U.S.

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### SPECIAL-STATUS SPECIES

Special-status species include those species that are (1) federally or state listed as endangered, threatened, or rare; or (2) candidates for federal or state listing as endangered, threatened, or rare; or (3) proposed for federal or state listing as endangered, threatened, or rare; or (4) considered special concern species by the federal government or the California Department of Fish and Wildlife (i.e., California Special Concern species), such as those that appear on the CNDDDB Special Animals List (SWCA 2012b). Sensitive species also include species afforded protection or considered sensitive under various laws (e.g., CEQA, Migratory Bird Treaty Act (MBTA)) or under sections of the California Fish and Game Code (e.g., nesting birds), and those species recognized as locally important or sensitive by the California Native Plant Society (CNPS) or the scientific community (SWCA 2012b).

Based on a review of the CNDDDB and USFWS database lists, the BSA has the potential to contain 65 special-status plant species and 64 special-status wildlife species (plus nesting birds and roosting bats) (SWCA 2012b). The names and legal status of each of these special-status species are identified in the NES included in **Technical Appendix T3**, as well as a general description of the habitat requirements for each, and whether suitable habitat is present (P) or absent (A) in the BSA. The rationale section summarizes the potential for each to occur within the BSA or be affected by the project.

Based on a review of the local site conditions, it was determined that there was suitable or marginal habitat within the BSA to support only 14 of the 65 special-status plant species and 18 of the 64 special-status wildlife species (plus nesting birds and roosting bats) potentially occurring within the BSA.

#### Special-Status Plant Species

Based on plant surveys conducted, the NES determined that only one of the 14 potential special-status plant species was observed and is expected to occur within the BSA. This plant species is the southern California black walnut, which is described in more detail below.

**Southern California black walnut** (*Juglans californica* var. *californica*) is a subspecies considered to have a limited distribution and is on a “watch list” according to the CNPS (List 4.2). It is a tree in the walnut family (Juglandaceae) that is endemic to California. It occurs in chaparral, cismontane woodland, and coastal scrub (alluvial) habitats and flowers from March to May. There are two subspecies of the California walnut—the northern California black walnut (*J. californica hindsii*) and the southern California black walnut (*J. californica* ssp. *californica*). The northern subspecies occurs mainly north of the San Francisco Bay Area. The southern subspecies is widely cultivated in the Santa Lucia Mountains (SWCA 2012b) and is the subspecies assumed to occur within the BSA. This species was observed along the SLO Creek riparian corridor within the BSA.

#### Regional Animal Species of Concern

Based on field surveys conducted, the NES determined that 15 special-status wildlife species potentially occur within the BSA, along with other nesting birds and roosting bats. These 15 special-status wildlife species include steelhead-south/central California coast evolutionarily significant unit (ESU) (*Oncorhynchus mykiss irideus*), Coast Range newt (*Taricha torosa torosa*), California red-legged frog (CRLF) (*Rana aurora draytonii*), California tiger salamander (*Ambystoma californiese*), southwestern pond turtle (*Actinemys marmorata pallida*), silvery legless lizard (*Anniella pulchra pulchra*), two-striped garter snake (*Thamnophis hammondi*),

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Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), white-tailed kite (*Elanus leucurus*), loggerhead shrike (*Lanius ludovicianus*), purple martin (*Progne subis*), yellow warbler (*Dendroica petechia brewsteri*), yellow-breasted chat (*Icteria virens*), pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis californicus*), and nesting birds and roosting bats. These species are described in more detail below.

### Fish

**Steelhead-south/central California coast ESU** (*Oncorhynchus mykiss irideus*) is listed as federally threatened by the National Marine Fisheries Service (NMFS) and is considered a California Special Concern species by the CDFW. Steelhead are the anadromous form of rainbow trout. Critical habitat has been established for this species. The main channel of SLO Creek occurs within the south-central California coast steelhead critical habitat unit (SWCA 2012b). Optimal habitat for steelhead is clear, cool water with abundant in-stream cover (i.e., submerged branches, rocks, logs), well-vegetated stream margins, relatively stable water flow, and a 1:1 pool-to-riffle ratio (SWCA 2012b). Steelhead within the Central Coast region migrate up coastal drainages in the fall and spawn during the spring; post-spawning adults out-migrate to the ocean from March to July. Juveniles were observed in SLO Creek within the BSA.

### Amphibians

**California tiger salamander** (*Ambystoma californiense*) is listed as federally threatened by the USFWS and is considered a California Special Concern species by the CDFW. Marginal upland grassland habitat occurs in the BSA for California tiger salamander, but SLO Creek has unsuitable breeding habitat and no vernal pool habitat occurs in the BSA. The species was not observed during field surveys and is not expected to occur within the BSA.

**Coast Range newt** (*Taricha torosa torosa*) is considered a California Special Concern species by the CDFW. It is a moderate-sized, dark brown salamander with a bright yellow-orange to orange belly, and thick textured skin that exhibits papillation during its terrestrial phase, reverting to a relatively smooth condition during its aquatic phase. Coast Range newts occupy terrestrial habitats, but breed in ponds, reservoirs, and slow-moving streams. In spring, males arrive at breeding sites first, followed by females a few days to weeks later. In Central California, breeding appears to occur in two waves, the first in January or February and the second in March or April, although Coast Range newts may enter ponds as early as December. Egg masses are attached to rocks, stems, or root masses, and larvae take approximately three to six months to reach metamorphosis and feed mainly on aquatic invertebrates. Marginal habitat exists within SLO Creek.

**California red-legged frog** (CRLF) (*Rana aurora draytonii*) is listed as federally threatened by the USFWS and is considered a California Special Concern species by the CDFW. Critical habitat has been designated but is not located within the BSA (SWCA 2012b). The CRLF is recognized by the reddish color that forms on the underside of its legs and belly. The CRLF prefers aquatic habitats with little or no flow, the presence of surface water to at least early June, surface water depths to at least 2.3 feet, and the presence of fairly sturdy underwater supports, such as cattails. The CRLF typically breeds from January to July, with peak breeding occurring in February. Eggs are attached to subsurface vegetation, and hatched tadpoles require 11 to 20 weeks to metamorphose. Suitable habitat occurs year-round within SLO Creek and its tributaries and in uplands adjacent to SLO Creek; therefore, presence of this species within the BSA is inferred (SWCA 2012b).

### Reptiles

**Southwestern pond turtle** (SWPT) (*Actinemys marmorata pallida*) is considered a California Special Concern species by the CDFW. The SWPT is mostly aquatic, leaving its aquatic site to reproduce, estivate (over-summer), and over-winter. The SWPT prefers quiet waters of ponds, lakes, streams, and marshes. This subspecies inhabits reaches of streams that contain deep pools, from 3.0 to 5.2 feet in depth (SWCA 2012b). They typically inhabit the largest and deepest pools along streams containing large amounts of basking sites, including fallen trees and boulders. Upland nesting sites are required near the aquatic site, and nests are typically located in open, clay, or silt slopes to ensure proper incubation temperature (SWCA 2012b). Nesting sites may be more than 1,312 feet from the aquatic site, but most nests are within 656 feet. The SWPT may over-winter on land or in water, but may remain active in water during the winter season. Suitable habitat occurs year-round within SLO Creek and may occur in its tributaries after storm events. Although no turtles were observed during surveys, these turtles are known to inhabit SLO Creek.

**Silvery legless lizard** (*Anniella pulchra pulchra*) is considered a California Special Concern species by the CDFW. It is an elusive, fossorial (sub-surface), mostly coastally distributed lizard. Suitable habitat includes loose soils of coastal dune, valley foothill woodland, chaparral, and coastal scrub areas, where the species forages at the bases of vegetation and under leaf litter. Mating activities begin in late spring or early summer, with young born in September through November. Two subspecies of legless lizard are recognized in California: the silvery legless lizard and the black legless lizard (*A. p. nigra*). Suitable habitat for this species occurs within the BSA.

**Two-striped garter snake** (*Thamnophis hammondi*) is considered a California Special Concern species by the CDFW. It is a medium-sized garter snake with a variable dorsal coloration of olive, brown, or brownish gray, with a single yellow-orange lateral stripe on each side of the body (SWCA 2012b). An extremely aquatic species, the two-striped garter snake uses water for both predation and escape from predators. Its habitat includes perennial and intermittent streams with rocky substrate bordered by dense vegetation (SWCA 2012b). The species is generally found near streams or stock ponds in the summer and occupies upland coastal sage scrub and grassy locations near its summer range in the winter (SWCA 2012b). During the day, this garter snake often basks on streamside rocks or on densely vegetated stream banks. When disturbed, it usually retreats rapidly to water. In milder areas, mammal burrows and surface objects such as rocks and rotting logs serve as winter refuges. This species feeds on fish and other aquatic organisms. Suitable habitat occurs within the BSA.

### Mammals

**Pallid bat** (*Antrozous pallidus*) is considered a California Special Concern species by the CDFW. Pallid bats are found throughout California, especially in lowland areas below an elevation of 6,400 feet. This nocturnal species resides in colonies consisting of a dozen to over 100 individuals. Pallid bats roost in deep crevices, caves, mines, rock faces, bridges, and buildings. Like many bat species, pallid bats maintain both day and night roosts typically located within 0.25 mile from one another. Night roosts are used for feeding, and day roosts are used for sleeping. Their primary food source is ground-dwelling insect species including crickets, grasshoppers, beetles, and centipedes. They maintain nursery colonies with 30 to over 100 individuals. Females have one to two pups for each pregnancy, usually born between mid and late June. Marginal roosting habitat occurs within the BSA.

**Western mastiff bat** (*Eumops perotis californicus*) is considered a California Special Concern species by the CDFW. This species occurs in many open, semi-arid to arid habitats, including

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conifer and deciduous woodlands, coastal scrub, annual and perennial grasslands, palm oases, chaparral, desert scrub, and urban. They roost in crevices in cliff faces, high buildings, trees, and tunnels. The western mastiff bat often roosts alone or in small colonies (less than 100 individuals). Nursery roosts are located in tight rock crevices or crevices in buildings. Mating most frequently occurs in early spring (March). This species exhibits exceptionally long nocturnal foraging activity, up to six to seven hours each night, rarely using night roosts.

### Birds

**Cooper's hawk** (*Accipiter cooperii*) is considered a California Special Concern species by the CDFW. This species is a resident of San Luis Obispo County, nesting and foraging in and near deciduous riparian areas. Adults are slender, crow-sized birds with short, rounded wings and a long, white-tipped tail rounded at the tip. The Cooper's hawk occupies forests and woodlands, especially near edges. Nests are built in deciduous trees usually 20 to 50 feet above the ground, and breeding occurs March to August, peaking from May to July (SWCA 2012b). Prey includes mostly birds and small mammals. Suitable nesting habitat occurs within the BSA.

**Sharp-shinned hawk** (*Accipiter striatus*) is considered a California Special Concern species by the CDFW. It is a small accipiter hawk with a grayish back and a squared-off, banded tail, in comparison to the more rounded tail of the larger Cooper's hawk. This species roosts in intermediate to high-canopy forest or riparian areas at a height of 6 to 80 feet above the ground and within 275 feet of water. The breeding season is from April through August, peaking in late May to July. Sharp-shinned hawks primarily prey on small birds, but will also prey on small mammals, insects, reptiles, and amphibians. Suitable nesting habitat occurs within the BSA.

**White-tailed kite** (*Elanus leucurus*) is considered a Fully Protected species under the California Fish and Game Code. It is a yearlong resident ranging throughout valley and coastal lowlands in California and most commonly near agricultural areas. It is an uncommon resident in San Luis Obispo County. Nesting and roosting occurs in dense, broad-leafed deciduous groves of trees. Breeding occurs from February through October, peaking in May through August. White-tailed kites prey chiefly on small mammals and occasionally on birds, insects, amphibians, and reptiles. Suitable nesting habitat occurs within the BSA.

**Western yellow-billed cuckoo** (*Coccyzus americanus occidentalis*) is considered a federally endangered species by the USFWS and a state endangered species by the CDFW. It is protected under the MBTA. This species is found in forest to open riparian woodlands with thick understory. According to the NES, there are no known nesting populations or recent nesting records in the county. This species was not observed during field surveys and is not expected to occur within the BSA.

**Loggerhead shrike** (*Lanius ludovicianus*) is considered a California Special Concern species by the CDFW. This species prefers open habitats with scattered shrubs, trees, posts, fences, utility lines, or other perches. Nests are built on a stable branch in a densely foliated shrub or tree, usually well concealed and 1.3 to 50 feet above the ground. Females lay eggs (four to eight) from March to May (SWCA 2012b). The loggerhead shrike is the only known predatory songbird and often impales its prey on barbed wire or trees because it lacks talons or claws. Their diet consists primarily of insects, amphibians, and small mammals and birds. Suitable nesting habitat occurs within the BSA.

**Least Bell's vireo** (*Vireo bellii pusillus*) (nesting) is considered a federally endangered species by the USFWS and a state endangered species by the CDFW. It is protected under the MBTA. This species nests during the summer in low riparian areas located near water or river bottoms.

According to the NES, the riparian scrub habitat within the BSA is not suitable for this species. This species was not observed during field surveys and is not expected to occur within the BSA.

**Purple martin** (*Progne subis*) is considered a California Special Concern species by the CDFW. It is a dark purple-black swallow. At one time, the species was a fairly common breeder in the Coast Range, but in the last 15 years there has been a dramatic decrease in Southern California. The purple martin inhabits hardwood, hardwood-conifer, riparian, and coniferous habitats. It usually nests in old woodpecker cavities but will occasionally nest in man-made structures. The species nests from April to August, with peak activity in June (SWCA 2012b). They feed primarily on insects. Suitable nesting habitat occurs within the BSA.

**Yellow warbler** (*Dendroica petechia brewsteri*) is considered a California Special Concern species by the CDFW. Yellow warblers are migratory and a fairly common summer transient of deciduous riparian habitats within the county. Breeding and nesting of yellow warblers typically occurs from mid April to early August, with peak activity occurring in June. Suitable nesting habitat occurs within the BSA.

**Yellow-breasted chat** (*Icteria virens*) is considered a California Special Concern species by the CDFW. Preferred habitat for cover, foraging, and nesting consists of willow riparian thickets, with dense understory cover. In San Luis Obispo County, observations of yellow-breasted chat are limited to uncommon occurrences from May to mid August, concurrent with their breeding period, which peaks in June. Suitable nesting habitat occurs within the BSA.

### Nesting Birds and Roosting Bats

In addition to the bird species discussed above, numerous other nesting bird species protected by the MBTA and California Fish and Game Code Section 3503 have the potential to nest in habitats within the BSA. Furthermore, other bat species protected by the CDFW or under CEQA have the potential to roost in habitats within the BSA.

### 2.3.2 REGULATORY FRAMEWORK

Applicable federal, state, and local regulations that apply to biological and natural resources within San Luis Obispo County are identified below.

#### FEDERAL REGULATIONS

##### **Federal Endangered Species Act**

The federal Endangered Species Act (ESA) was enacted in 1973 to protect species that are endangered or threatened with extinction. The ESA prohibits the "take" of a listed (endangered or threatened) species and defines "take" as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in such conduct (16 USC 1531 et seq.; 50 CFR 17.1 et seq.).

Section 7 of the ESA directs all federal agencies to conserve endangered and threatened species and, in consultation with the USFWS, to ensure that their actions (or actions under their jurisdiction) do not jeopardize listed species or adversely modify critical habitat. Section 10 of the ESA directs private landowners, corporations, state and local governments, or other non-federal landowners to develop a habitat conservation plan (HCP) and obtain an incidental take permit from the USFWS before conducting any activity on their land that potentially may harm (or take) a listed species. Some ESA designations include:

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- Federally listed endangered;
- Federally listed threatened;
- Federally proposed endangered; and
- Federally proposed threatened.

### Fish and Wildlife Conservation Act

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the USFWS to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973.” The *Birds of Conservation Concern 2002* (USFWS 2002) accurately identifies the migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent the highest conservation priorities in order to draw attention to species in need of conservation action.

While all of the bird species included in the *Birds of Conservation Concern 2002* are priorities for conservation action, this list makes no finding with regard to whether they warrant consideration for ESA listing. The goal of the list is to prevent or remove the need for additional ESA bird listings by implementing proactive management and conservation actions. It is recommended that these lists be consulted in accordance with Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds. The report is intended to stimulate coordinated and collaborative proactive conservation actions among federal, state, and private partners.

### Clean Water Act

The Clean Water Act, as amended in 1977, established the basic structure for regulating discharges of pollutants into waters of the United States. Section 404 of the Clean Water Act requires USACE authorization for the discharge of dredged or fill material into all waters of the United States,<sup>1</sup> including adjacent and isolated wetlands. Discharge of fill material includes, but is not limited to, placement of fill that is necessary for the construction of any other structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; dams and dikes; artificial islands; property protection or reclamation devices such as riprap, groins, seawalls, breakwaters, and revetments; beach nourishment; levees; fill for intake and outfall pipes and subaqueous utility lines; fill associated with creation of ponds; dewatering of dredged material prior to final disposal; fills for access roadways, cofferdams, storage and work areas; and any other work involving the discharge of fill or dredged material (33 CFR 26). A USACE permit is required for both permanent and temporary discharges.

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<sup>1</sup> As defined by the USACE at 33 CFR 328.3(a) (parts 1–6), waters of the United States are summarized as: “Those waters that are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; tributaries and impoundments to such waters; all interstate waters including interstate wetlands; and territorial seas.” Under federal regulations, wetlands are “waters of the United States,” which are identified as: “Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas” (SWCA 2012a).

Section 401 of the Clean Water Act requires any activity that may result in a discharge of a pollutant into waters of the United States to comply with applicable regulatory water quality standards. The State Regional Water Quality Control Board administers Section 401 permits for these activities.

### **Migratory Bird Treaty Act**

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to end the commercial trade in bird feathers popular in the latter part of the 1800s. The MBTA is enforced by the USFWS, and potential constraints to species protected under this law may be evaluated by the USFWS during the consultation process.

If any removal of trees, shrubs, or other vegetation that could support nesting bird species is scheduled to occur during the typical nesting season (February 15 to August 31), pre-activity nest surveys should be conducted to determine whether birds are actively nesting within the project area. Any work near active bird nests will need to be avoided until the young have left the nest.

### STATE REGULATIONS

#### **California Endangered Species Act/California Department of Fish and Wildlife**

The California Endangered Species Act (CESA) was enacted in 1984 to ensure that actions under state agency jurisdiction do not jeopardize the existence of state-listed endangered or threatened species. Similar to the federal Endangered Species Act, the CESA prohibits taking of state-listed endangered or threatened plants and wildlife. The CESA requires state agencies to consult with the CDFW when preparing CEQA documents for projects or actions potentially impacting listed species or special habitats. The CDFW determines whether jeopardy of a state-listed species may occur and offers reasonable project alternatives or guidance for mitigation planning. The CDFW designations for listed plants are as follows:

- State-listed endangered;
- State-listed threatened;
- State-listed rare; and
- State candidate for listing.

The California Fish and Game Code (Section 3511) also provides for protection of certain species, including California tiger salamander. Section 3503.5 of the Fish and Game Code specifically protects the nests and eggs of birds of prey and essentially overlaps with the Migratory Bird Treaty Act.

#### Birds of Prey

Under Section 3503.5 of the California Fish and Game Code, it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

## 2.3 BIOLOGICAL AND NATURAL RESOURCES

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### Fully Protected Species

California statutes also accord "fully protected" status to a number of specifically identified birds, mammals, reptiles, and amphibians. These species cannot be taken, even with an incidental take permit. Section 3505 of the California Fish and Game Code makes it unlawful to take "any egret or egret, osprey, bird of paradise, gaura, numidi, or any part of such a bird." Section 3511 protects from take the following fully protected birds: (a) American peregrine falcon (*Falco peregrinus anatum*); (b) brown pelican (*Pelecanus occidentalis*); (c) California black rail (*Laterallus jamaicensis coturniculus*); (d) California clapper rail (*Rallus longirostris obsoletus*); (e) California condor (*Gymnogyps californianus*); (f) California least tern (*Sterna albifrons browni*); (g) golden eagle; (h) greater sandhill crane (*Grus canadensis tabida*); (i) light-footed clapper rail (*Rallus longirostris levipes*); (j) southern bald eagle (*Haliaeetus leucocephalus*); (k) trumpeter swan (*Cygnus buccinator*); (l) white-tailed kite (*Elanus leucurus*); and (m) Yuma clapper rail (*Rallus longirostris yumanensis*).

### Native Plant Protection Act

The Native Plant Protection Act (California Fish and Game Code Sections 1900–1913) prohibits the taking, possessing, or sale within the state of any plants with a state designation of rare, threatened, or endangered (as defined by the CDFW). An exception to this prohibition in the act allows landowners, under specified circumstances, to take listed plant species, provided that the owners first notify the CDFW and give that state agency at least ten days to come and retrieve (and presumably replant) the plants before they are plowed under or otherwise destroyed. Fish and Game Code, Section 1913 exempts from take prohibition "the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right of way." Project impacts to these species are not considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with construction of the proposed project.

### **California Code of Regulations**

In addition to formally listed species, many other species in California have regulatory protection under various sections of the California Code of Regulations enforced by the CDFW. Species that may be considered for listing, due to declining numbers or threatened habitat, are protected as rare or species of special concern. Certain species are also designated as fully protected, which prevents take of an individual or their habitat unless for scientific purposes. In addition, the California Code of Regulations protects avian species by making it unlawful to take or possess migratory non-game birds, raptors, or the nest or eggs of any bird species.

Natural areas to be protected are also designated in the California Code of Regulations, including significant wildlife habitat, refuges, natural sloughs, riparian areas, and vernal pools. Waterways in particular are protected, such that any project that may divert or obstruct the natural flow or substantially alter the bed, channel, or bank of any waterway is subject to regulatory review by the CDFW.

### **Oak Woodlands Conservation Act**

Section 21082.3 of the Public Resources Code requires projects with significant oak woodland impacts to conform both to the state's mandated program that established habitat mitigation standards and to local conservation measures adopted by the county.

### **California Water Code/Clean Water Act**

California Water Code Section 13263(a) requires that waste discharge requirements (WDRs) be prescribed as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. General WDRs are restricted to dredged or fill discharges of not more than two-tenths (0.2) of an acre and 400 linear feet for fill and excavation discharges, and of not more than 50 cubic yards for dredging discharges. Projects that may be covered under these general WDRs include land development, detention basins, disposal of dredged material, bank stabilization, revetment, channelization, and other similar projects. These WDRs must implement any relevant water quality control plans, taking into consideration beneficial uses to be protected, the water quality objectives reasonably required for those purposes, other waste discharges, the need to prevent nuisance, and other provisions of the Water Code.

To the extent a project site falls within federal jurisdiction, it is likely that the State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCB) will continue to regulate dredged or fill discharges primarily through their authority under Section 401 of the Clean Water Act (CWA). General WDRs do not apply to discharges to federal waters that are subject to Sections 401 and 404 of the CWA. Discharges that could have a significant impact on rare, candidate, threatened, or endangered species require detailed project-specific analysis and individual regulation and may not be authorized by general WDRs.

### LOCAL REGULATIONS

#### **San Luis Obispo County General Plan**

The San Luis Obispo County General Plan includes various land use objectives, goals, and policies to protect visual resources within various areas within the county.

#### Conservation and Open Space Element

The Conservation and Open Space Element (COSE), adopted in May 2010, identifies objectives, goals, and policies to ensure protection of important wildlife habitats, diverse natural communities, and vibrant lakes and creek corridors. According to COSE Appendix 3, unique plant or animal habitat includes the habitat of rare, endangered, or threatened plant or animal species as classified by state and federal agencies and the California Native Plant Society (CNPS); wetlands and marshes; areas subject to Sensitive Resource Area combining designations applied because of unique or sensitive species; and sensitive natural communities as identified in the California Department of Fish and Wildlife Natural Diversity Database (such as Valley oak woodland, California bay forest, central maritime chaparral, and pine bluegrass grassland). Sensitive resources include jurisdictional wetlands, occurrences of special-status species, occurrences of sensitive natural communities, wildlife nurseries and nesting areas, and wildlife movement corridors.

#### **Integrated Hardwood Range Management Program**

The Integrated Hardwood Range Management Program (IHRMP) was established in 1986 to address concerns about the long-term sustainability of California's oak woodlands. However, as of January 1, 2010, the Area Natural Resource Specialists began to pursue similar goals under UC Berkeley's College of Natural Resources within a new, still evolving, statewide structure. Workshops and training sessions are offered regularly to local agencies in order to create awareness of the ecological, economic and social values of California's oak woodlands, and to provide general planning strategies to ensure the long-term conservation of oak woodlands.

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### San Luis Obispo Creek Waterway Management Plan

The *San Luis Obispo Creek Waterway Management Plan* (City of San Luis Obispo and County of San Luis Obispo 2003) is a policy, program, and planning document prepared to address flooding and flood control along SLO Creek and its tributaries.

#### NON-REGULATORY ENTITIES

##### California Native Plant Society

The California Native Plant Society (CNPS) maintains and publishes the *Inventory of Rare and Endangered Vascular Plants of California*. The inventory presents information regarding native California plant species that show a declining population, limited distribution, or are considered by the scientific community to be threatened with extinction. Projects under CEQA review are required to address potential impact to CNPS-listed plants. In the spring of 2011, CNPS officially changed the name "CNPS List" to "California Rare Plant Rank." The definitions of the ranks and the ranking system have not changed, and the ranks are still used to categorize the same degrees of concern, which are described as follows:

<u>Former Listing</u>	<u>New Ranking</u>
List 1A	California Rare Plant Rank 1A: Plants Presumed Extinct in California
List 1B	California Rare Plant Rank 1B: Plants Rare, Threatened, or Endangered in California and Elsewhere
List 2	California Rare Plant Rank 2: Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
List 3	California Rare Plant Rank 3: Plants About Which We Need More Information – A Review List
List 4	California Rare Plant Rank 4: Plants of Limited Distribution – A Watch List

### 2.3.3 IMPACTS AND MITIGATION MEASURES

#### STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the following State CEQA Guidelines Appendix G thresholds of significance:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or the USFWS.
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the CDFW or the USFWS.
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

### METHODOLOGY

This evaluation is based primarily on a Natural Environment Study (NES) and Biological Assessment (BA) prepared for the proposed project by SWCA Environmental Consultants in February 2012, which have been included **Technical Appendix T3** of this DEIR.

These studies focus on the area that may be directly, indirectly, temporarily, or permanently impacted by construction activities, which is referred to as the biological study area (BSA) throughout those reports. The BSA encompasses approximately 149 acres and is consistent with the general APE shown in **Figure 1.0-3**. The BSA includes the proposed pathway route, adjacent agricultural and conservation lands, various stream crossings over SLO Creek, potential access and staging areas, and roadside drainages and other aquatic areas in the immediate vicinity of proposed project activities.

### Database Searches

As part of the preparation of the Natural Environment Survey (NES), searches of various wildlife and plant databases were conducted by SWCA Environmental Consultants, which included a search of the California Natural Diversity Database, a search of the USFWS online database, and information provided by the CNPS (SWCA 2012b). The online list of species obtained from the USFWS either reaffirmed the CNDDDB records or augmented the number of species for consideration (SWCA 2012b). A formal federal species list was provided by the USFWS for the project area in December 2012 (SWCA 2012b). Results of the database searches are included in the appendices of the NES included in **Technical Appendix T3**.

### Surveys Conducted

As part of the NES, several focused surveys for special-status species and habitats were conducted to satisfy the requirements of federal and state regulatory laws and local CEQA-level analyses (SWCA 2012b). Surveys were conducted within the BSA based on species lists obtained from the CNDDDB, USFW, and CNPS.

SWCA conducted biological surveys when the special-status species in question were most likely to be present or when regulations allowed/recommended. Focused surveys for special-status plants known to occur in the region and with the potential for occurrence on site were conducted within the BSA on February 23 and 24, May 30, and July 11, 2006 (SWCA 2012b). In addition to confirming the presence or absence of special-status plant species, a floristic inventory of the BSA was compiled within the project site on these dates. General-level reconnaissance surveys for special-status wildlife coincided with the 2006 botanical surveys. A list of plants and wildlife observed within the BSA is included in Appendix J of the NES, which is included in **Technical Appendix T3** of this Draft EIR.

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### Protocol Surveys

The BSA is within the south-central California coast region for steelhead, which is a federally threatened species. No protocol survey method exists for steelhead; however, steelhead were readily visible during reconnaissance surveys and the potential for suitable habitat was assessed during biological surveys of the project site.

The BSA is within the range of the California red-legged frog (CRLF), which is also a federally threatened species. As part of the preparation of the Biological Assessment, a site assessment for CRLF habitat was conducted by SWCA from February 2006 to March 14, 2007, and the results of the CRLF site assessment were submitted to the Ventura USFWS office in April 2007 (SWCA 2012c (Appendix G)). Upon review of the CRLF site assessment, the USFWS determined that presence of CRLF within the BSA could be inferred and protocol surveys would not be required (SWCA 2012c (Appendix G)).

### **Wetland Delineation**

As part of the preparation of the NES, a wetland delineation/jurisdictional determination was conducted by SWCA in April 2008 pursuant to methodology described in the 1987 USACE Wetlands Delineation Manual and the Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (SWCA 2012b (Appendix H)). Supplemental botanical inventories were also conducted at this time. The Wetland Assessment is included in Appendix H of the NES, which is included in **Technical Appendix T3** of this DEIR.

## PROJECT IMPACTS AND MITIGATION MEASURES

### **Potentially Conflict with an Adopted Habitat Conservation Plan**

There is no adopted habitat conservation plan (HCP) within the project area. The County is in the process of preparing an HCP for the northern and eastern portions of the county, but this HCP would not include the project area. Therefore, the proposed project would have **no impact** on the HCP, and this matter is not discussed further.

### **Substantial Adverse Effect on Special-Status Species and/or Their Habitat**

**Impact 2.3-1** Implementation of the proposed project would result in the disturbance of habitat suitable to support potentially 13 special-status plant species and 16 special-status wildlife species. This is considered to be a **Class II, significant but mitigable**, project impact.

### Temporary and Permanent Disturbance of Suitable Habitat

As discussed above, vegetative communities/habitats (see **Table 2.3-1**) provide suitable habitat to support a number of special-status plant and wildlife species within the BSA. The general locations of these habitats are shown in **Figure 2.3-1**. The proposed project will result in both temporary and permanent impacts to these habitats as summarized in **Table 2.3-3**.

**TABLE 2.3-3**  
**IMPACT TO VEGETATIVE COMMUNITY/HABITAT WITHIN THE BIOLOGICAL STUDY AREA**

Community/ Habitat Type	Total Acres Within BSA	Acres Impacted		
		Temporary	Permanent	Total
Agricultural Land	66.00	3.47	1.69	5.16
Ruderal (Disturbed)	14.60	4.44	1.46	5.90
Landscaping/Ornamental Vegetation	1.20	0.34	0.09	0.43
Non-Native Annual Grassland	12.80	3.18	0.74	3.92
Serpentine Bunchgrass	0.57	0.00	0.00	0.00
Coastal Scrub	7.04	1.39	0.52	1.91
Coast Live Oak Woodland	2.14	0.01	0.00	0.01
Riparian	30.70	2.89	0.90	3.79
Seasonal Wetland	0.15	0.05	0.06	0.11
Developed	13.50	2.92	0.67	3.59
<b>Total</b>	<b>148.7</b>	<b>18.69</b>	<b>6.13</b>	<b>24.82</b>

Source: SWCA 2012b

Potential impacts to each habitat type summarized in **Table 2.3-3** may disturb or result in the loss of special-status plant and wildlife species, if present, which would be considered a potentially significant impact. Implementation of the mitigation measures provided below would reduce potential impacts to habitat to a less than significant level.

Mitigation Measures

**MM 2.3-1a**

Prior to commencement of construction, the San Luis Obispo County General Services Agency shall finalize a comprehensive Habitat Mitigation and Monitoring Plan (HMMP), for review and approval by the County Environmental Coordinator, or its designee, that specifies final mitigation requirements for impacts to vegetation and natural habitats based on the requirements of permits and consultation with the resource agencies. The final HMMP shall be based on and generally consistent with the draft HMMP prepared by SWCA Environmental Consultants Inc. in February 2012, which is included as Appendix I of the NES (**Technical Appendix T3**). The final HMMP will identify the specific mitigation sites along the vicinity of the SLO Creek riparian corridor, based on the specific mitigation acreage required by regulatory agencies during the permitting process. The final HMMP shall be consistent with federal and state regulatory requirements and reflect any regulatory permit conditions, as required. The San Luis Obispo County Environmental Coordinator, or its designee, shall ensure implementation of mitigation requirements of the HMMP during construction and immediately following project completion. Measures identified in the final HMMP shall include at a minimum the following:

- On-site mitigation at the following minimum ratios, unless determined otherwise by a regulatory agency:

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- On-site mitigation (within areas in or near the SLO Creek watershed) for permanent impacts to jurisdictional areas would be implemented at a 2:1 ratio (the CDFW may require a replacement of 3:1 or more for trees removed);
  - Off-site mitigation for permanent impacts to jurisdictional areas would be implemented at a 3:1 ratio; and
  - On-site and/or off-site mitigation for temporary impacts to jurisdictional areas would be implemented at a 1:1 ratio.
  - Any loss of southern California black walnut trees shall be mitigated at a 4:1 restoration ratio for every walnut tree removed and at a 2:1 ratio for every walnut tree trimmed or otherwise impacted but not removed. If more than 25 percent of a walnut tree must be trimmed, it shall be mitigated at a 4:1 restoration ratio.
- Implementation of the restoration and mitigation activities will be conducted or overseen by an agency-approved restoration specialist. The restoration specialist will oversee site preparation and plant installation to ensure conformity with the final HMMP. Restoration and mitigation activities shall include, but are not limited to, plant salvage, site preparation and planting, installation of irrigation, and preparation and implementation of maintenance and monitoring plans.
  - The maintenance plan shall address watering requirements, weed control, herbicide use, vandalism, and remedial plantings and fertilizing. The monitoring plan shall identify a monitoring schedule, performance goals, other attributes to monitor, and reporting requirements.
  - Obtaining a Section 1602 Streambed Alteration Agreement from the CDFW and coordinating with the SWRCB/RWQCB regarding the need for a Section 13263(a) general waste discharge requirement (WDR) for project-related impacts that will occur in areas under the jurisdiction of these regulatory agencies.

### **MM 2.3-1b**

The San Luis Obispo County General Services Agency shall provide evidence of all necessary permit or authorizations from Federal and State Agencies, including the USACE, RWQCB, and CDFW. Pursuant to Section 7 of the Endangered Species Act, formal consultation shall be initiated with the California Department of Fish and Wildlife (CDFW), US Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) for impacts to listed species (i.e. south-central California coast steelhead ESU). The HMMP required through implementation of mitigation measure **MM 2.3-1a** shall be updated within 30 days of issuance of any applicable permits to reflect specific permit requirements for observed special-status species. The updated HMMP shall be submitted for review and approval by the County Environmental Coordinator, or its designee.

### **MM 2.3-1c**

If any special-status species are observed in or near work areas during monitoring or construction, the San Luis Obispo County General Services Agency shall have a qualified biologist map, establish and mark off an

exclusion zone, and avoid these species until the appropriate regulatory agencies (e.g., Caltrans, USFWS, and CDFW) are consulted for further mitigation options. Additional measures may include temporary halting of work, avoidance, relocation, or other measures as identified by the resource agencies, depending upon the specific species and its distribution.

Implementation of the above mitigation measures would reduce potential impacts to habitat that support special-status species by requiring the preparation of a final Habitat Mitigation and Management Plan (HMMP) that would include compensatory mitigation options to offset impacts to habitat that supports various special-status plant and wildlife species. The above mitigation measures are consistent with standard mitigation measures provided in Appendix F of the Parks and Recreation Element. These measures, in addition to site construction monitoring in the field consistent with regulatory guidelines, will fully mitigate the potential impacts to habitat.

### Special-Status Plant Species

Based on a review of the CNNDDB, USFWS, and CNPS databases, the BSA encompasses habitat suitable to support the following special-status plant species: marsh sandwort (*Arenaria paludicola*), Miles's milk-vetch (*Astragalus didymocarpus* var. *milesianus*), Obispo Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*), La Graciosa thistle (*Cirsium lonchloepis*), Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*), San Luis Obispo serpentine dudleya (*Dudleya abramsii* ssp. *bettinae*), Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*), Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*), southern California black walnut (*Juglans californica* var. *californica*), Jones's layia (*Layia jonesii*), Gambel's watercress (*Nasturtium gambelii*), adobe sanicle (*Sanicula maritima*), and San Bernardino aster (*Symphyotrichum defoliatum*). Field surveys conducted in February, May, and July 2006 confirmed that not all of these special-status plant species would be expected to occur in or near the BSA even though suitable habitat is present. During surveys, only one special-status plant species, the southern California black walnut (*Juglans californica* var. *californica*), was observed and is expected to occur within the BSA.

**Southern California Black Walnut (*Juglans californica* var. *californica*)** - The southern California black walnut was observed along the SLO Creek riparian corridor and is considered a California Plant of Limited Distribution (Watch List) by the California Native Plant Society, which is the lowest degree of sensitivity that the CNPS considers. According to the NES, southern California black walnut is fairly common along stream reaches in San Luis Obispo County, and many local specimens of this tree may be the result of plantings by humans. The construction of bridge crossings over SLO Creek may require the trimming and/or removal of southern California black walnut trees, which could result in the direct injury or mortality of trees and affect their availability as habitat for animal species. The temporary construction corridor needed to construct the new pathway may also require the trimming of southern California black walnut trees and other trees. Indirect impacts from vehicles and grading activities nearby could also occur to root zones of walnut trees.

Very few of the plants constituting California Rare Plant Rank 4/List 4.2 by the CNPS meet the definitions of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and few, if any, are eligible for state listing. According to *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities* prepared by the CDFW (2009), in general, CNPS List/Rank 4 plants do not warrant consideration under CEQA Section 15380. However, if these plant species are included on special-status plant lists such as

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those developed by a local jurisdiction, they would be addressed under CEQA Section 15380. The SLO County COSE includes a list of sensitive plant species within the county (Table A3-2); according to that list, the southern California black walnut is not a locally sensitive plant species.

Since the southern California black walnut does not meet the definition of a special-status plant species and is common along stream reaches in San Luis Obispo County, the proposed project's affect on Southern California black walnut would be considered a **Class III, less than significant**, project impact.

### Special-Status Wildlife Species

Suitable habitat was determined to be present within the BSA to support the following special-status wildlife species: south-central California coast steelhead evolutionarily significant unit (ESU), Coast Range newt, California red-legged frog, southwestern pond turtle, silvery legless lizard, and two-striped garter snake, which are considered special-status species by the NMFS, CDFW, and/or USFWS. Potential impacts for each of these special-status wildlife species are summarized below.

**South-Central California Coast Steelhead ESU (*Oncorhynchus mykiss irideus*)** - The south/central California coast steelhead ESU is listed as federally threatened by the NMFS and is considered a California Special Concern species by the CDFW. Steelhead species are known to inhabit SLO Creek, and juveniles were observed in SLO Creek within the BSA. Critical habitat has been established for this species, which is addressed under **Impact 2.3-5**.

Approximately 19,671 square feet (0.45 acre) of steelhead habitat would be temporarily impacted during construction and approximately 9,835 square feet (0.23 acre) of steelhead habitat would be permanently impacted. Although activities within SLO Creek are anticipated to be minimal (replacement of culverts), it is possible that the final design of bridge crossings and the culvert replacement activities will result disturbance in-stream and may result in the loss of individuals, which would be considered a potentially significant impact.

Implementation of mitigation measures **MM 2.3-1a** and **MM 2.3-1b** require preparation and implementation of the final comprehensive HMMP, which would include specific mitigation established for the SLO Creek corridor by regulatory agencies during the permitting process, consistent with any subsequent permit requirements, including pre-construction authorizations from regulatory agencies including the USACE, RWQCB, and CDFW and formal consultation as determined necessary. Furthermore, implementation of mitigation measures **MM 2.3-4a** through **MM 2.3-4h** requires the County to implement a series of relevant measures to ensure the protection of the steelhead and its critical habitat, which include, but are not limited to, the following:

- Obtain a Section 1602 Streambed Alteration Agreement from the CDFW as determined necessary by CDFW;
- Coordinate with the SWRCB/RWQCB regarding the need for a Section 13263(a) general WDR for project-related impacts that will occur in areas under the jurisdiction of these regulatory agencies;
- Retain a qualified biological monitor(s) to ensure compliance mitigation measures;
- Limit site access and disturbance;

- Require preparation of an erosion control plan, stormwater pollution prevention plan, hazardous materials (HAZMAT) response plan, and a plan for minimizing the trimming and removal of trees to the extent feasible;
- Require replacement of riparian trees at a minimum 3:1 ratio;
- Require implementation of erosion control measures and California Department of Transportation (Caltrans) best management practices (BMPs); and
- Prohibit refueling and cleaning of vehicles and equipment within 65 feet of the creek;

Implementation of the mitigation measures **MM 2.3-1a**, **MM 2.3-1b** and **MM 2.3-4a** through **MM 2.3-4h**, would reduce potential impacts to steelhead species. However, additional mitigation has been provided below to ensure that proposed project's potential affect on steelhead are reduced to a less than significant level.

### Mitigation Measure

#### **MM 2.3-1d**

Prior to commencement of construction, San Luis Obispo County General Services Agency shall have a qualified biologist prepare and conduct a worker environmental training program. The environmental training program shall include descriptions of all special-status species with the potential to occur within the project area, their ecology, legal status, the need for conservation of the species, and what to do if one is observed. The environmental training program shall be subject to review and approval by the County Environmental Coordinator, or its designee. All construction personnel conducting work within habitat that potentially supports these species shall participate in the training program conducted by a qualified biologist. Evidence of participation in the environmental training program shall be submitted to the County Environmental Coordinator on a quarterly basis.

Implementation of the above mitigation measure would ensure that workers are made aware of potential special-status species in the area and that appropriate actions are taken upon discovery of a special-status species, which when combined with implementation of mitigation measures **MM 2.3-1a**, **MM 2.3-1b** and **MM 2.3-4a** through **MM 2.3-4h** would reduce this impact to a less than significant level. Therefore, the proposed project's affect on south/central California coast steelhead ESU would be considered a **Class II, significant but mitigable**, project impact. Additional mitigation would be necessary for other special-status wildlife species as discussed below.

**Coast Range Newt (*Taricha torosa torosa*)** - Coast Range newt is considered a California Special Concern species by the CDFW. Marginal habitat is present within SLO Creek. The proposed project would result in the use of construction equipment, generation of construction debris, removal vegetation, and worker foot-traffic, which may directly impact Coast Range newts, if present. However, due to the marginal habitat present on site, Coast Range newts are not expected to be encountered in the BSA during construction.

Noise and vibration generated by construction activities associated with the proposed project may indirectly result in temporary abandonment of habitat adjacent to work areas. Subsequently, this disturbance of their habitat may increase the potential for predation and desiccation if Coast Range newts abandon shelter sites. In addition, erosion and sedimentation

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may indirectly affect Coast Range newt breeding sites, which would be considered a potentially significant impact.

**Southwestern Pond Turtle (*Actinemys marmorata pallida*)** - Southwestern pond turtle (SWPT) is considered a California Special Concern species by the CDFW. Suitable habitat occurs year-round within SLO Creek and may occur in its tributaries after storm events. Although no turtles were observed during surveys, the turtles are known to inhabit SLO Creek. The proposed project would result in similar potential impacts to SWPT as those described for California red-legged frogs and other aquatic species. The use and movement of construction equipment, generation of construction debris, vegetation removal, and worker foot-traffic may directly affect southwestern pond turtles. Construction activities, including noise and vibration, may cause the turtles to temporarily abandon habitat adjacent to work areas, which may increase the potential for predation if SWPTs abandon shelter sites, and erosion and sedimentation may indirectly affect SWPTs. This would be considered a potentially significant impact.

**Silvery Legless Lizard (*Anniella pulchra pulchra*)** - Silvery legless lizard is considered a California Special Concern species by the CDFW. Suitable habitat occurs within the BSA. Ground-disturbing activities such as grading, other earth movement, or worker foot-traffic associated with the proposed project may directly result in injury or death to individual silvery legless lizards, if they are found occupying soils in certain habitats on the project site. Displacement of soil during construction may result in the temporary loss of silvery legless lizard habitat. In addition, noise and vibration generated during construction activities may indirectly result in temporary abandonment of habitat adjacent to work areas. This would be considered a potentially significant impact.

**Two-Striped Garter Snake (*Thamnophis hammondi*)** - Two-striped garter snake is considered a California Special Concern species by the CDFW. Suitable habitat occurs within the BSA. Potential project impacts to two-striped garter snake are similar to those described for California red-legged frogs and other aquatic species. The use and movement of construction equipment, generation of construction debris, removal of vegetation, and worker foot-traffic may result in direct injury or mortality of two-striped garter snakes. Construction activities, including noise and vibration, may cause two-striped garter snakes to temporarily abandon habitat adjacent to work areas, which may increase the potential for predation if they abandon shelter sites, and erosion and sedimentation may indirectly affect this species. This would be considered a potentially significant impact.

Implementation of mitigation measures **MM 2.3-1a** through **MM 2.3-1d**, which would require preparation and implementation of the final HMMP, an environmental training program, and several measures to avoid water quality impacts, which would also minimize habitat impacts that could affect Coast Range newt, southwestern pond turtle, silvery legless lizard, and two-striped garter snake. However, implementation of mitigation measures provided below would reduce this impact to a less than significant level.

### Mitigation Measure

**MM 2.3-1e** Prior to commencement of construction, the San Luis Obispo County General Services Agency shall have a qualified biologist conduct pre-construction surveys for Coast Range newts, southwestern pond turtles, silvery legless lizards, and two-striped garter snakes and any other California Special Concern species or other special-status species identified in areas along and adjacent to the SLO Creek corridor where construction will occur. The County

General Services Agency shall obtain a letter of permission from the California Department of Fish and Wildlife (CDFW) to relocate identified California Special Concern species from work areas encountered during construction as necessary. A qualified biologist shall capture and relocate any California Special Concern species or other special-status species (if present) to suitable habitat outside of the area of impact. Observations of California Special Concern species or other special-status species shall be documented on California Natural Diversity Database forms and submitted to CDFW and the San Luis Obispo County Environmental Coordinator, or its designee, upon project completion.

Implementation of the above mitigation measure combined with mitigation measures **MM 2.3-1a** through **MM 2.3-1d** would ensure that impacts to California Special Concern species or other special-status species are minimized by identifying and relocating (thus avoiding) the species prior to construction. This measure would reduce impacts to California Special Concern species such as Coast Range newts, southwestern pond turtles, silvery legless lizards, and two-striped garter snakes to a less than significant level. Therefore, the proposed project's affect on California Special Concern species would be considered a **Class II, significant but mitigable**, project impact. However, additional mitigation would be required for the California red-legged frog, which is also a listed federally threatened species.

**California Red-Legged Frogs (*Rana aurora draytonii*)** - California red-legged frog (CRLF) is listed as federally threatened by the USFWS and is considered a California Special Concern species by the CDFW. Critical habitat has been designated but is not located within the BSA (SWCA 2012b). Suitable habitat occurs year-round within SLO Creek and its tributaries and in uplands adjacent to SLO Creek. Although no CRLFs were observed during reconnaissance surveys, the USFWS has indicated that California red-legged frog presence within the BSA should be inferred.

The proposed project would result in the use of construction equipment, generation of construction debris, and worker foot-traffic, which may directly result in the injury or mortality of CRLF adults and sub-adults in adjacent uplands. Similar to Coast Range newts, noise and vibration generated by construction activities associated with the proposed project may indirectly result in temporary abandonment of habitat adjacent to work areas, which may increase the potential for predation and desiccation if CRLFs abandon shelter sites, and erosion and sedimentation may indirectly affect breeding sites. The proposed project would also create temporary and/or permanent impacts to vegetation along SLO Creek, which may offer shading and microhabitat temperature regulation in the channel; however, the loss of trees would be mitigated with replacement trees. The removal of any encountered exotic wildlife species from SLO Creek may provide a beneficial impact because it may reduce predation and competition pressures for California red-legged frogs.

The proposed project would have the potential for a take of CRLF during construction in upland dispersal habitat adjacent to SLO Creek and any necessary capture and relocation of CRLF. The potential for take of CRLF is believed to be very low, as California red-legged frogs are believed to be uncommon along the SLO Creek corridor. Pursuant to Section 7 of the Endangered Species Act, formal consultation may be necessary with the USFWS for impacts to CRLF, which would be identified and required through implementation of mitigation measure **MM 2.3-1b**. In any case, the proposed project has the potential to impact CRLF and its habitat, which would be considered a potentially significant impact.

Implementation of mitigation measures **MM 2.3-1a** through **MM 2.3-1e**, which would require preparation and implementation of the final HMMP, an environmental training program, pre-

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construction surveys, and several measures to avoid water quality impacts, which would also minimize habitat impacts that could affect California red-legged frogs. However, an additional mitigation measure has been provided below to ensure consistency with the requirements of the *Programmatic Biological Opinion for Projects Funded or Approved under the Federal Aid Program*, which would reduce the proposed project's effect on CRLF to a less than significant level.

### Mitigation Measure

#### **MM 2.3-1f**

Prior to commencement of construction, the San Luis Obispo County General Services Agency shall implement recommended avoidance and minimization measures for CRLF provided under the *Programmatic Biological Opinion for Projects Funded or Approved Under the Federal Aid Program* as noted in the NES (**Technical Appendix T3**) and as summarized below. These measures include, but are not limited to, the following:

- Prior to ground disturbance, a USFWS-approved biologist shall survey the project area no more than 48 hours before the onset of work activities. If any life stage of the CRLF is found and these individuals are likely to be killed or injured by work activities, the approved biologist shall be allowed sufficient time to move them from the site before work activities begin. The USFWS-approved biologist shall relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and will not be affected by the activities associated with the project. The USFWS-approved biologist shall maintain detailed records of any individuals that are moved (e.g., size, coloration, any distinguishing features, photographs [digital preferred]) to assist him or her in determining whether translocated animals are returning to the point of capture.
- Prior to any activities beginning on the project site, a USFWS-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the California red-legged frog and its habitat, the specific measures that are being implemented to conserve the CRLF for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.
- A USFWS-approved biologist shall be present at the work site until all CRLFs have been removed, workers have been instructed, and disturbance of the habitat has been completed. After this time, the state or local sponsoring agency shall designate a person to monitor on-site compliance with all minimization measures as required under the Habitat Mitigation and Monitoring Plan.
- All refueling, maintenance, and staging of equipment and vehicles shall occur at least 60 feet (18 meters) from the riparian habitat or water bodies and not in a location from which a spill would drain directly toward aquatic habitat. The monitor shall ensure contamination of habitat does not occur during such operations.

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- Project areas shall be revegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials shall be used to the extent practicable. Invasive, exotic plants shall be controlled to the maximum extent practicable. This measure shall be implemented in all areas disturbed by activities associated with the project, unless the USFWS and Caltrans determine that it is not feasible or modification of original contours would not benefit the CRLF.
- The number of access routes, size of staging areas, and the total area of activity shall be limited to the minimum necessary.
- Work shall be scheduled for the times of the year when impacts to the CRLF would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frogs through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall.
- Best management practices (BMPs) shall be implemented to control sedimentation during and after project implementation.
- If a work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than 0.2 inch (5 mm) to prevent California red-legged frogs from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction.
- Water shall not be impounded in a manner that may attract CRLFs.
- Exotic species, such as bullfrogs (*Rana catesbeiana*), crayfish, and centrarchid fishes shall be permanently removed by a USFWS-approved biologist to the maximum extent possible.
- The use of herbicides is prohibited as the primary method to control invasive, exotic plants.

Evidence of compliance with the recommended avoidance and minimization measures for CRLF shall be submitted to the San Luis Obispo County Environmental Coordinator on a quarterly basis.

Implementation of the above mitigation measures would reduce potential impacts to CRLF to a less than significant level by implementing recommended avoidance and management measures provided under the *Programmatic Biological Opinion for Projects Funded or Approved Under the Federal Aid Program*. Therefore, the proposed project's effect on California red-legged frogs would be considered a **Class II**, *significant but mitigable*, project impact. No further mitigation measures would be necessary.

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### Substantial Adverse Effect on Candidate, Sensitive, or Special-Status Avian Species and Other Nesting Birds

**Impact 2.3-2** Implementation of the proposed project would result in the disturbance of habitat suitable to support special-status avian species, including Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), white-tailed kite (*Elanus leucurus*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), loggerhead shrike (*Lanius ludovicianus*), least Bell's vireo (*Vireo bellii pusillus*), purple martin (*Progne subis*), yellow warbler (*Dendroica petechia brewsteri*), and yellow-breasted chat (*Icteria virens*), as well as other nesting birds (Class Aves). These species are protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. For these reasons, this is considered **Class II, significant but mitigable**, project impact.

As noted in the above and summarized in **Table 2.3-4**, habitat within the project area supports several special-status avian species, including Cooper's hawk, sharp-shinned hawk, white-tailed kite, western yellow-billed cuckoo, loggerhead shrike, least Bell's vireo, purple martin, yellow warbler, and yellow-breasted chat. Although riparian habitat occurs in the BSA, it is not of suitable structure to support nesting yellow-billed cuckoo or least Bell's vireo. In addition to the special-status avian species, numerous other nesting bird species protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503 have the potential to nest in habitats within the project area.

**TABLE 2.3-4  
POTENTIAL CANDIDATE, SENSITIVE, OR SPECIAL-STATUS AVIAN SPECIES**

Species	Species Sensitivity (Jurisdiction)	Potential Habitat Present
Cooper's hawk	California Special Concern (CDFW)	Suitable nesting habitat
Sharp-shinned hawk	California Special Concern (CDFW)	Suitable nesting habitat
White-tailed kite	Fully Protected (CFGC)	Suitable nesting habitat
Loggerhead shrike	California Special Concern (CDFW)	Suitable nesting habitat
Purple martin	California Special Concern (CDFW)	Suitable nesting habitat
Yellow warbler	California Special Concern (CDFW)	Suitable nesting habitat
Yellow-breasted chat	California Special Concern (CDFW)	Suitable nesting habitat
Nesting birds	(MBTA and CFGC)	Potential nests

Notes: CDFW = California Department of Fish and Wildlife; CFGC = California Fish and Game Code; CEQA = California Environmental Quality Act; MBTA = Migratory Bird Treaty Act

Source: SWCA 2012b

The proposed project will result in the removal of vegetation that may directly impact bird nests and any eggs or young residing in nests if present. In addition, construction-generated noise and ground-disturbing activities may indirectly alter perching, foraging, and/or nesting behaviors. Removal of trees and vegetation supporting potential nesting habitat would result in temporary loss until replacement plantings were established. This would be considered a potentially significant impact. Implementation of mitigation measure **MM 2.3-1a** would ensure that vegetation removal in potential nesting habitats is monitored and documented by the biological monitor(s) throughout the year, which would reduce potential impacts to nesting

habitats; however, implementation of the following mitigation measures would reduce potential impacts to nesting birds to a less than significant level.

### Mitigation Measures

**MM 2.3-2a** Prior to issuance of any permit, the San Luis Obispo County General Service Agency shall document on all final construction documents that vegetation removal shall occur outside of the nesting season (September 1 to February 14), wherever possible, to prevent birds from nesting within areas of disturbance during or just prior to construction. These timing requirements shall be confirmed by the San Luis Obispo County Environmental Coordinator, or its designee.

**MM 2.3-2b** If construction activities are proposed to occur during the typical nesting season (February 15 to August 31) within 200 feet (60 meters) of potential nesting habitat or 100 feet of the existing South Higuera bridge, the San Luis Obispo County General Service Agency shall have a qualified biologist conduct pre-construction surveys for nesting birds (including swallows) in potential nesting habitat. Pre-construction surveys shall be conducted at least two weeks prior to construction to determine presence/absence of nesting birds within the project area. The USFWS and/or the CDFW shall be contacted if any listed bird species are observed during surveys and consulted for additional guidance if nesting birds are observed within or near the boundaries of the project site. Nests, eggs, or young of birds covered by the Migratory Bird Treaty Act and the California Fish and Game Code shall not be moved or disturbed until the end of the nesting season or until young fledge, whichever is later, nor shall adult birds be killed, injured, or harassed at any time. Work activities shall be avoided within 100 feet (30 meters) of active bird nests and 200 feet (60 meters) of active raptor nests until young birds have fledged and left the nest. Readily visible exclusion zones shall be established by a qualified biologist in areas where active nests must be avoided. Results of the pre-construction surveys shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, upon completion and prior to construction.

Implementation of the above mitigation measures would reduce potential impacts to special-status and other nesting species by requiring vegetation removal to occur outside the nesting season if possible, requiring pre-construction surveys when vegetation removal is proposed during nesting season, prohibiting construction activities within 100 feet of active bird nests and 200 feet of active raptor nests, and requiring further consultation upon identification of active nesting birds, which would reduce this impact to a less than significant level. Therefore, the proposed project's affect on special-status and nesting birds and raptors would be a **Class II, significant but mitigable**, project impact. No further mitigation measures are necessary.

### **Substantial Adverse Effect on Special-Status Bat Species and Other Roosting Bats**

**Impact 2.3-3** Implementation of the proposed project would result in the disturbance of habitats suitable to support special-status bat species, including pallid bat (*Antrozous pallidus*) and western mastiff bat (*Eumops perotis californicus*), as well as other roosting bats (Class Chiroptera). These species are protected by the California Department of Fish and Wildlife (CDFW) or under the California

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Environmental Quality Act (CEQA). This is considered to be a **Class II**, *significant but mitigable*, project impact.

Pallid bat and Western mastiff bat are considered California Special Concern species by the CDFW. Roosting bats in general are protected by CDFW and under CEQA. Marginal roosting habitat occurs within the project area. The proposed project has minimal potential to directly impact special status bat species and other bat species that may utilize existing structures within the project area as roosting habitat. However, noise generated by construction activities may indirectly affect bats by altering their roosting behaviors, as they can be sensitive to noise disturbance. This would be considered a potentially significant impact. Implementation of the following mitigation measures would reduce this impact to a less than significant level.

### Mitigation Measures

**MM 2.3-3a** Wherever work is to occur within 100 feet (30 meters) of bridges or other artificial structures capable of supporting bat roosts, the San Luis Obispo County General Services Agency shall have a qualified biologist conduct pre-construction surveys (at least two at dawn and two at dusk) for bat roosts. Pre-construction surveys shall be conducted at least 30 days prior to construction to determine whether bats are roosting in these structures. The biologist(s) conducting the pre-construction surveys will also identify the nature of the bat utilization of the bridge (i.e., no roosting, night roost, day roost, maternity roost). Results of the pre-construction surveys shall be submitted to the San Luis Obispo Environmental Coordinator, or its designee, upon completion and prior to work commencing within 100-feet of existing structures that are capable of supporting bat roosts.

**MM 2.3-3b** If roosting bats are identified during surveys conducted as a result of implementation of mitigation measure **MM 2.3-3a**, the San Luis Obispo County General Services Agency shall implement the following measures during construction:

- a) Readily visible exclusion zones shall be established in areas where roosts must be avoided.
- b) If there is only night roosting by bats, work may proceed as normal, provided that no nighttime work is scheduled.
- c) If there is day roosting by bats (or night roosting and work during nighttime), qualified biologists shall monitor any construction activities within 100 feet (30 meters) for disturbance to bat roosting. If bat roosting behavior is determined to be adversely impacted by construction activities, construction must be avoided in the vicinity of bat roosts until either bats are no longer roosting or they have been excluded from roosting.
- d) If maternity roosts are detected, construction activities must be avoided within 100 feet (30 meters) of an active maternity roost until the end of the maternity roosting season, which typically occurs during the spring and summer months.

Implementation of the above mitigation measures would reduce potential impacts to special-status and other roosting bat species in the project area by requiring pre-construction surveys and appropriate avoidance measures if determined present, which would reduce this potential impact to a less than significant level. Therefore, the proposed project's affect on special-status and other roosting bat species would be a **Class II, significant but mitigable**, project impact. No additional mitigation measures are necessary.

**Substantial Adverse Effect on Jurisdictional Areas, Riparian or Wetland Habitat**

**Impact 2.3-4** Implementation of the proposed project would result in the disturbance of jurisdictional wetlands and/or riparian habitat areas, which are under the jurisdiction of the US Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and Wildlife (CDFW). This is considered to be a **Class II, significant but mitigable**, impact.

The BSA contains approximately 5.87 acres of USACE jurisdictional wetlands and other waters and 25.2 acres of CDFW jurisdictional area. Areas under USACE jurisdiction are typically under the jurisdiction of the Regional Water Quality Control Board. Riparian areas and isolated aquatic areas supporting only one or two of the wetland parameters may also fall under the jurisdiction and permitting authority of the RWQCB. The jurisdictional areas identified within the project area are located along SLO Creek, its tributaries, and drainages with connectivity to SLO Creek and exhibited ordinary high water marks (OHWMs) (SWCA 2012b). A Wetland Assessment was conducted for the proposed project to delineate jurisdictional wetlands and other waters (refer to Appendix H of the NES included in **Technical Appendix T3**). Potential impacts to jurisdictional wetlands, other waters, and riparian areas estimated to result from the proposed project are summarized in **Table 2.3-5** and shown in **Figure 2.3-2**. Potential impacts to jurisdictional wetlands, other waters, and riparian areas are described in detail below.

**TABLE 2.3-5  
ESTIMATED IMPACTS TO JURISDICTIONAL WETLANDS, OTHER WATERS, AND RIPARIAN AREAS**

Jurisdictional Area	Acres Within the BSA <sup>1</sup>	Impact Area (Acres) <sup>1</sup>		
		Temporary	Permanent	Total
USACE Jurisdictional Wetlands <sup>2</sup>	5.77	0	0	0
USACE Jurisdictional Other Waters <sup>3</sup>	0.10	0	0	0
CDFW/RWQCB Jurisdictional Areas <sup>4</sup>	25.2	1.75	0.52	2.30

Source: SWCA 2012b

Notes:

1. Note that these quantities may not match the habitat impacts quantified in Table 2.3-3 due to differences between which SWCA mapped habitats by absolute cover and the parameters by which the various regulatory agencies delineate their jurisdiction in the field.
2. Also includes RWQCB and CDFW jurisdictional areas below the ordinary high water mark (OHWM).
3. Includes other non-wetland waters regulated by the USACE, usually determined by limit of the OHWM.
4. CDFW jurisdiction extends from the thalweg of the channel to the top of bank or outer extent of riparian vegetation, whichever is greater. May also include areas under USACE jurisdiction (below the OHWM) and RWQCB jurisdiction (above the OHWM).

Jurisdictional Wetlands and Other Waters

As noted above, the project area encompasses approximately 5.77 acres of jurisdictional wetlands and 0.10 acres of other waters that fall under the jurisdiction of the USACE and may also fall under the jurisdiction of the RWQCB. The proposed project will require three crossings of SLO Creek, which contains jurisdictional wetlands, and the installation of two culverts within an

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agricultural drainage, which is considered jurisdictional other waters. Activities that would result in the deposition of dredged or fill material within the ordinary high water mark of SLO Creek could require a USACE Section 404 permit, and wetlands would be required to be mitigated on site at a 1:1 ratio for temporary impacts and at a 2:1 ratio for permanent impacts, unless otherwise directed by regulatory agencies. If wetlands were mitigated off site, mitigation would be required at a 3:1 replacement ratio. However, the proposed bridge crossings and culverts have been designed to use bottomless arch culverts and free span bridges, which would avoid discharge of fill below the ordinary high water mark of SLO Creek and the agricultural drainages; therefore, the proposed project's affect on jurisdictional wetlands and other waters would be considered less than significant impact. Although no impacts to wetlands are anticipated, any mitigation for loss of wetland identified as necessary would be satisfied through implementation of mitigation measure **MM 2.3-1a**, which would require implementation of the final HMMP.

### Riparian Habitat

There are approximately 30.70 acres of riparian habitat within the BSA (SWCA 2012b). Riparian vegetation associated with the stream corridor falls under the jurisdiction of the CDFW. However, as noted above, riparian areas and isolated aquatic areas supporting only one or two of the wetland parameters may also fall under the jurisdiction of the RWQCB. Implementation of the proposed project would result in permanent and temporary, direct and indirect impacts to riparian vegetation that falls under the jurisdiction of the CDFW and/or the RWQCB.

Construction of the three SLO Creek bridge crossings would result in permanent removal of riparian vegetation along the corridor. Principal features of the project that would impact riparian areas include the construction of the proposed bridges, which would require the permanent removal of some trees and the trimming of others. Construction of the new trail alignment adjacent to sections of the riparian corridor may also require minimal trimming or removal of individual trees.

Construction activities, such as use of construction equipment, worker foot-traffic, and hazardous material spills, may directly result in temporary impacts to riparian vegetation along the corridor. Temporary impacts to riparian vegetation may also result from unintentional limb injury from construction equipment. Indirect root zone impacts from construction equipment are also a concern but are not expected, as most cuts and fills associated with grading will be less than 1 to 2 feet. Furthermore, increased erosion and sedimentation generated during construction may indirectly result in temporary impacts to riparian vegetation along the corridor.

Construction of the proposed project would temporarily impact approximately 1.75 acres of riparian vegetation and permanently impact approximately 0.52 acre of riparian vegetation that fall under the jurisdiction of the CDFW and/or the RWQCB for a total impact of approximately 2.30 acres. The proposed project's affect on riparian habitat would, therefore be considered a potentially significant impact. However, implementation of mitigation measures **MM 2.3-1a** and **MM 2.3-1b** would ensure that any loss of riparian habitat is mitigated in accordance with the requirements of the CDFW and the RWQCB through preparation of the final HMMP. Temporary impacts to riparian vegetation would be required to be mitigated at a 1:1 ratio, and permanent impacts would be mitigated at a 2:1 ratio, unless otherwise directed by regulatory agencies. Mitigation would be primarily in the form of restoration and enhancement of riparian habitat located within the project area. The final HMMP would detail mitigation requirements consistent with approval standards and requirements of the CDFW and the RWQCB. The HMMP will be prepared when full construction plans are prepared and will be finalized through the permit review process with regulatory agencies.

The bridges proposed for installation over SLO Creek and the agricultural drainage have been designed to avoid fill of the jurisdictional features. Considering this design, a Section 404 Nationwide Permit from the USACE and a Section 401 Water Quality Certification from the RWQCB will not be required. However, the CDFW conducted a field visit of the BSA and determined that a Section 1602 Streambed Alteration Agreement or equivalent will be necessary (SWCA 2012b) for culvert replacement activities, which would be considered a potentially significant impact. Coordination with the CDFW and the RWQCB, the acquisition of appropriate permits and agreements, and development of a final HMMP will need to be completed prior to project implementation. Implementation of mitigation measure **MM 2.3-1a** and the following mitigation measures would reduce impacts to jurisdictional areas that fall under the jurisdiction of the CDFW and/or the RWQCB to a less than significant level.

### Mitigation Measures

- MM 2.3-4a** Prior to commencement of construction, the San Luis Obispo County General Service Agency shall retain a qualified biological monitor(s) approved by all involved regulatory agencies to ensure compliance with avoidance and minimization measures within the project environmental documents. Monitoring will occur throughout the length of construction or as directed by the regulatory agencies. Full-time monitoring will occur during vegetation removal and erosion control installation. Monitoring may be reduced to part time once construction activities are under way and the potential for additional impacts is reduced. Monitoring reports shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, on a quarterly basis or as specified by specific mitigation measures.
- MM 2.3-4b** During construction, the biological monitor(s) will ensure that the spread or introduction of invasive exotic plant species will be avoided to the maximum extent possible. When practicable, invasive exotic plants on the project site will be removed and properly disposed.
- MM 2.3-4c** Any construction activities across SLO Creek shall take place between June 15 and October 31 in any given year, or as otherwise directed by the regulatory agencies, when the surface water is likely to be dry or at seasonal minimum. Deviations from this work window will only be made with permission from the relevant regulatory agencies.
- MM 2.3-4d** Prior to commencement of construction, the San Luis Obispo County General Service Agency shall clearly flag or fence project site will be so that the contractor is aware of the limits of allowable site access and disturbance. Areas within the designated project site that do not require regular access will be clearly flagged as off-limit areas to avoid/discourage unnecessary damage to sensitive habitats or existing vegetation within the project site.
- MM 2.3-4e** Prior to commencement of construction, the San Luis Obispo County General Service Agency shall prepare a Hazardous Materials (HAZMAT) Response Plan to allow for a prompt and effective response to any accidental spills. Upon complement of the HAZMAT Response Plan it shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, to ensure compliance.

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All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. During construction, all project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on site at all times during construction.

The HAZMAT Response Plan shall allow the cleaning and refueling of equipment and vehicles occur only within a designated staging area, which shall be located at least 60 feet from wetlands, other waters, or other aquatic areas. This staging area will conform to best management practices (BMPs) applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles will be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

### MM 2.3-4f

Prior to commencement of construction, the San Luis Obispo County General Service Agency shall have a qualified arborist prepare a tree removal plan that minimizes the trimming and removal of trees to the extent feasible. Upon completion of the tree removal plan it shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, to ensure compliance. To avoid the potential for unnecessary removal or trimming of trees, any trees to be removed shall be marked with colored flagging or other suitable material. Trees to be trimmed shall be similarly marked but with a different color to differentiate them from trees to be removed. Unmarked trees shall not be removed or trimmed. After construction, any loss of riparian trees shall be replaced at a minimum 3:1 replacement ratio, or as otherwise directed by the regulatory agencies. Methods for riparian vegetation replacement shall be incorporated into the final Habitat Mitigation and Monitoring Plan.

### MM 2.3-4g

Prior to commencement of construction, the San Luis Obispo County General Service Agency shall prepare and incorporate into final construction documents an erosion control plan and stormwater pollution prevention plan (SWPPP) for the project. Provisions of these plans shall be implemented during and after construction as necessary to avoid and minimize erosion and stormwater pollution in and near the work area. The SWPPP shall include erosion control measures to be implemented during and after project implementation (refer to Appendix L of the NES including in **Technical Appendix T3**). Silt fencing, fiber rolls, and barriers (e.g., hay bales) will be installed between the project site and adjacent wetlands and other waters. No synthetic plastic mesh products shall be used in any erosion control materials. At a minimum, silt fencing will be checked and maintained on a daily basis throughout the construction period. The contractor shall also apply adequate dust control techniques, such as site watering, during construction. The San Luis Obispo County Environmental Coordinator, or its designee, shall ensure compliance with the SWPPP throughout the duration of the proposed project.

### MM 2.3-4h

Prior to commencement of construction, the San Luis Obispo County General Service Agency shall prepare a construction management plan that identifies the rules and requirements of the job site. Upon completion of the construction management plan it shall be submitted to the San Luis Obispo County Environmental Coordinator, or its designee, to ensure compliance.

The construction management plan shall reference other applicable plans (i.e., SWPPP, HAZMAT Response Plan, employee training program, etc.), identify construction hours, contact names and numbers, and other specific management requirements, including, but not limited to, the following:

- During construction, trash will be contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas. All vegetation removed from the construction site shall be taken to a certified landfill to prevent the spread of invasive species. If soil from weedy areas (such as areas with poison hemlock or other invasive exotic plant species) must be removed off site, the top 6 inches containing the seed layer in areas with weedy species shall be disposed of at a certified landfill.
- During construction, no pets will be allowed on the construction site.

Implementation of the above mitigation measures combined with mitigation measures **MM 2.3-1a** and **2.3-1b** would reduce potential impacts to jurisdictional areas by requiring the County to prepare and implement a mitigation and monitoring program in accordance with CDFW, SWRCB/RWQCB and County regulations; coordinate and obtain all applicable agreements/permits with regulatory agencies (i.e. Section 1602 Streambed Alteration Agreement from the CDFW, Section 13263(a) general WDR); and prepare and implement a construction management, stormwater pollution prevention, and HAZMAT Response plans. These mitigation measures would ensure that any direct loss of jurisdictional wetlands, other waters, or riparian habitat are mitigated and that indirect impacts to these features are minimized, which would reduce this impact to a less than significant level. Therefore, the proposed project's affect on jurisdictional areas/waters would be considered a **Class II**, *significant but mitigable*, project impact.

### Substantial Adverse Effect on Critical Habitat

**Impact 2.3-5** Implementation of the proposed project may result in the disturbance of SLO Creek, which is considered critical habitat for south-central California coast steelhead. This is considered to be a **Class III**, *less than significant*, project impact.

The south-central California coast steelhead critical habitat unit defined as Estero Bay Hydrologic Unit 3310 – (xii) San Luis Obispo Creek Hydrologic Sub-area 331024 includes the main channel of SLO Creek. However, the East Fork of SLO Creek and Davenport Creek are not included in the critical habitat designation. Based on surveys within the project area and a review of the relevant literature, the section of SLO Creek that traverses the project area contains the constituent elements of steelhead critical habitat.

During construction approximately 19,671 square feet (0.45 acre) of steelhead critical habitat would be temporarily affected by construction activities. The proposed construction of three bridge crossings over SLO Creek would permanently impact approximately 9,835 square feet (0.23 acre) of steelhead critical habitat and result in the trimming and/or removal of willows. The construction of bridges across SLO Creek could result in the removal of riparian cover that provides thermoregulation for steelhead; however, the amount of riparian vegetation removal is anticipated to be minimal when compared to the amount of additional riparian vegetation that exists along the corridor. While the removal of trees and vegetation to accommodate the new bridges may slightly alter shading and microclimate characteristics of the riparian corridor, the

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bridges themselves would provide a new source of shade over the sections of the creek flowing underneath, which would help to offset any loss of shading associated with tree removal. In addition, the trees removed for the bridge crossings will be required to be mitigated with replacement trees, which will offer shade and temperature regulation in other areas along SLO Creek. Therefore, the impacts to riparian cover would be considered minor and would not substantially affect the ability of steelhead to spawn, rear young, migrate, or feed in SLO Creek. Therefore, the proposed project's affect on critical habitat for the south/central California coast steelhead ESU would be considered a **Class III, less than significant**, project impact. Furthermore, implementation of mitigation measure **MM 2.3-1a, MM 2.3-1d, and MM 2.3-4a** through **MM 2.3-4h** would require implementation of the final HMMP, which would include mitigation established by regulatory agencies (USACE, RWQCB, CDFW) for the SLO Creek corridor; that workers are made aware of potential special-status species in the area and that appropriate actions are taken upon discovery of a special-status species; and implementation of a series of relevant measures to protect of the steelhead and its critical habitat.

### Potentially Introduce Invasive/Exotic Species

**Impact 2.3-6** Implementation of the proposed project may result in the introduction of invasive or exotic plant species to an area, which could compete with existing sensitive native plant species, as well as nearby agricultural crops. This is considered to be a **Class II, significant but mitigable**, impact.

A total of 36 invasive plant species as identified by the California Invasive Plant Council (Cal-IPC) Inventory were observed within the project area during surveys. Of the 36 plant species observed, four have a high invasiveness rating, 20 have a moderate invasiveness rating, and 12 have a limited invasiveness rating. The distribution of these invasive plant species is scattered throughout the project area, with notable concentrations of giant reed along particular areas of the SLO Creek riparian corridor. This would be considered a potentially significant impact. However, implementation of mitigation measures **MM 2.3-1a** and **MM 2.3-4b**, which would require revegetation/restoration to offset loss of riparian vegetation, would provide beneficial impact as temporary impacts to riparian habitat will be mitigated at a 1:1 replacement ratio, permanent impacts will be mitigated at a 2:1 replacement ratio, and off-site mitigation, if required, would provide for riparian habitat being mitigated at a 3:1 replacement ratio, and reduce the potential for the introduction of invasive plant species. Through implementation of the HMMP, the potential to introduce invasive species would be reduced to a less than significant level. Therefore, this would be considered a **Class II, significant but mitigable**, project impact. No additional mitigation measures are necessary.

## CUMULATIVE IMPACTS AND MITIGATION MEASURES

### Setting

According to the County of San Luis Obispo, the CDFW, and the Land Conservancy of San Luis Obispo County, no other known current or reasonably foreseeable, non-federal actions within the BSA are expected to affect steelhead or their critical habitat other than the Los Osos Valley Road overpass widening project located well north of the BSA; routine and ongoing agricultural practices; and continued implementation of the Waterway Management Plan for SLO Creek (SWCA 2012b).

### Cumulative Affect on Avian Species and Other Nesting Birds

As impacts to nesting birds would be avoided and potential impacts to nesting habitat will be mitigated by implementation of the final Habitat Mitigation and Monitoring Plan, **no cumulative impact** to nesting birds is anticipated.

### Cumulative Affect on Special-Status Species and Their Habitat

**Impact 2.3-7** Implementation of the proposed project would contribute to the cumulative loss of one special-status tree species, California black walnut, that has limited statewide distribution, which would be a potentially significant cumulative impact. However, implementation of mitigation measures would reduce this impact to less than significant level; therefore, the proposed project affect on California black walnut combined with other reasonably foreseeable projects in the state would not be cumulatively considerable and would be considered a **Class II, significant but mitigable**, cumulative impact.

Historical land management practices in and adjacent to SLO Creek have resulted in a deterioration of habitat quality for steelhead and other aquatic organisms that inhabit the drainage. During recent years, restoration activities have been conducted along SLO Creek in an attempt to improve its water and habitat quality. Construction of the proposed project would result in the loss of some riparian vegetation, which may affect steelhead critical habitat as well as special-status species such as southern California black oak, steelhead, California red-legged frog, Coast Range newt, southwestern pond turtle, silvery legless lizard, and two-striped garter snake.

Considered in context with the historic loss of these species in California, cumulative effects to special-status species or habitat that supports these species could be considerable if not mitigated. Although the project impacts to southern California black walnut would be considered less than significant due to this species being common locally, any loss that would contribute to the limited statewide distribution of these species may be cumulatively considerable and a potentially significant cumulative impact. Implementation of the following mitigation measure, combined with mitigation measures **MM 2.3-1a** through **MM 2.3-1f**, **MM 2.3-2a** and **MM 2.3-2b**, **MM 2.3-3a** and **2.3-3b**, and **MM 2.3-4a** through **MM 2.3-4h** would reduce the proposed project cumulative affect on special-status species to a less than significant level.

#### Mitigation Measure

**MM 2.3-7** Prior to issuance of any permits, the San Luis Obispo County General Service Agency shall ensure that the final alignment of the Bob Jones Pathway avoids impacts to southern California black walnut trees to the extent practicable. If southern California black walnut trees cannot be avoided and must be removed or trimmed during construction, their loss shall be mitigated at a 4:1 restoration ratio for every walnut tree removed and at a 2:1 ratio for every walnut tree trimmed or otherwise impacted but not removed. If more than 25 percent of a walnut tree must be trimmed, it shall be mitigated at a 4:1 restoration ratio.

Implementation of the above mitigation measure provides compensatory mitigation to offset cumulative impacts to southern California black walnut. This mitigation measure, combined with mitigation measures **MM 2.3-1a** through **MM 2.3-1e**, **MM 2.3-2a** and **MM 2.3-2b**, **MM 2.3-3a** and **MM 2.3-3b**, and **MM 2.3-4a** through **MM 2.3-4h** would mitigate any potential effects to special-

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status species by requiring preparation of the final HMMP, which would include habitat restoration and enhancement along SLO Creek and ultimately provide a beneficial impact to the riparian corridor; requiring vegetation removal to occur outside the nesting season, if possible, and requiring pre-construction surveys when vegetation removal is proposed during nesting season; prohibiting construction activities within 100 feet of active bird nests and 200 feet of active raptor nests and requiring further consultation upon identification of active nesting birds; requiring pre-construction surveys to ensure the project does not jeopardize or result in the extinction of bat species; obtaining a Section 1602 Streambed Alteration Agreement from the CDFW; coordinating with SWRCB/RWQCB regarding the need for a Section 13263(a) general WDR; obtaining a biological monitor; preparing and implementing a construction management plan, SWPPP, and HAZMAT Response Plan; and restricting and managing construction activities to ensure any direct loss of jurisdictional wetlands, other waters, or riparian habitat is mitigated and that indirect impacts to these features are minimized. The proposed project's contribution towards cumulative effects on southern California black walnut species would be reduced to a less than significant level; therefore, the proposed project's contribution toward cumulative effects on this special status species would not be cumulatively considerable and this would be considered a **Class II**, *significant but mitigable*, cumulative impact.

### Cumulative Effect on Jurisdictional Areas and Riparian Habitat

**Impact 2.3-8** Implementation of the proposed project would contribute to the cumulative loss of riparian habitat or disturbance of SLO Creek, which is under the jurisdiction of the CDFW and/or the RWQCB. However, implementation of previously identified mitigation measures **MM 2.3-1a** and **MM 2.3-4a** through **MM 2.3-4h** would reduce potential impacts to jurisdictional riparian areas to a less than significant level. Therefore, the proposed project's contribution towards the cumulative loss of riparian habitat would not be cumulative considerable and this would be considered a **Class III**, *less than significant*, cumulative impact.

It has been estimated that California has lost approximately 90 percent of its historic wetland and riparian resources to alternative land use. Regulatory agencies have sought to offset the additional loss of riparian areas and wetlands with restoration and revegetation requirements for projects within their respective jurisdictions. The proposed project is anticipated to result in minimal cumulative impacts to jurisdictional wetlands and riparian areas within the SLO Creek watershed upon implementation of mitigation measure **MM 2.3-1a** and **MM 2.3-4a** through **MM 2.3-4h**. These mitigation measures would reduce potential impacts to jurisdictional riparian areas by requiring the County to prepare and implement a final HMMP; obtain a Section 1602 Streambed Alteration Agreement from the CDFW; coordinate with the SWRCB/RWQCB regarding the need for a Section 13263(a) general WDR; obtain a biological monitor; prepare and implement a construction management plan, SWPPP, and HAZMAT Response Plan; and restrict and manage construction activities. This would ensure that any direct loss of jurisdictional wetlands, other waters, and/or riparian habitat is mitigated and that indirect impacts to these features are minimized.

In addition, implementation of the *San Luis Obispo Creek Watershed Management Plan* (City of San Luis Obispo and County of San Luis Obispo 2003) also contributes to cumulative effects along SLO Creek, but with the goal of identifying management problems and management needs of the corridor, including restoration where needed. These effects, in connection with the proposed project and considered in a cumulative context, are not expected to threaten the SLO Creek riparian corridor. Restoration plantings as mitigation to offset the necessary temporary loss of riparian vegetation to create space for the new bridges will be consistent with the effort

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to improve and enhance the SLO Creek riparian corridor. Therefore, the proposed project's impact on jurisdiction waters and riparian habitat would not be cumulatively considerable. This impact would be considered **Class III**, *less than significant*, cumulative impact.

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## **2.4 CULTURAL RESOURCES**

This section considers and evaluates the potential impacts of the proposed Bob Jones Pathway (BJP; project) on cultural and paleontological resources. Cultural resources encompass archaeological, traditional, and built environment resources, including but not necessarily limited to buildings, structures, objects, districts, and sites. Cultural resources include sites of important events, traditional cultural places and sacred sites, and places associated with an important person.

This analysis incorporates the findings of the *Historic Property Survey Report* (HPSR) prepared for the proposed project in July 2013 (by Far Western Anthropological Research Group, Inc. (FWARG)). An annotated version of the HPSR is included in **Technical Appendix T4** in order to protect the location of the identified resources. The HPSR focused on the area of potential effects (APE) for the project, which encompasses the proposed BJP and all planned project construction activities, access routes, road widening, and staging areas.

### 2.4.1 EXISTING SETTING

#### PREHISTORY

The project area lies in an area described as the Central Coast Archaeological Region, which extends southward from Monterey Bay through Big Sur to Morro Bay, and includes southern Santa Cruz and Santa Clara counties, all of San Benito and Monterey counties, and most of San Luis Obispo County.

Several chronological sequences have been devised to understand cultural changes within the Central Coast Region, which include the following periods: early Holocene, Milling Stone, Early, Early-Middle Transition, Middle, Middle-Late Transition, and Late. The Milling Stone period (ca. 6500–3500 BC) is characterized by an ecological adaptation to collecting and the dominance of stone implements used to grind small seeds; namely, milling stones (metates, slabs) and handstones (manos, mullers). The Milling Stone period is also defined by large, simple core and flake tools, and large side-notched projectile points. Along Central Coast areas, Milling Stone period sites are common on terraces and knolls, typically set back from the current coastline. The Early period and Early-Middle Transition period (3500–600 BC) include an extensive series of shoreline midden deposits within the Central Coast Region, signifying an increase in occupation of the open coast and exploitation of inland plant and coastal marine resources during the Early period. Artifacts include milling slabs and handstones, as well as mortars and pestles, which were used for processing a variety of plant resources. Bipointed bone gorge hooks were used for fishing. Assemblages also include a suite of Olivella beads, bone tools, and pendants made from talc schist. Obsidian trade increased during the following Middle period. During the Middle period (600 BC–AD 1000), there was a pronounced trend toward greater adaptation to regional or local resources. Related chipped stone tools suitable for hunting were more abundant and diversified, and shell fishhooks became part of the toolkit. Larger knives, a variety of flake scrapers, and drill-like implements are common. Projectile points include large side-notched, stemmed, and lanceolate or leaf-shaped forms. During the Middle period, residential shell midden sites are fairly common in the Central Coast Region since the diet focused on marine resources. Although burial populations are fairly limited, burials in residential middens have been recovered at Middle period sites in San Luis Obispo County. Most of the burials are primary interments, although some secondary burials have been recovered. During the Middle to Late Transition period (AD 1000–1250), projectile points include large, contracting-stemmed types typical of the Middle period, plus Late period small, leaf-shaped points, which likely reflect the introduction of the bow and arrow. In addition to the bow and arrow, hopper mortars are apparently introduced during this transition phase. This Middle-Late Transition period is marked by relative instability and change, with major changes in diet, settlement patterns, and

## 2.4 CULTURAL RESOURCES

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interregional exchange. Dense concentrations of fish bones have been recovered from Middle-Late Transition period sites on the open coast. There is also some indication that residents relied on smaller fauna, including anchovies and rabbits. Cultural materials such as temporally diagnostic shell beads and small, finely worked projectile points associated with bow and arrow technology are typically representative of the Late period (AD 1250–Historic Contact). Within the Central Coast Region, most sites inhabited during the Middle period showcase little or no evidence of being occupied continuously into the Late period. Late period sites are more frequently single-component deposits that are located inland.

Occupation of California's Central Coast Region is estimated to have occurred as early as the terminal Pleistocene/early Holocene (ca. 10,000–6500 BC) period, or about 10,000 years ago when sea levels were some 15 to 20 meters lower than today. Although there is evidence of occupation of the area during the early Holocene, there are only a few documented archaeological sites dated prior to 6,000 years ago within the Central Coast Region because most sites of this period are either beneath current ocean levels or were destroyed by coastal erosion.

### ETHNOGRAPHIC AFFILIATION

The project area was inhabited by speakers of the Obispeño language of the Chumash language family. The Obispeño Chumash practiced a hunter-gatherer-fisher economy and used stone, bone, and shell implements to hunt game animals and capture fish and birds, along with basketry items (rarely preserved) to gather various vegetal resources. Males generally hunted while females collected and processed vegetal resources (i.e., seeds, nuts, roots, and bulbs) and prepared foods for consumption. Houses were small and either grass-thatched or earth-covered, with larger structures used as dance or sweat lodges. Tule balsa canoes, constructed from bundled reeds, were used in estuary and embayment settings found at Morro Bay, Avila Beach, and Pismo Beach (FWARG 2006).

Socio-political organization within the Obispeño Chumash language group was organized at the village level. Village headmen had the authority to resolve internal disputes, redistribute wealth, and engage in warfare, and they received status privileges such as the acquisition of multiple wives, and tributes of food and various goods. Warfare was not uncommon, and the “big man's” physical prowess and leadership determined the outcome in conflicts commonly involving the theft of women and resources, and threats of magical poisoning. Inter-marriages of individuals from such present-day areas as San Luis Obispo, Paso Robles, Cambria, Avila, Morro Bay, and Santa Margarita created an interaction sphere between interior and coastal regions and provided a means of exchanging resources from these varied zones (FWARG 2006).

### EARLY SETTLEMENT AND LAND USE

#### **Spanish and Mexican Period**

In 1772, the Mission San Luis Obispo de Tolosa was established as Alta California's fifth mission. Conversion of the local native population was slow over the first few years, probably due to the abundance of wild food resources (seeds and berries, game animals, and fish), which allowed the small, mobile groups to remain independent. The impacts of European diseases, diminishing local resources, and an increase in the area's non-native population forced the resistant natives to turn to the Mission San Luis Obispo for food, clothing, and shelter. Termination of the Mexican government's mission land holdings in 1836 found the Mission Indians in search of jobs as laborers for various ranchos (FWARG 2006).

The church's lands were divided up into several large ranchos, including Ranchita de Santa Fe, Rancho San Miguelito, and Rancho Laguna, all of which lie partially or wholly within the project area (JRP 2006). Ranchita de Santa Fe encompassed 166 acres on both sides of San Luis Obispo Creek on the southern outskirts of modern San Luis Obispo (the north end of the study area). Mexican authorities granted the parcel to Victor Linares on September 18, 1842. Linares was one of the Alcades of San Luis Obispo in 1845. He moved his family onto Ranchita de Santa Fe where he raised livestock and constructed an adobe ranch house by 1858 (JRP 2006). Linares died before 1860, and a patent for the ranchita was issued to Linares' heirs, his wife Miguela and their five children, on August 19, 1866 (JRP 2006). Miguel Avila, a former Mexican Army corporal, obtained Rancho de Playa (later renamed Rancho San Miguelito) in three separate land grants (in 1839, 1842, and 1846) totaling 14,198 acres. Rancho San Miguelito was south of the mission and along the northern portion of San Luis Obispo Bay (the south end of the study area). In 1845, Avila also obtained use of another part of the former mission lands, Rancho Laguna, which lies immediately to the north of Rancho San Miguelito. Rancho Laguna had been used as cattle pastureland by the mission, but following the annexation of California by the United States, the 4,157-acre Rancho Laguna was returned to the Catholic Church (patented to Bishop J. S. Alemany in 1859). Avila constructed an adobe at the mouth of San Luis Obispo Creek and converted some of the former mission buildings there to private use. Provisions of Avila's grant included maintaining a one-quarter-mile-wide strip of land along the coast for public use and another strip of land along San Luis Obispo Creek open as a cart road from San Luis Obispo to the bay. Avila received a patent for the San Miguelito Grant in 1877.

### **Agricultural History**

Mission San Luis Obispo de Tolosa was a prosperous agricultural community, harvesting corn, beans, and peas in the fertile fields along San Luis Creek south of the mission and north of San Luis Bay. The mission fathers also grazed large herds of cattle on the hills surrounding San Luis Creek southwest of the mission. After secularization, Linares and Avila developed a way of life based on the raising of cattle and horses and subsistence agriculture, which was typical of other rancheros in California during this period. Avila also engaged in dairying as early as the 1840s (JRP 2006). However, severe drought between 1862 and 1864 decimated the cattle trade throughout south-central California, resulting in the bankruptcy of many of the early rancho families and the division of much of the ranchos.

During the 1860s, a new group of entrepreneurs arrived and purchased former ranchos land and public land in southwestern San Luis Obispo County. By 1914, cultivated fields, orchards, and pastures lined San Luis Obispo Creek between San Luis Bay and San Luis Obispo (JRP 2006). New settlers also established beef cattle and dairy ranches, and dairy became a leading industry in southwestern San Luis Obispo County by the early twentieth century. The soil and climate of San Luis Obispo's northwest coast was particularly suited to the dairy industry. The regular rainy season produced an abundance of grasses for feed, and the moderate climate aided in milk, butter, and cheese production (JRP 2006). The Steele family enterprise purchased 48,000 acres in southwestern San Luis Obispo County in 1866 in the Edna area (southwest of the project area), and by 1870 the Steele family were the owners of the second-largest number of milk cows in California, with about 1,400 cows divided between five dairies in Northern California and five dairies on their San Luis Obispo County property (JRP 2006).

### Santa Fe/Home Dairy Complex

The Octagon Barn trailhead is associated with the former Santa Fe/Home Dairy complex, which is located on a portion of the Ranchita de Santa Fe patented to Victor Linares' heirs in 1866. Dairy operations on the ranchita began in 1892 when Ramona Hilliard sold the property to

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William E. Mighell, Smith Shaw, and J. B. Short, each of whom had previously worked in the dairy industry. Shaw and Short were dairy farmers near Cayucos in San Luis Obispo. Mighell was a dairy farmer near Cambria in San Luis Obispo County in the 1870s. Mighell relocated to San Francisco during the 1880s and went on to make a fortune in shipping, at one time owning one of the largest fleets of sailing vessels on the Pacific coast. In 1895, Mighell bought out Shaw's and Short's interest in Ranchita de Santa Fe. Mighell leased the property to Antonio Stornetta between 1903 and 1914. During this occupancy, Stornetta established and operated the Santa Fe Dairy (JRP 2006).

Antonio Stornetta, born in San Antonio, Ticino, Switzerland, in 1873, was one of the many Italian Swiss that immigrated to California during the later nineteenth century. Stornetta came to San Luis Obispo County in 1888 and found work as a farm laborer for about 15 years. In 1903, Antonio and his brother Giovanni leased the Ranchita de Santa Fe from William Mighell and operated the Santa Fe Dairy, the first long-term dairy operation on the property. Stornetta built up a successful business, selling Santa Fe Dairy milk to the retail trade in San Luis Obispo. The farmstead property likely consisted of two residential buildings (the current residence and the building that is now identified as the bunkhouse); the octagonal barn; a second barn that was removed during the road realignment project in the 1920s and was probably the source of the materials used to construct the present calf barn; and several outbuildings including a single-car garage (JRP 2006). Several of these buildings are located at the proposed project's Octagon Barn trailhead. Stornetta gave up the lease of Ranchita de Santa Fe in 1914.

William Mighell died in 1917, and Maria de Gloria Lima purchased Ranchita de Santa Fe from his estate in 1919. Maria Lima, born at Fayal, Azores Islands, in 1864, came to San Luis Obispo when she was 14 years old. In 1879, Maria married Antone Joaquin Lima, a young San Luis Obispo County rancher, and the couple ranched for almost 30 years in the Morro Township area of San Luis Obispo. After her husband's death Mrs. Lima established the Home Dairy Company with daughters Eleanor and Josephine, and their respective husbands, Manuel Garcia and Joaquin Pereria, in 1919. The company maintained offices in the city of San Luis Obispo in addition to the dairy farm on the Ranchita de Santa Fe property (JRP 2006). By 1925, both Maria Lima and Manuel Garcia had signed over their individual interests in the Ranchita de Santa Fe property to Joaquin and Josephine Pereira, although both Manuel Garcia and Joaquin Pereira continued to jointly operate the Home Dairy Company until 1946 (JRP 2006). Joaquin and Josephine Pereira resided on the Ranchita de Santa Fe property, building their home on the site of the former adobe, on a knoll on the west side of South Higuera Street, opposite and a short distance north of the dairy farm. The Pereiras constructed several buildings on Ranchita de Santa Fe property during their ownership, including a silo, tank house, windmill, and storage outbuildings, all constructed about 1920, and the milk barn in 1938. The windmill, silo, and tank tower have since been removed (JRP 2006).

The Santa Fe/Home Dairy Company closed its doors as a full-scale business with the sale of the Home Dairy Company in 1946 to Leonard McLinn. The sale included all the personal property connected to the business at the 719 Higuera Street offices, along with the right to the name Home Dairy Company. The Ranchita de Santa Fe property remained in the possession of the Pereiras (JRP 2006). In 1948, the Pereiras deeded to the State of California a strip of land running through Ranchita de Santa Fe for the construction of the present Highway 101. The Pereiras sold the Ranchita de Santa Fe land west of Highway 101 in 1965. Joaquin and Josephine Pereiras transferred one-third of their remaining interest in Ranchita de Santa Fe to their son Luiz A. Pereria in 1967 (JRP 2006). The portion of Ranchita de Santa Fe that included the former dairy buildings remained under the control of the Pereira family after the deaths of Joaquin and Josephine Pereira in the early 1970s. On May 10, 1994, John Hayashi purchased a 57.48-acre parcel from the Luis A. Pereira estate, which included the old dairy property east of South Higuera Road with

the octagonal barn and associated buildings, and the farmland between South Higuera Road and Highway 101 (JRP 2006).

### EXISTING RESOURCES

#### Archaeological Resources

The *Supplemental Archaeological Survey Report for the Bob Jones Trail Project, San Luis Obispo County, California*, prepared by FWARG in March 2009, identified the presence of a historic-period site, referred to as Locus 1 (CA-SLO 2592H), at the mouth of rural Baron Canyon (FWARG 2009). This site includes portions of a rock and concrete wall, landscaping elements, and a light scatter of historic debris associated with homesteads dating to 1895 and 1938.

Surface archaeological evidence of a historic-period domestic occupation (CA-SLO-2592H) was present and recorded within the project area during a field survey. The site consists of structural foundation remains and associated non-native landscaping near the narrow mouth of Baron Canyon within the proposed project APE. The main portion of the site (identified as Locus 1) includes portions of a rock and concrete wall, landscaping elements including groundcover of vinca, and a light scatter of historic debris (e.g., aqua glass, clear glass, and marine shell pieces).

Due to the general lack of artifacts visible on the site surface, JRP Historical Consulting conducted post-field research of County parcel maps and documents, and historic-period maps in an attempt to identify ownership and the original age of construction for the domestic occupation. Research revealed a complex history of parcel ownership, with the first two structures (a house and a furnace) appearing in 1895 near the site location but west-northwest of the current remains. The furnace was most likely used to process materials from the bituminous rock mine located in the hills to the east; such materials were commonly used for paving purposes. In 1949, the County Assessor records appraised a house on the study parcel, noting an effective year-built date of 1938. This small, single-story structure may have been located at the site location. While no interim maps are available, a later 1961 house was appraised for the parcel, and by 1965 the USGS Pismo Beach Quadrangle shows a structure south of the previously described structures. By 1995, assessor's records indicate that the residences were destroyed.

Although the 1960s residence would not be of historical importance, it is unclear whether or not an earlier structure inhabited this location as well. If so, subsurface historic features such as privy pits or cisterns from earlier turn-of-the-century occupations may remain.

#### Historical Resources

There are two historic resources within the APE. One of the resources, the Santa Fe Dairy/Home Dairy complex, is related to the agricultural heritage of San Luis Obispo County and the other, the SLO Creek Bridge, is related to early twentieth century transportation in the county. Both resources are more than 50 years old. A third historic resource lies adjacent to the APE, the Bellevue/Santa Fe School, which is related to early history of California.

**Santa Fe Dairy/Home Dairy complex**, located at 4435 South Higuera Street, includes more than a half dozen buildings and structures built between the 1890s and 1838 (JRP 2006). The complex is situated on a small section of a much larger parcel (APN 076-081-018), most of which is located on the opposite (west) side of South Higuera Street and is used for agricultural purposes. The focal point of the complex is a large octagonal barn, built circa 1900, that is one of just a few round barns that still exist in California and is discussed in more detail below. Other buildings and structures directly related to the dairy operation include a calf shed, a milking barn, and

## 2.4 CULTURAL RESOURCES

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approximately 1,000 linear feet of rail and post fencing enclosing a system of corrals and chutes. A short distance south of and uphill from the dairy buildings and accessed by a dirt and gravel drive is a small residential cluster consisting of two residences, one of which once functioned as a bunkhouse, a detached garage, and several small storage sheds, one of which appears to be a converted Pacific Coast Railway boxcar. Although many of the buildings' construction dates have been estimated, all appear to have been built between the late 1890s and 1938. The dairy operation, variously known as Stornetta Dairy, Santa Fe Dairy, and finally Home Dairy, has been out of business since the late 1950s or 1960s. The residential buildings are still in use as rental properties, but the former dairy buildings are either vacant or used for miscellaneous storage (JRP 2006).



The Santa Fe Dairy complex as a whole does not appear eligible for the National Register of Historic Places or the California Register of Historic Resources (FWARG 2013). The property does not appear to be significant under Criteria A and 1 for associations in San Luis Obispo County, nor does it appear that dairy operators Stornetta or Pereira made important

contributions within either the dairy industry or their individual ethnic communities (Criteria B and 2) (FWARG 2013). The property does not appear eligible under Criteria C and 3, as the buildings currently comprising the complex do not represent pioneering or ground-breaking advancements in dairy technology, layout, or design (FWARG 2013). With the exception of the Octagon Barn, the individual farm buildings are all modest examples of the types of buildings typically found on farmsteads of this era, and the residential buildings are modest examples of residential architecture common to the period. This property is otherwise documented in the historic record and has not yielded, nor is it likely to yield, important information that would make it eligible under Criteria D or 4 (JRP 2006).

The Santa Fe Dairy Octagon Barn (CA-SLO-1002H) is eligible for inclusion in the California Register of Historic Resources and the National Register of Historic Places. The Octagon Barn has an estimated construction date from the 1890s to very early 1900s and was operated by Antonio Stornetta. Subsequently, the dairy was owned by the Pereira family under the name of Home Dairy. Distinctive characteristics of the barn include a floor plan consisting of eight equal sides, interior framing and truss work, vertical wood plank walls, a conical roof with eight wedge-shaped sections, and an eight-sided ventilation cupola. The structure is unique as it is one of less than a half dozen known historic-period round barns remaining in California; it clearly appears eligible under National Register of Historic Places Criterion C (California Register of Historical Resources Criterion 3) as a significant example of type, period, and method of construction. The structure has retained a fair to high degree of historic integrity largely due to the meticulous restoration efforts of the Land Conservancy of San Luis Obispo County (JRP 2006).



The Planning Commission approved a phased conditional use permit for the Octagon Barn Center in May 2012 (DRC20010-00053). That approval included continued restoration of the

Octagon Barn and use as a 5,000-square-foot events center, as well as interior upgrades of the milking parlor and use as an agricultural museum, classroom, and community room. Other improvements associated with this approval include a new windmill, a new 1,000-square-foot storage structure with restrooms, an outdoor multi-use area, and a parking lot (112 parking spaces). The proposed project was found to maintain the character of the historic landscape and setting in compliance with the Secretary of the Interior's Standards for Rehabilitation (FWARG 2013).

**San Luis Obispo Creek Bridge** (#49C-396), situated on South Higuera Street at San Luis Obispo Creek, is a concrete t-beam bridge constructed in 1928. It carries South Higuera Street over San Luis Obispo Creek at a location approximately 3 miles south of San Luis Obispo (adjacent to Highway 101). The bridge was categorized as not eligible for the National Register (Category 5-Structure) in the California Department of Transportation (Caltrans) 1987 bridge inventory (FWARG 2013). In the recent 2006 Caltrans Statewide Bridge Inventory Update, the bridge was determined to retain its Category 5 (structure) status as it is a common (concrete t-beam) bridge type (JRP 2006).

**Bellevue/Santa Fe Schoolhouse**, is located outside but adjacent to the project's APE at 6985 Ontario Road. The Bellevue/Santa Fe Schoolhouse was originally constructed in 1907. In 2005 it was renovated and remodeled to serve as a wine tasting room. The Schoolhouse currently is approximately 3,200 square feet with a commercial kitchen, two bathrooms, two tasting bars and an art gallery. There are outside patios and a front balcony. This building is not listed on California Register of Historical Resources or National Register of Historical Places.

### 2.4.2 REGULATORY FRAMEWORK

#### FEDERAL REGULATIONS

##### **National Historic Preservation Act**

The National Historic Preservation Act (NHPA) of 1966 authorized the National Register of Historic Places (NRHP) as part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect the country's historic and archaeological resources. Sites qualify for inclusion in NRHP if they are determined to be associated with events or persons that are important in broad patterns of history; embody distinctive characteristics of design and/or construction, represent the work of an important creative individual, or have artistic value; and/or possess the potential to yield important information in prehistory or history.

#### STATE REGULATIONS

##### **Public Resources Code**

##### Historical Resources

Pursuant to Public Resources Code Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Section 21083.2 requires agencies to determine whether proposed projects would have effects on "unique archaeological resources."

"Historical resource" is a term with a defined statutory meaning (Public Resources Code Section 21084.1 and State CEQA Guidelines Section 15064.5 [a], [b]). The term embraces any resource listed in or determined to be eligible for listing in the California Register of Historical Resources

## 2.4 CULTURAL RESOURCES

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(CRHR). The criteria for listing resources on the CRHR are based on modified criteria developed by the National Park Service for listing on the NRHP, which allows inclusion of a broader range of resources that reflect the history of California. The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, as well as some California State Landmarks and Points of Historical Interest. A resource is considered historically significant if it:

- Is historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, or cultural annals of California; and,
- Meets any of the following criteria:
  - a) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  - b) Is associated with the lives of persons important in our past;
  - c) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
  - d) Has yielded, or may be likely to yield, information important in prehistory or history.

For historic structures, California Environmental Quality Act (CEQA) Guidelines Section 15064.5, subdivision (b)(3), indicates that a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995) shall mitigate impacts.

### Archaeological Resources

Public Resources Code Section 21083.2(g) states that "unique archaeological resource" means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Archaeological resources may also qualify as historical resources, and Public Resources Code Section 5024 requires consultation with the Office of Historic Preservation when a project may impact historical resources located on State-owned land.

The Central Coastal Information Center (CCIC), Institute of Archaeology, University of California at Santa Barbara, operated under the State Office of Historic Preservation, is the official

repository for all San Luis Obispo County data concerning surveys, site records, excavation reports, and relevant literature.

### Paleontological Resources

Public Resources Code Section 5097.5 prohibits excavation or removal of any "vertebrate paleontological site or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands." Public Resources Code Section 30244 requires that adverse impacts to paleontological resources from development on public land be reasonably mitigated. The potential for a geologic unit to produce scientifically significant fossils, as determined by rock type, past history of the rock unit in producing fossil materials, and fossil sites that are recorded in the unit is referred to as "paleontologic sensitivity."

### Native American

California Public Resources Code Section 5097.9 states that no public agency, or a private party on a public property, shall "interfere with the free expression or exercise of Native American Religion." The code further states:

*No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine...except on a clear and convincing showing that the public interest and necessity so require. County and city lands are exempt from this provision, except for parklands larger than 100 acres.*

### Human Remains

Disturbance of human remains without the authority of law is a felony pursuant to California Health and Safety Code Section 7052. If the remains are Native American in origin, they are within the jurisdiction of the Native American Heritage Commission (NAHC) (California Health and Safety Code Section 7052.5c; Public Resources Code Section 5097.98).

According to state law (California Health and Safety Code Section 7050.5; California Public Resources Code Section 5097.98), if human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- The coroner of the county has been informed and has determined that no investigation of the cause of death is required; and
- If the remains are of Native American origin.
  - The descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of with appropriate dignity the human remains and any associate grave goods as provided in Public Resources Code Section 5097.98; or
  - The NAHC was unable to identify a descendent or the descendent failed to make a recommendation within 24 hours after being notified by the commission.

## 2.4 CULTURAL RESOURCES

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According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC.

### LOCAL REGULATIONS

#### San Luis Obispo General Plan

The Conservation and Open Space Element (COSE) of the General Plan identifies policies that aim to protect cultural resources within unincorporated San Luis Obispo County consistent with the above federal and state regulations.

### 2.4.3 IMPACTS AND MITIGATION MEASURES

#### STANDARDS OF SIGNIFICANCE

Following Public Resources Code Sections 21083.2 and 21084.1, and Section 15064.5 and Appendix G of the State CEQA Guidelines, the County considers cultural resource impacts to be significant if a project would:

- a) Cause a substantial adverse change in the significance of an archaeological resource or an historical resource as defined in Public Resources Code Section 21083.2 and CEQA Guidelines Section 15064.5, respectively.
- b) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.
- c) Disturb any human remains, including those interred outside of formal cemeteries.

State CEQA Guidelines Section 15064.5 defines “substantial adverse change” as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource is materially impaired.

#### METHODOLOGY

A Historic Property Survey Report (HPSR) for the proposed project was prepared by Far Western Anthropological Research Group, Inc. (FWARG) in July 2013. An annotated version of this document is included in **Technical Appendix T4** in order to protect the location of the identified resources. This document summarizes the findings of several subsequent reports, including the *Historic Resources Evaluation Report for the Bob Jones Trail Project* and the *Supplemental memorandum to the Historic Resources Evaluation Report (HRER)* prepared by JRP Historical Consulting (JRP) in November 2006 and March 2009, respectively; the *Archaeological Survey Report [ASR] for the Bob Jones Trail Project* and *Supplemental Archaeological Survey Report for the Bob Jones Trail Project* prepared by FWARG in August 2006 and March 2009, respectively; the *Archaeological Survey Report* and *Historic Resources Impacts Analysis Report for the Octagon Barn Center Project* by SWCA Environmental Consultants in May 2010 and February 2011, respectively; and the *Supplemental Archaeological Survey for Proposed South Higuera*

*Street Improvements* prepared by FWARG in February 2012. The reports are on file at the San Luis Obispo County General Services Agency.

### Area of Potential Effect

The HPSR focused on the area of potential effects (APE) for the project (refer to Exhibit 1 of the HPSR in **Technical Appendix T4** of this DEIR), which was established in consultation with Caltrans, SWCA, JRP Historical Consulting, and Far Western Anthropological Research Group. Of note: The focused archaeological APE and architectural APE (refer to **Appendix A.1**) share the same imprint, while the general architectural APE identifies more extensive parcels, consistent with the Section 106 Programmatic Agreement. It was decided that there was no reason to include the broader surrounding parcels for this relatively low-impact, rural project. The APE encompasses the proposed BJP and all planned project construction activities, access routes, road widening, and staging areas.

### Native American Consultation

Twenty-four Native American individuals/organizations and the Native American Heritage Commission (NAHC) were contacted regarding the project. In response, two comment letters were received, one from the Santa Ynez Band of Mission Indians, Tribal Elders Council, and the other from the Northern Chumash Council. Both expressed concern that Chumash sites were in the area and might be disturbed by the proposed project. They urged that Chumash resource monitors be considered to "help preserve our heritage." In addition, they expressed concerns about the general sensitivity of the area and mentioned that if any native vegetation needs to be removed, donation of usable materials to the local Chumash would be appreciated. The materials would be used for re-creating structures or making such items as baskets. The NAHC stated that there were no Native American sacred sites known in the immediate project area and supplied a list of Native American individuals/organizations that might have knowledge of local cultural resources (included as Attachment H of the HPSR included in **Technical Appendix T4**).

## IMPACTS AND MITIGATION MEASURES

### **Disturb or Destroy Archaeological and/or Historical Resources**

**Impact 2.4-1** Implementation of the proposed project would involve construction activities that may result in the disturbance of known and unknown archaeological resources. Construction activities would occur in the vicinity of one known archaeological site and two known historical sites that may be eligible for listing on the California Register of Historic Resources (CRHR) and/or as a California landmark. This is considered a **Class II, significant but mitigable**, project impact.

In the HPSR prepared by FWARG in March 2012, the presence of a historic-period site and historic structure were identified within the project APE and one historic structure was identified adjacent to the project APE. Implementation of the proposed project would result in construction activities near the historic-period site and development of new structures and/or pathway improvements near the two historic structures. Potential impacts to the existing cultural resources are described in more detail below.

## 2.4 CULTURAL RESOURCES

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### Archaeological Resources

This APE includes a historic-period site referred to as Locus 1 (CA-SLO 2592H). This site contains portions of a rock and concrete wall, landscaping elements, and a light scatter of historic debris associated with homesteads dating to 1895 and 1938. Subsurface historic features such as privy pits or cisterns from earlier turn-of-the-century occupations may remain. Therefore, the site has the potential to yield important historical information, which would meet the criteria for listing on the CRHR California Register of Historical Resources (CEQA Guidelines Section 15064.5(a)(3)(D)). The proposed project would result in construction activities in the vicinity of this site. These activities may result in the disturbance of the archaeological resources that are eligible for listing on the CRHR, which would be considered a potentially significant impact. Implementation of the following mitigation measure would ensure that this impact is reduced to a less than significant level.

### Mitigation Measures

**MM 2.4-1a** Prior to commencement of construction, the San Luis Obispo County General Services Agency shall establish an Environmentally Sensitive Area (ESA) with a 20-foot buffer. The ESA shall encompass both potential homesteads associated with the Locus 1 (CA-SLO-2692H) site consistent with the *Historic Property Survey Report for the Bob Jones Pathway SLO to Ontario Road Project, San Luis Obispo County, California*, prepared by Far Western Anthropological Research Group, Inc. in July 2013 (on file at the County). The boundaries shall be fenced with highly visible orange-mesh fencing. The boundaries shall be delineated on the construction plans and signs posted in the field to deter any disturbance from construction activities. A qualified archaeologist shall be retained by the County General Services Agency to perform a construction worker training session prior to commencement of construction, to oversee placement of buffer fencing, and to perform periodic monitoring of the area to ensure the fencing remains in place and that the site has remained undisturbed. The San Luis Obispo County Environmental Coordinator, or its designee, shall monitor the ESA the duration of construction of Segment 3.

Implementation of the above mitigation measure would ensure that the remains of Locus 1 remain undisturbed by establishing a fenced barrier around the site and requiring training and monitoring, which would reduce this impact to a less than significant level. Therefore, the proposed project's affect on known archaeological resources would be considered a **Class II, significant but mitigable**, project impact. However, additional mitigation would be necessary for the Santa Fe Dairy Octagon Barn site.

### Historical Resources

#### Santa Fe Dairy Octagon Barn

Implementation of the proposed project would result in development of structures in proximity to the Santa Fe Dairy Octagon Barn (CA-SLO-1002H). According to the HPSR, the Octagon Barn is eligible for inclusion in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR). The proposed project includes trailhead improvements in proximity to this structure, which could affect this historical resource. Proposed improvements include a 10,000-square-foot trailhead, approximately 65 additional parking spaces, storage and restrooms, and bike parking facilities adjacent to the restrooms. The surface of the parking lot

would likely be covered with a permeable surface (e.g., decomposed granite). The parking spaces and restrooms would occupy an approximately 1.52-acre footprint. The County would also construct access to the parking spaces, an emergency exit (within which the bike path is located), and the portion of the BJP that occurs on the Octagon Barn site. Both the Octagon Barn Center project and the Bob Jones Pathway project are required to widen South Higuera Street and provide a left-turn lane into the Octagon Barn Center site. A Class I path would proceed southwest for approximately 300 feet with a 180-foot-long, 4-foot- to 6-foot-high retaining wall along the east side of South Higuera Street, where a new crosswalk and future traffic signal would be implemented to route the Class I pathway to the west side of South Higuera Street. (The traffic signal would be part of the future Buckley Road extension project and is not part of the project.)

The proposed project would not result in changes to the historical structure itself but would result in additional improvements to the Santa Fe/Home Dairy complex site. As noted above, the County previously approved a phased conditional use permit for the Octagon Barn Center project (DRC20010-00053), which was subject to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. Due to the proximity and connectivity to the existing historical resource, if the proposed improvements did not comply with the Secretary of the Interior's Standards for Rehabilitation, the proposed project may damage the historical character of the site, which would be considered a potentially significant impact. At the time this DEIR was prepared, no design-level plans for the proposed improvements have been prepared to confirm consistency with these standards. Implementation of the following mitigation measure would ensure that this impact is reduced to a less than significant level.

### Mitigation Measure

**MM 2.4-1b** Prior to issuance of any permits for improvements at the Octagon Barn (Segment 1), the San Luis Obispo County General Services Agency shall submit detailed final improvement plans for the proposed trailhead improvements at the Octagon Barn Center to the County Environmental Coordinator, or its designee, for review and approval. The County Environmental Coordinator, or its designee, shall review the final plans to ensure consistency with the approved phased conditional use permit for the Octagon Barn Center project (DRC20010-00053). Design-level improvement plans shall identify all proposed structures and equipment, as well as proposed materials, and show elevations in relationship to existing buildings/structures.

Implementation of the above mitigation measure would ensure that proposed trailhead improvements near the Octagon Barn Center are consistent with the previously approved restoration project to ensure that the integrity of the Octagon Barn itself is not damaged. The above project specific mitigation measures would be consistent with the intent of the mitigation measures for cultural resources provided in Appendix F of the Parks and Recreation Element. The proposed project's effect on the historic Octagon Barn would be reduced to a less than significant level. Therefore, the proposed project's effect on known historical resources within the APE would be considered a **Class II, significant but mitigable**, project impact.

## 2.4 CULTURAL RESOURCES

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### Santa-Fe Schoolhouse/Salisbury Wine Tasting Room

A portion of the APE for Segment 5 lies adjacent to the Santa Fe Schoolhouse structure, which was constructed in 1907. This structure is not currently listed on the California Register of Historical Resources or the National Register of Historic Places; however, it may be eligible.

The schoolhouse was renovated in 2005 to serve as a wine tasting and event center for the Salisbury Winery. While the proposed project would not result in direct physical change to the Santa Fe Schoolhouse structure, the project would involve construction activities, including earth moving, grading, and paving, and result in permanent changes to the setting in the vicinity of the schoolhouse structure. The construction activities could potentially affect the schoolhouse, if it is not structurally stable or sound, and the proposed improvements would result in a minor permanent change in setting of the schoolhouse, which would be considered a potentially significant impact. However, improvements completed in 2005 made the structure stable and no pile driving or excessive vibration activities are proposed adjacent to the structure.



The proposed pathway improvements adjacent to the structure would include approximately 400 linear feet of Class I pathway with 300 linear feet of split rail fencing separating the pathway from the adjacent parcel. This section of pathway would include a retaining wall (eight foot tall) along 210 linear feet of the eastside of the pathway and 90 linear feet of retaining wall (six feet tall) at the transition from the overcrossing structure to the westside ramp. Implementation of voluntary mitigation measure **VMM 1.1** would require that structures are low profile, screened when visible from public right-of-way, and colors shall be similar to those of the surroundings. The overcrossing structure would be constructed northeast of the Santa Fe Schoolhouse structure. The orientation of the Santa Fe schoolhouse on the parcel makes visibility primarily limited to those traveling northbound Highway 101. Due to relative elevation and existing vegetation, the construction of the overcrossing structure and ramps would not impede or distract from the visibility of the Schoolhouse as shown in **Figures 2.1-3f** and **2.1-3g**. These improvements would not be considered a substantial change in the setting. Therefore, the proposed project would not conflict with the setting of historical resources located adjacent to the APE and this would be considered a **Class III, less than significant**, project impact.

### Unknown Resources

There is always the potential for discovery of unknown archaeological or paleontological resources or human remains during ground disturbing activities, which would be considered a potentially significant impact. The proposed project includes voluntary mitigation measure **VMM 1.1** which require that earth-disturbing activities be suspended until an appropriate mitigation plan is established if archaeological resources are unearthed during grading or construction, which would reduce potential impacts to unknown archaeological resources. Implementation

of the following mitigation measure would reduce potential impacts to unknown archaeological or paleontological resources to a less than significant level.

### Mitigation Measure

**MM 2.4-1c** If, during the course of constructing and implementing the proposed project, archaeological, paleontological, and cultural resources (i.e., prehistoric sites, historic sites, or isolated artifacts and features) are discovered, the contractor shall halt all ground disturbing activities immediately within 50 feet of the discovery, the San Luis Obispo County Environmental Coordinator, or its designee, shall be notified, and a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards and Guidelines in archaeology and/or history shall be retained by San Luis Obispo County General Services Agency to determine the significance of the discovery.

The San Luis Obispo County Environmental Coordinator, or its designee, and the County General Services Agency shall consider mitigation recommendations presented by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards and Guidelines in archaeology and/or history for any unanticipated discoveries. The County Department of Environmental Coordinator, or its designee, and the County General Services Agency shall consult and agree upon implementation of a measure(s) that they deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The San Luis Obispo County General Services Agency shall be required to implement any mitigation necessary for the protection of archaeological, paleontological, and cultural resources.

Implementation of the above mitigation measure combined would ensure that potential impacts to unknown archaeological, paleontological, and/or cultural resources discovered during construction are identified, properly evaluated, and appropriately mitigated, which would reduce this impact to a less than significant level. The above project specific mitigation measure would be consistent with the intent of the mitigation measures for cultural resources provided in Appendix F of the Parks and Recreation Element. Therefore, the proposed project's potential impacts to historical, archaeological, and paleontological resources would be considered a **Class II, significant but mitigable**, impact. No additional mitigation measures are necessary.

### **Potentially Discover Human Remains**

**Impact 2.4-2** Implementation of the proposed project may potentially result in the discovery of human remains during ground-disturbing activities. However, compliance with the State of California Health and Safety Code requires notification requirements that are consistent with Public Resources Code Section 5097.98. Therefore, this is considered to be a **Class III, less than significant**, impact.

There is always the potential for discovery of unknown human remains during ground-disturbing activities. State of California Health and Safety Code Section 7050.5 addresses discovery of human remains by requiring that no further disturbance of a discovery occurs until the county coroner has made a determination of origin and disposition pursuant to Public Resource Code

## 2.4 CULTURAL RESOURCES

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Section 5097.98. The county coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Compliance with the State of California Health and Safety Code ensures the no disturbance of discovered human remains until they are properly document and identified, which would reduce this impact to a less than significant level. Therefore, the proposed project's affect on unknown human remains would be considered a **Class III, less than significant**, project impact. No additional mitigation would be necessary beyond what is required by code.

### CUMULATIVE IMPACTS AND MITIGATION MEASURES

#### Cumulative Impact to Cultural Resources

**Impact 2.4-3** Implementation of the proposed project may potentially discover unknown cultural resources and/or human remains during ground-disturbing activities. This is considered to be a **Class III, less than significant**, cumulative impact.

Implementation of the proposed project, combined with other reasonably foreseeable projects, could result in the cumulative discovery and/or disturbance of cultural resources (i.e., historical, archaeological, and paleontological) and or human remains within the county. However, the impacts to cultural resources are addressed on a project-specific level. Therefore, the proposed project would not contribute to a loss of cultural resources or disturbance of human remains that would be considered cumulatively considerable and this would be considered a **Class III, less than significant**, cumulative impact.

## **2.5 LAND USE AND PLANNING**

This section evaluates the proposed Bob Jones Pathway (BJP; project) for land use consistency with relevant adopted plans and policies. Please refer to Section 2.2, Agricultural Resources, for discussions regarding agricultural land use.

### 2.5.1 EXISTING SETTING

#### REGIONAL SETTING

San Luis Obispo County is located on California's Central Coast between Monterey County to the north and Santa Barbara County to the south. The county's coastline spans 96 miles, and the land area encompasses over two million acres of mostly agricultural and open space land. Incorporated cities within the county include Paso Robles, Atascadero, San Luis Obispo, Grover Beach, Arroyo Grande, Morro Bay, and Pismo Beach. Communities include San Miguel, Creston, Santa Margarita, Los Osos, San Simeon, Cambria, Cayucos, Pozo, Heritage Ranch, Oak Shores, Oceano, Nipomo, California Valley, Los Berros, Whitley Gardens, Palo Mesa, Woodlands, Avila Beach, Callendar-Garrett, and Shandon. Urban areas are connected to Highways 1 and 101, which are the primary transportation corridors serving the Central Coast.

The majority of land in San Luis Obispo County is used for agriculture (66.32 percent). The county's rich agricultural resources are protected through a variety of activities in the Agricultural Resources Program. The Agriculture Element of the County's General Plan identifies those areas of the region with productive farms, ranches, and soils, and establishes goals, policies, and implementation measures to enable their long-term stability and productivity.

Most of the remaining land in the unincorporated county is used for rural land uses (14.29 percent) and open space (10.11 percent). Open space comprises large areas that extend northwest-southeast in the southern portion of the county's central area. Approximately 9.28 percent of the county's land is designated as incorporated city, residential, public facility, recreation, industrial, commercial, office, or multi-use.

#### LOCAL SETTING

The project area is located within the Pismo Beach US Geological Survey (USGS) Quadrangle Map, primarily within the San Miguelito or the Laguna Land Grant. The project area falls within Townships 31 and 32 South and Range 12 East of the Mount Diablo base meridian.

The general character of the project area is agricultural with scattered residences. The adjacent hills, known as the Irish Hills, are a significant natural feature of this area. The majority of the proposed pathway would be separated from existing streets and parallel to Highway 101 and the San Luis Obispo Creek (SLO Creek) corridor. The pathway will be in a natural setting, with 50 percent of the route adjacent to orchards and fields. The topography is nearly level to gently sloping. Vegetation is varied and includes agricultural crops and orchards, ruderal vegetation, landscaping/ornamental vegetation, non-native annual grassland, serpentine bunchgrass, coastal scrub, coast live oak woodland, riparian (including riparian forest/scrub, freshwater marsh, and riverine habitats), and seasonal wetland.

#### EXISTING AND SURROUNDING LAND USES

Bicyclists currently ride between the City of San Luis Obispo and the Ontario Road Staging Area via a Class II (on-street) bike path located on South Higuera Street and Ontario Road. The existing Class II corridor is used by commuting cyclists, as well as by recreational cyclists traveling to Avila Beach and as part of a longer-distance ride to the City of Pismo Beach or Five Cities

## 2.5 LAND USE AND PLANNING

locations. The existing Class II corridor places bicyclists immediately adjacent to motorists and includes a crossing at the Ontario Road/San Luis Bay Drive intersection. This intersection presents safety concerns and is less than optimal for bicycle and pedestrian traffic. Concerns include the speed of traffic on San Luis Bay Drive, the number of queued motor vehicles on Ontario Road and on the Highway 101 off-ramp, and the number of vehicles turning onto Ontario Road or onto the Highway 101 on-ramp. All these factors affect bicycle safety and the overall ease of bicyclists getting to the Ontario Road Staging Area and/or to the City of Pismo Beach.

The project area contains several parcels and encompasses 148.78 acres. The project includes portions of the parcels identified in **Table 2.5-1**. These parcels lie with the rural portions of the San Luis Obispo and San Luis Bay planning areas. The areas within the San Luis Obispo planning area are subject to the San Luis Obispo Inland Area Plan and the San Luis Obispo Inland Land Use Map, and the areas within the San Luis Bay planning area are subject to the San Luis Bay Inland Area Plan and the San Luis Bay Inland Land Use Map. A small portion of the pathway near the Ontario Road Staging Area would be located within the boundaries of the Avila Beach Land Use Map. The majority of the project area is designated for agricultural land use and is within an agricultural zoning district. The surrounding land uses are primarily agriculture, as shown in **Figure 2.5-1**.

**TABLE 2.5-1  
PROPERTY ZONING AND LAND USE SUMMARY**

Segments (approx.)	Assessor's Parcel Number(s)	Community	Planning Area	Zoning	Land Use
1	076-081-025	San Luis Obispo Rural	San Luis Obispo	AG-AR-FH-H	Agriculture
	076-081-026	San Luis Obispo Rural	San Luis Obispo	AG-AR-FH-H	Agriculture
	076-081-024	San Luis Obispo Rural	San Luis Obispo	AG-AR-FH	Agriculture
2	076-061-075	San Luis Obispo Rural	San Luis Obispo	AG-AR-FH-GS	Agriculture
	076-121-018	San Luis Obispo Rural	San Luis Obispo	AG-AR-FH-GS	Agriculture
	076-121-027	San Luis Obispo Rural	San Luis Obispo	AG-AR-FH-GS	Agriculture
	076-121-028	San Luis Obispo Rural	San Luis Obispo	AG-AR-FH-GS	Agriculture
	076-121-030	San Luis Obispo Rural	San Luis Obispo	AG-FH	Agriculture
3	076-243-024	San Luis Bay Rural	San Luis Bay	AR-RL	Rural Land
	076-251-046	San Luis Bay Rural	San Luis Bay	AG-FH	Agriculture
	076-241-028	San Luis Bay Rural	San Luis Bay	AG-FH	Agriculture
4	076-251-053 076-251-051 076-251-054 076-251-027 076-251-021 076-251-017	San Luis Bay Rural	San Luis Bay	AG-FH	Agriculture
5		San Luis Bay Rural	San Luis Bay	AG-FH	Agriculture
		San Luis Bay Rural	San Luis Bay	AG-FH	Agriculture
		San Luis Bay Rural	San Luis Bay	AG-FH	Agriculture
		San Luis Bay Rural	San Luis Bay	AG-FH	Agriculture
		San Luis Bay Rural	San Luis Bay	AG-FH	Agriculture

Notes: AG – Agriculture; AR – Airport Review; FH – Flood Hazard; GS – Geologic Study; RL – Rural Lands; H – Historic Site/Building

### Land Use Designations

As shown in **Table 2.5-1**, the project area is designated for agriculture and rural land uses. According to the General Plan Land Use and Conservation Element (LUCE), the purpose of the Agriculture land use designation is:

- a. To recognize and retain commercial agriculture as a desirable land use and as a major segment of the county's economic base.
- b. To designate areas where agriculture is the primary land use with all other uses being secondary, in direct support of agriculture.
- c. To designate areas where a combination of soil types, topography, water supply, existing parcel sizes, and good management practices will result in the protection of agricultural land for agricultural uses, including the production of food and fiber.
- d. To designate areas where rural residential uses that are not related to agriculture would find agricultural activities a nuisance, or be incompatible.
- e. To protect the agricultural basis of the county economy and encourage the open space values of agriculture to continue agricultural uses, including the production of food and fiber.
- f. To recognize that agricultural activities on a small scale can supplement income from other sources, particularly where older subdivisions have resulted in parcels smaller than would currently qualify for new subdivisions within the parcel size range for the Agriculture category.
- g. Support conversion of agricultural lands to other uses only when such conversion would be appropriate or because the continuing agricultural productivity of a specific site is infeasible, considering the factors in purpose statement c, above.
- h. To give high priority to the protection of commercial prime and nonprime agricultural soils where the commercial viability, siting (whether inside or outside urban reserve lines), and natural resources allow for agricultural uses, including the production of food and fiber.

Also according to the LUCE, the purpose of the Rural Land designation is as follows:

- a. To encourage rural development at very low densities that maximizes preservation of open space, watershed, and wildlife habitat areas.
- b. To retain large parcel sizes where rural residences may be established on lands having open space value but limited agricultural potential.
- c. To maintain low population densities in rural areas outside of urban and village reserve lines where an open and natural countryside with very low development intensity is preferred.
- d. To establish areas where nonagricultural activities are the primary use of the land, but where agriculture and compatible uses may co-exist.

## 2.5 LAND USE AND PLANNING

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### Combining Designations

Combining designations identify characteristics of public value or that pose hazards to the public. These characteristics require the need for more thorough project review to protect resources and/or public health, safety, and welfare. As shown in **Figure 2.5-1**, the project area is designated with the following combining designations: AR (Airport Review), GS (Geologic Study), FH (Flood Hazard), and H (Historic). The applicability of these combining designations is briefly described below.

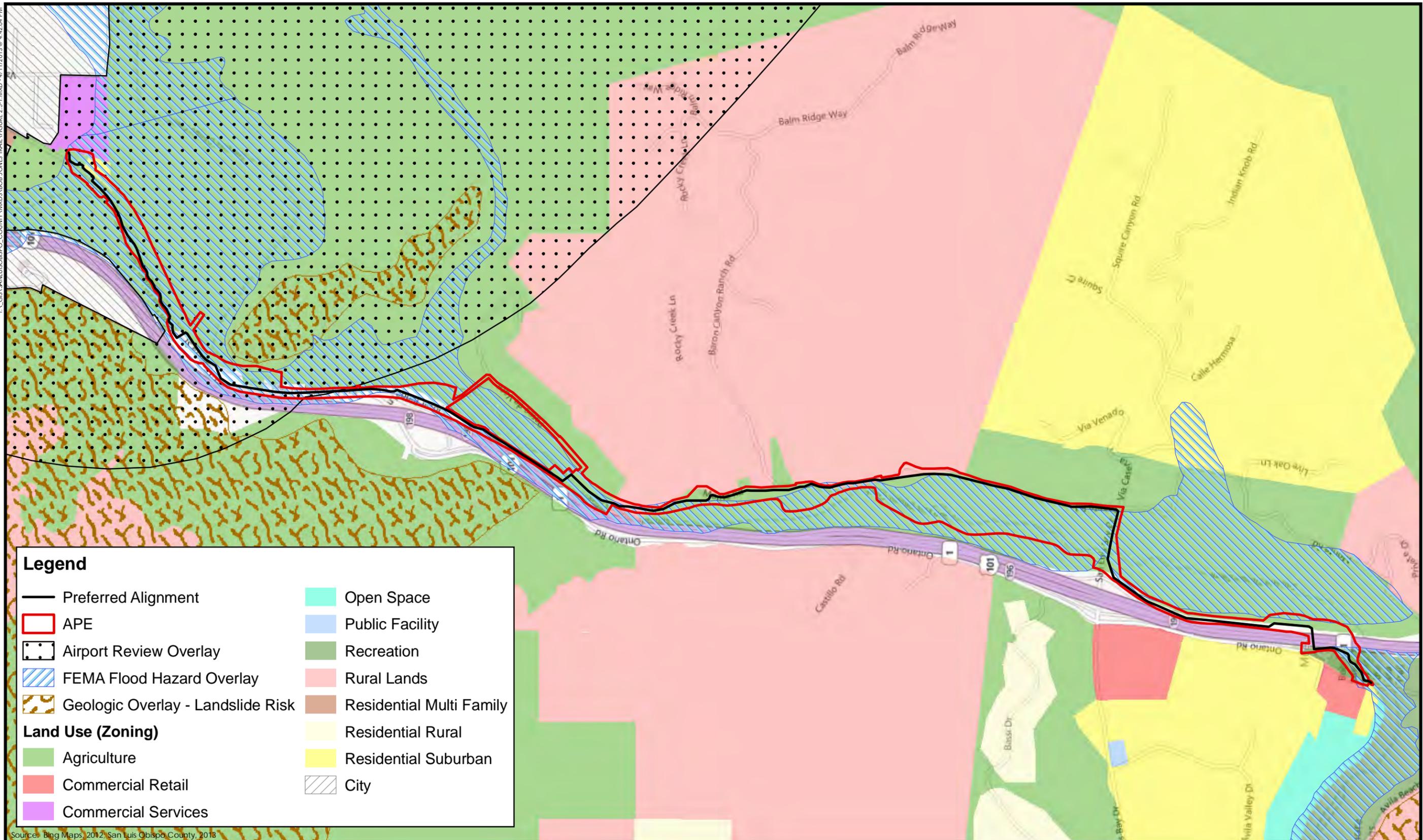
**AR – Airport Review:** Portions of Segments 1, 2, and 3 of the pathway have an AR combining designation. This designation is applied to areas identified in the various county airport land use plans where proposed developments receive special review (to avoid land uses incompatible with airport operations), as well as to areas within airport approach and departure patterns. Due to the nature of the type of development proposed and the distance from the airport, the proposed project is not likely to conflict with the applicable airport land use plan.

**GS – Geologic Study:** Portions of Segments 1 and 2 of the pathway are located within a GS combining designation. This designation is applied to areas identified in the Alquist-Priolo Geologic Hazard Zones Act as a “Special Studies Zone” (Public Resources Code Section 2622); to areas within urban and village reserve lines subject to moderately high to high landslide risk or liquefaction potential (as identified in the Safety Element of the County General Plan); and to lands outside urban reserve lines subject to high landslide risk potential (also according to the Safety Element). No structures for human occupancy are proposed, so any hazards associated with a GS designation would be considered minor.

**FH – Flood Hazard:** The entire pathway is located within an FH combining designation. The FH designation is applied to flood-prone areas that have been identified through review of available data from various federal, state, or local agencies. The project area is subject to flooding due to its proximity to SLO Creek. Although the project area is located within the FH designation, no housing is proposed, most of the pathway would be at grade level, and all bridge crossings would be truss structures that would be supported by 3-foot-wide abutment piers drilled outside the creek channel. Therefore, the proposed project would not impede or redirect flood flows or present serious risks from flooding.

**H – Historic Site:** The parcel containing the Octagon Barn is designated H. This designation is applied to areas of unique historical significance. As discussed in more detail in Section 2.4, Cultural Resources, the Octagon Barn has been identified as being eligible for inclusion in the California Register of Historic Resources and the National Register of Historic Places. The potential for the proposed project to affect the setting of the historic resource is addressed in Section 2.4, Cultural Resources.

T:\GIS\San Luis Obispo County\WMS\BOB JONES TRAIL\FIGURE 2.5-1.MXD - 4/11/2013 @ 4:42:04 PM



Source: Bing Maps, 2012; San Luis Obispo County, 2013

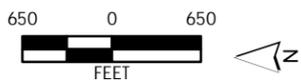


Figure 2.5-1  
Land Use (Zoning)

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## 2.5.2 REGULATORY FRAMEWORK

San Luis Obispo County Parks Department projects, such as the proposed project, are not subject to land use permit requirements under the County's Land Use Ordinance (Title 22); however, General Plan policies and adopted ordinances remain applicable. Any necessary permit applications and requests for permit approvals from the US Army Corps of Engineers, California Department of Fish and Wildlife, US Fish and Wildlife Service, Regional Water Quality Control Board, Caltrans, and/or other entities must be completed.

### LOCAL/REGIONAL

#### **San Luis Obispo County General Plan**

The San Luis Obispo County General Plan contains the following mandated elements: Land Use and Circulation, Noise, Conservation and Open Space, Safety, and Housing. In addition, the General Plan includes the following optional elements: Agriculture, Parks and Recreation, and Economic.

#### Land Use and Circulation Element (LUCE)

The LUCE and the accompanying Land Use Ordinance provide the framework for County decisions on land use and development, and represent the county's values and goals regarding land use. Although the proposed project would not be subject to standard conditions of approval, the project may have specific mitigation measures that recommend compliance with the County Code or other regulations. In addition, the project would be subject to review by the San Luis Obispo County Parks and Recreation Commission in lieu of the San Luis Obispo County Planning Commission.

The LUCE is supportive of the proposed project based on land use Principles 4 and 5 and the Circulation section of the element. Principle 4 of the LUCE is: "Create walkable neighborhoods and towns," which is supported by five policies and six implementing strategies. Principle 5 states: "Provide a variety of transportation choices," which is supported by five policies and four implementing strategies. In addition, the Circulation section of the LUCE contains the following implementing strategies for pedestrian circulation and bikeways:

#### Pedestrian Circulation

1. Give high priority to pedestrian travel as a primary component of community planning and the design of all neighborhoods, districts, and street corridors.
2. Plan for pedestrians to have maximum access and connectivity between land use destinations, fill in the gaps between disconnected sidewalk segments, and eliminate other barriers to pedestrian access along streets and within sites.
3. Give high priority to pedestrian facilities and amenities within the County budget process, traffic impact fee programs, and the Council of Governments funding allocations.
4. Plan and provide multi-use trails that encourage pedestrian, bicycle, and equestrian travel between residential areas and other destinations, to implement the trails section of the Parks and Recreation Element.

#### Bikeways

## 2.5 LAND USE AND PLANNING

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1. Give high priority to bicycle travel within and between communities in community planning, financing, and improvement designs.
2. Bicycle travel should be encouraged through community outreach, fully implementing a network of bike lanes and paths and related facilities, including bike racks, and by changing standards and specifications, signing, and related facilities as needed to achieve greater usage.
3. Regional trails that link communities should be provided consistent with the Parks and Recreation Element, to enable more alternative transportation between and through communities.

The LUCE is currently undergoing a consolidation and revision that focuses on planning at a regional level in order to protect agriculture and other important resources; encouraging more new growth through the year 2035 to occur within and in expanded unincorporated towns and communities; and promoting economic development and a wider range of housing opportunities. At the time this Draft Environmental Impact Report (DEIR; Draft EIR) was being prepared, adoption of the updated LUCE was out for public review and comment.

### Parks and Recreation Element (PRE)

The Parks and Recreation Element (PRE) includes objectives and policies to ensure adequate park and recreation opportunities for both residents and visitors (Appendix E of the PRE). Objective C aims to provide a viable multi-use trail system which is protective of private property interests and public resources, and consistent with Chapter 8 Parks and Recreation Project List. The proposed project is listed in the Parks and Recreation Element (PRE) Project Lists as a proposed county park, recreation and natural area with the San Luis Bay Inland (Table 10b) and Avila Beach (Table 11b) planning areas.

The PRE includes objectives and policies intended to minimize environmental impacts resulting from future park facilities. Appendix F of the PRE provides standard mitigation measures for park facilities, which have been either incorporated into the project design, will be achieved through implementation of project specific mitigation measures, or will be incorporated into the project design and construction documents.

### Conservation and Open Space Element (COSE)

The Conservation and Open Space Element (COSE), adopted in May 2010, identifies objectives, goals, and policies to ensure protection of natural resources, including majestic natural landmarks, outstanding scenic vistas, and other scenic resources.

Goals, policies, and implementation strategies of the COSE aim to preserve the visual identities of communities by maintaining the community separators between cities and communities. Goal VR3 policies include distinction between rural areas, preservation of rural character and open space, conservation tools, and community involvement. Goal VR4 and associated policies and implementation strategies identify and protect distinct visual resources within scenic corridors. Policy VR4.1, stated previously in the Agriculture (AGP30b1) and Open Space (OSP25a1) elements, requires that the County designate scenic corridors based on the recommendations for Scenic Corridor Studies. Policy VR4.2 requires the balanced protection of scenic resources with the protection of biological resources and agricultural resources that may co-exist within the scenic corridor. Goal VR5 and associated policies and implementation strategies protect views from scenic vistas and vista points.

### General Plan Area Plans

Area plans and standards address a particular planning area within the overall San Luis Obispo planning area. Area plans are adopted as part of the Land Use and Circulation Element (LUCE), and all area plan standards are adopted as part of the applicable Land Use Ordinance for that area (Title 22 or Title 23). Area plans include detailed descriptions of the County's planning areas, specific programs, and associated planning area standards intended to address local planning issues. The area plans also provide maps showing detailed overlays of environmental concern, called Combining Designations. This overlay distinction requires special design and/or development considerations to provide for more detailed review when necessary for environmental issues such as sensitive habitats, flood hazards, etc.

The General Plan planning area is divided into 13 planning areas. The proposed BJP lies within the San Luis Obispo Inland planning area and the San Luis Bay Inland planning area, with a small portion of Segment 5 within the Avila Beach Urban Reserve Line.

### San Luis Obispo Inland Area Plan

The San Luis Obispo planning area includes the unincorporated agricultural and rural lands located outside the San Luis Obispo city limits. The planning area is bounded by Los Padres National Forest to the north and east, Cuesta College and Camp San Luis Obispo to the west, and the Irish Hills and the Arroyo Grande fringe to the south. Part of the vision for the area is to maintain a rural character in harmony with agriculture, business, recreational, environmental, and residential opportunities. A key applicable circulation goal and objectives identified in this area plan are:

Goal: Provide for an area-wide bikeway system to enable efficient and safe transportation for bicyclists riding to work, school, shopping, or for recreation.

#### Objectives:

- a. City and county governments, schools, major private employers, and shopping centers should provide bicycle parking facilities at locations of employment, shopping, schools, transit facilities, and park-and-ride lots to increase the use of bicycles.
- b. Promote interconnection of designated bikeways in city, county, state, and federal plans for circulation, land use, parks, and public facilities.
- c. Promote linkages between transit and bikeways by accommodating bicycles on buses.
- d. Encourage employers to provide incentive programs and shower/locker facilities for employees who ride bicycles to work.
- e. Develop Class I bike paths along selected riparian routes or other appropriate corridors where possible to link residential areas with important destinations (no dead-end routes) while avoiding impacts to agricultural and environmentally sensitive areas.
- f. Provide for the safe and separate uses of the roads for bicycle and other vehicular traffic, including slow agricultural vehicles, through separate bike lanes.

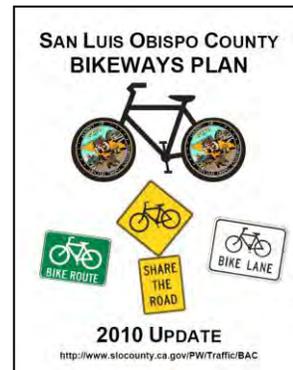
## 2.5 LAND USE AND PLANNING

### San Luis Bay Inland Area Plan

The San Luis Bay Inland planning area includes the south-central inland portions of the county, from Montaña de Oro south to the Nipomo Mesa, as well as non-coastal areas of the Five Cities urban areas, Avila Beach, and remaining agricultural and rural lands. The 61,018-acre planning area also includes most of Montaña de Oro State Park and agricultural lands to the east. According to the San Luis Inland Area Plan, adopted September 22, 1980 (Resolution 80-350), the BJP primarily lies within land designated for agricultural land use. A portion of the BJP also lies within the Avila Beach Urban Reserve Line. According to the Avila Beach Land Use Map, that portion of the BJP is designated for agricultural land use (SLOCO 2011b).

### **San Luis Obispo County Bikeways Plan**

The *San Luis Obispo County Bikeways Plan 2010 Update* 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 Bikeways Plan conforms to requirements of the California Bicycle Transportation Act (Streets and Highways Code Section 890–894.2). The plan shares the goals of the County General Plan, Clean Air Plan, and local area circulation studies. The Bikeways Plan identifies the proposed project as a priority project in Table 4 (page 20) of that document.



### **2010 Regional Transportation Plan and Preliminary Sustainability Communities Strategy**



The San Luis Obispo Council of Governments prepared the *2010 Regional Transportation Plan-Preliminary Sustainable Communities Strategy* (2010 RTP-PSCS) in December 2012. The primary purpose of the 2010 RTP-PSCS was to integrate sustainable communities strategies developed under the *Community 2050 Regional Blueprint* and continue progress in accomplishing the intermodal mix of policies, programs, and projects in the adopted *Regional Transportation Plan (RTP), Vision 2025*, adopted in 2005. These policies and programs seek to develop a coordinated, integrated, and balanced transportation system that meets the current and long-term transportation needs of all the cities, unincorporated communities,

socioeconomic classes, businesses, and industries in the region. The vision, goals, key issues, strategies, action policies, and projects planned in the 2010 RTP-PSCS respond to the overarching mission statement, which is "to invest in a transportation system that enhances our quality of life, meets our mobility needs now and in the future, and better connects highways, transit, road, bicycle, and pedestrian networks to our homes, schools, work, shopping and other activities" (SLOCOG 2010).

The proposed project has been identified in the 2010 RTP-PSCS as a non-motorized project (page 6-13), and various segments have been listed in Table 6-1 (MPO ID: CEN-NMOT-006, -003, -009) and Table 6-2 (MPO ID: CEN-NMOT-006-012).

### 2.5.3 IMPACTS AND MITIGATION MEASURES

#### STANDARDS OF SIGNIFICANCE

A land use impact is considered significant if implementation of the project would result in any of the following (based on California Environmental Quality Act (CEQA) Guidelines Appendix G):

- a) Physically divide an established community.
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- c) Conflict with an adopted conservation plan or natural community conservation plan.

The reader is referred to Section 2.2, Agricultural Resources, regarding a further detailed analysis of land use compatibility issues with agricultural uses.

#### METHODOLOGY

An evaluation of the potential land use impacts associated with implementation of the proposed project was based on a review of planning documents, including the various components and policies of the County General Plan and other County regulations affecting planning and implementation of the proposed project.

The focus of the land use analysis in this section is on land use impacts that would result from the proposed project, specifically since the proposed BJP will require acquiring private land. Specific impacts and plan consistency issues associated with aesthetics and visual resources, biological and natural resources, cultural resources, and agricultural resources are addressed in other analysis sections of this DEIR. The reader is referred to the relevant sections of this Draft EIR for a detailed analysis of other relevant environmental effects as they relate to a particular issue area.

#### IMPACTS AND MITIGATION MEASURES

##### **Conflict with an Adopted Habitat Conservation Plan**

As noted in Section 2.3, Biological and Natural Resources, there is no adopted habitat conservation plan (HCP) within the project area. The County is in the process of preparing an HCP for the northern and eastern portions of the county, but this habitat conservation plan would not include the project area. Therefore, the proposed project would have **no impact** on the HCP, and this issue will not be addressed further.

##### **Physically Divide an Established Community**

Implementation of the proposed project will not physically divide an established community. In fact, the project will aid in connecting the City of San Luis Obispo to Avila Beach by providing a permanent multi-use pathway. Therefore, this would be considered a **Class IV, beneficial**, impact, and this issue will not be addressed further.

## 2.5 LAND USE AND PLANNING

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### Conflict with Applicable Plans, Policies, or Regulations Adopted to Avoid or Mitigate Environmental Effects

**Impact 2.5-1** Implementation of the proposed project will result in development of a pathway that will cause disturbance of the physical environment, which may conflict with existing policies adopted to minimize impacts to the environment. This is considered a **Class III, less than significant, impact**.

Implementation of the proposed project would result in physical disturbance and environmental impacts that have the potential to conflict with a plan or policy adopted to mitigate or avoid environmental effects. Staff reviewed applicable policies during the analysis of potential environmental impacts. Potential impacts to aesthetics/visual resources, agricultural resources, biological resources, cultural resources, and traffic and circulation have been addressed through implementation of mitigation measures provided herein. In addition, the project applicant has proposed a series of voluntary measures and design features consistent with Appendix F of the Parks and Recreation Element of the General Plan. Applicable site design, construction and operational considerations that serve to reduce or avoid environmental impacts have been incorporated into the project design, will be achieved through implementation of project specific mitigation measures, or incorporated into the project design and construction documents through implementation of voluntary mitigation measure **VMM 1.1**. Based on staff's analysis, the proposed project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. In terms of policy conflicts, the greatest potential is related to agricultural protection and conservation policy. Therefore, this is considered a **Class III, less than significant, impact**.

### Potential Inability to Obtain Easements on Private Land

**Impact 2.5-2** Implementation of the proposed project will result in development of a pathway that will require obtaining easements on private property, some of which is in active agricultural production. The potential exists that the County may not be able to obtain all necessary easements to develop the preferred alignment. This impact is considered **Class III, less than significant**.

The project does not propose to amend land use designations or the zoning map to accommodate the trail alignment; however, it will require obtaining easements on private property that are designated for Agriculture land use and within an Agriculture zoning district. According to the County Parks and Recreation Element Policy 3.12, where public lands are not available or adequate to accommodate a public trail, a trail dedication in easement or fee across private property shall be considered and may be obtained only in the following instances:

1. From a willing seller or donor.
2. As part of a New Town or Specific Plan that would create urban uses.
3. As a condition of a project approval, subject also to Policy 3.13:
  - a. For land designated Agriculture when:
    - i. a general plan amendment would change the land use category from Agriculture to another land use category; or

- ii. a discretionary project that would convert agricultural land to uses not related to agriculture; or
  - iii. a cluster subdivision would create eight or more residential parcels.
- b. For land not designated Agriculture, but in production agriculture, when a discretionary project including a subdivision would convert land to uses not related to production agriculture as determined by the County Agricultural Commissioner's Office.
  - c. For all other land not excluded under (a) and (b) above, for any discretionary project (parcel map, tract map, development plan, minor use permit, conditional use permit, etc.).

In addition, pursuant to Policy 3.15, the County shall fully indemnify, protect, and hold harmless (including all costs and attorney fees) private property owners who dedicate or grant a public trail easement from, and against, those risks and damages that arise out of the usage of the trail easement by the public and which, in good conscience, should not be borne by the private property owner.

In the case that the some property owners are not willing to sell or donate their land for an easement for the proposed pathway, the County will likely have two options:

1. Construct only the portions of the proposed pathway that have secured easements and provide a safe and logical route of travel with a clear destination. In other words, the pathway cannot lead users to the middle of nowhere because easements were unable to be obtained. This would require that the preferred alignment be temporarily or permanently rerouted. This may be accomplished with more segments or portions of segments permanently becoming Class II where feasible or in the interim until easements can be obtained.

OR

2. Wait until property ownership changes or current owners change their mind, allowing completion of the preferred pathway alignment.

In either case, the proposed project would provide a Class I pathway along portions of the alignment, which would improve the existing safety conditions for riders and vehicles. The acquisition of easements is an important implementation step for the project, but is not inherently an environmental issue under CEQA. Therefore, this is considered to be a **Class III, less than significant**, impact.

## 2.5 LAND USE AND PLANNING

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### CUMULATIVE IMPACTS AND MITIGATION MEASURES

#### Cumulative Land Use Impacts

**Impact 2.5-3** Implementation of the proposed project, combined with other reasonably foreseeable development, would not result conflict with plans, policies, or regulations that aim to mitigate environmental effects. This is considered a **Class III, less than significant, cumulative impact.**

The proposed project will not combine with any other project to result in significant land use impacts. The primary land use issue in this case is consistency with adopted plans and policies. Incrementally, any and all urban development in the county—including the BJP—that is located near active agriculture has the potential to encroach on or otherwise impact agricultural operations. However, the Bob Jones Pathway is a unique project and not a typical “development” proposal. Several sections of the pathway will traverse along the margins of agricultural land, but the project’s contribution towards agricultural conflicts and conversion are not cumulatively considerable. Therefore, the proposed project’s cumulative affect would be a **Class III, less than significant, cumulative impact.**

## **2.6 TRANSPORTATION AND CIRCULATION**

This section evaluates the proposed Bob Jones Pathway (BJP or project) for potential impacts to the transportation and circulation network. The analysis is based on a review of the Traffic Impact Report (Trip Generation & Left Turn Lane Warrants) prepared for the Octagon Barn Center Conditional Use Permit by Pinnacle Traffic Engineering in January 2010 and consultation with the San Luis Obispo County Public Works Department.

### 2.5.1 EXISTING SETTING

#### SETTING

The proposed project is a portion of the City-to-Sea 8-mile pathway that will eventually join the communities of San Luis Obispo and Avila Beach. The linear project area is located adjacent to Highway 101, from the Octagon Barn trailhead on South Higuera Street to the existing Ontario Road staging area located near the Salisbury Winery, a distance of approximately 4.5 miles. The BJP includes a bike/pedestrian bridge over Highway 101 near the existing Ontario Road staging area. The primary roadways located in the area of potential effect (APE) include the following:

- South Higuera Street
- Cloveridge Lane
- Venado Lane
- Monte Road
- San Luis Bay Drive
- Ontario Road
- US Highway 101

#### EXISTING CIRCULATION NETWORK

##### Roadway Network

South Higuera Street is a two-lane major regional arterial roadway. The posted speed limit is 55 miles per hour (mph). Highway 101 on- and off-ramps are located along South Higuera Street. The northbound on-ramp is located 0.70 miles south of the proposed Octagon Barn trailhead, and the northbound off-ramp is located 1.25 miles south of the proposed Octagon Barn trailhead. Southbound on- and off-ramps are located 1.25 miles south of the proposed Octagon Barn trailhead. In 2010, South Higuera Street north of the SLO Creek Bridge had 6,800 average weekday daily trips (ADT) and 4,075 average weekend daily trips (Pinnacle 2010). The proposed project includes a Class I (separated) pathway along South Higuera Street; however, two at-grade crossings are also proposed (see Segment 1).

Cloveridge Lane is a two-lane, dead end, rural roadway that provides access to two private roads (an unnamed private road and Venado Lane) that provide access to rural residences. The unnamed private road provides access to one rural residence/farm, and Venado Lane provides access to approximately six rural residences/farms located on Paseo de Vaca. No traffic data was available for this roadway at the time this EIR was prepared; however, the average daily trips are anticipated to be minimal (less than 400). There is no posted speed limit; however, according to San Luis Obispo County Public Works Department it is likely that the speed limit is 35 mph (SLOCPW

## 2.6 TRANSPORTATION AND CIRCULATION

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2013b). The proposed project includes 1,300 linear feet of Class III (shared use) pathway within the right-of-way of Cloveridge Lane, which would transition to a Class I (separated pathway) (see Segment 2).

Venado Lane is a two-lane rural roadway that provides access to approximately six rural residences/farms located on Paseo de Vaca. No traffic data was available for this roadway at the time this EIR was prepared; however, the ADT are anticipated to be minimal (less than 250). There is no posted speed limit; however, according to San Luis Obispo County Public Works Department it is likely that the speed limit is 35 mph(SLOCPW 2013b). This roadway would be used as temporary construction access for the proposed project (see Segment 2).

Monte Road is a two-lane rural roadway that provides access between San Luis Bay Drive and private roads on the east site of Highway 101. It dead ends at Baron Canyon Ranch Road. In 2010, the ADT for the Monte Road north of San Luis Bay Drive were 307 trips, with 29 trips during the AM peak hour (8:00 AM) and 37 trips during the PM peak hour (3:00 PM) (SLOPW 2013a). There is no posted speed limit; however, according to San Luis Obispo County Public Works Department it is likely that the speed limit is 40 mph(SLOCPW 2013b). The proposed project includes 1,000 linear feet of Class III (shared) pathway along this roadway, which would transition to a Class I (separated) pathway 4,000 linear feet north of San Luis Bay Drive (see Segment 3).

San Luis Bay Drive is a two-lane major regional arterial roadway that provides access between Highway 101 and the community of Avila Beach, as well as rural residential development located on the eastern side of Highway 101. The speed limit is 50 mph between Avila Beach Drive and Monte Road (SLOPW, 2011). North and southbound Highway 101 on- and off-ramps are located at San Luis Bay Drive. In 2008, San Luis Bay Drive east of Highway 101 had 1,008 ADT, with 112 trips during the AM peak hour (8:00 AM) and 90 trips during the PM peak hour (3:00 PM); and in 2010, San Luis Bay Drive west of Ontario Road had 7,460 ADT, with 540 trips during the AM peak hour (11:00 AM) and 806 trips during the PM peak hour (2:00 PM) (SLOPW, 2013a). The proposed project includes a Class I (separated) pathway along this roadway (see Segment 4).

Ontario Road is a two-lane arterial roadway that provides access between Highway 101 and private roads on the west side of Highway 101 as well as San Luis Bay Drive. Southbound Highway 101 on- and off-ramps are located along Ontario Road. In 2010, Ontario Road north of Avila Beach Drive had 1,620 ADT, with 194 trips during the AM peak hour (11:00 AM) and 232 during the PM peak hour (5:00 PM), and Ontario Road north of San Luis Bay Drive had 1,049 ADT, with 107 trips during the AM peak hour (11:00AM) and 267during the PM peak hour (5:00 PM) (SLOPW 2010). Although there is no posted speed limit, it is likely the speed limit is 40 mph pursuant to rural road design criteria (SLOCPW 2011). The proposed project includes the existing Ontario Road staging area, which is located on Ontario Road near the Salisbury Winery (see Segment 5).

US Highway 101 is four-lane principal arterial/extension of rural principal arterial roadway that provides interregional and subregional circulation in the county. The speed limit is 65 mph. The proposed project includes a Highway 101 overcrossing structure for pedestrian and bicycle use (see Segment 5).

The average annual daily trips (AADT) for the Highway 101 segment between Avila Beach Drive and the South Higuera interchanges were estimated to be 69,500 (level of service [LOS] D) in year 2008. Southbound hourly volumes are approximately 70 to 80 percent higher than the northbound direction, and peak summer traffic volumes can be 25 to 30 percent higher than during the fall or winter months (Pinnacle 2010). At the Highway 101/Higuera Street interchange, the northbound off-ramp conveys traffic to northbound South Higuera Street and southbound Cloveridge Lane, and the northbound on-ramp conveys traffic from north and southbound South

Higuera Street. The southbound off-ramp conveys traffic to southbound Ontario Road, northbound South Higuera Street, and southbound Cloveridge Lane. The southbound on-ramp conveys traffic from northbound Ontario Road, southbound South Higuera Street, and northbound Cloveridge Lane. At the Highway 101/San Luis Bay Drive interchange, the north- and southbound on- and off-ramps convey traffic to and from west- and eastbound San Luis Bay Drive. At the Highway 101/Avila Beach Drive interchange, the north- and southbound on- and off-ramp convey traffic to and from west- and eastbound Avila Beach Drive.

### **Bicycle and Pedestrian Facilities**

Within the APE, existing bicycle facilities currently consist of Class II or III bike facilities along Ontario Road and South Higuera Street (striped lane for one-way bike travel on a street or highway or shared use with pedestrian or motor vehicle traffic). The existing Ontario Road staging area is located near the Salisbury Winery along Ontario Road. This staging area serves as an access point to the existing portion of the BJP that provides pedestrian and bicycle facilities to the community of Avila Beach. There are no other defined pedestrian facilities located within the APE.

### **Public Transit**

The San Luis Obispo Regional Transit Authority (SLORTA) provides public transportation services to the project area, including regional fixed-route service and paratransit service. SLORTA is a JPA (Joint Powers Authority) in San Luis Obispo County that operates bus service connecting cities throughout San Luis Obispo County (and beyond), including Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, San Luis Obispo, and more. SLORTA also oversees the administration of South County Area Transit (SCAT), which operates in the Five Cities area of Shell Beach, Pismo Beach, Grover Beach, Oceano, and Arroyo Grande.

Fixed Route 10 travels through the APE. Fixed Route 10 travels between the cities of San Luis Obispo and Santa Maria, with stops in Pismo Beach, Arroyo Grande (Halcyon Park-and-Ride), and Nipomo. In addition, a free Avila Trolley provides seasonal service between the Pismo Beach Premium Outlets and Port San Luis via Avila Beach, Avila Valley (the Avila Barn, Bob Jones Bike Trail, Avila Hot Springs Resort, and KOA campground), and resorts in the cities of Shell Beach and Pismo Beach.

### **Air Traffic**

The project site is located more than 2 miles west of the San Luis Obispo County Regional Airport. According to the Airport Land Use Plan, the APE is not located within any of the approach zones for the airport (ALUC 2005).

## **2.5.2 REGULATORY FRAMEWORK**

FEDERAL/STATE

### **Highway Design Manual**

The California Department of Transportation (Caltrans), Division of Design, prepared the Highway Design Manual for use on the California state highway system. This manual establishes uniform policies and procedures to carry out the state highway design functions. The standards, procedures, and requirements established are for information and guidance (Caltrans 2012a).

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### Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)

In May 2012, the California Department of Transportation (Caltrans) amended and adopted the national *Manual on Uniform Traffic Control Devices (MUTCD)* (2009 edition, 2<sup>nd</sup> revision) as the standards and specifications for all traffic control devices in California in accordance with Section 21400 of the California Vehicle Code. The MUTCD defines the standards used nationwide to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public traffic (Caltrans 2012b). The MUTCD, which has been administered by the Federal Highway Administration (FHWA) since 1971, is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. The FHWA publishes the MUTCD under 23 Code of Federal Regulations (CFR), Part 655, Subpart F. It is updated periodically to accommodate the nation's changing transportation needs and address new safety technologies, traffic control tools, and traffic management techniques. The latest MUTCD is the second revision to the 2009 edition, which was prepared by in May 2012.

The California MUTCD (CMUTCD) is not applicable to privately owned and maintained roads or commercial establishments in California, unless the particular city or county enacts an ordinance or resolution to this effect. However, the use of this manual is encouraged on all privately owned and maintained roads or commercial establishments, in general, as a good practice.

#### REGIONAL/LOCAL

Projects proposed by the San Luis Obispo County General Services Agency, such as the BJP project, are exempt from land use permit requirements and allowance restrictions under the County's Land Use Ordinance (Title 22). However, General Plan area plans, policies, and adopted ordinances remain applicable.

### San Luis Obispo County General Plan

The San Luis Obispo County General Plan contains the following mandated elements: Land Use and Circulation, Noise, Conservation and Open Space, Safety, and Housing. In addition, the General Plan includes the following optional elements: Agriculture, Parks and Recreation, and Economic. The following elements are applicable to the project:

#### Land Use and Circulation Element (LUCE)

The LUCE and the accompanying Land Use Ordinance provide the framework for County decisions on land use and development, and represent the county's values and goals regarding land use. Although the proposed project would not be subject to standard conditions of approval, the project may have specific mitigation measures or project revisions applied that recommend compliance with the County Code or other regulations. In addition, the project would be subject to review by the San Luis Obispo County Parks and Recreation Commission and the Board of Supervisors.

The LUCE is supportive of the proposed project based on land use Principles 4 and 5 and the Circulation section of the element. Principle 4 of the LUCE states: "Create walkable neighborhoods and towns," which is supported by five policies and six implementing strategies. Principle 5 states: "Provide a variety of transportation choices," which is supported by five policies and four implementing strategies. In addition, the Circulation section of the LUCE contains the following implementing strategies for pedestrian circulation and bikeways:

### Pedestrian Circulation

1. Give high priority to pedestrian travel as a primary component of community planning and the design of all neighborhoods, districts, and street corridors.
2. Plan for pedestrians to have maximum access and connectivity between land use destinations, fill in the gaps between disconnected sidewalk segments, and eliminate other barriers to pedestrian access along streets and within sites.
3. Give high priority to pedestrian facilities and amenities within the County budget process, traffic impact fee programs, and the Council of Governments funding allocations.
4. Plan and provide multi-use trails that encourage pedestrian, bicycle, and equestrian travel between residential areas and other destinations, to implement the trails section of the Parks and Recreation Element.

### Bikeways

1. Give high priority to bicycle travel within and between communities in community planning, financing, and improvement designs.
2. Bicycle travel should be encouraged through community outreach, fully implementing a network of bike lanes and paths and related facilities, including bike racks, and by changing standards and specifications, signing, and related facilities as needed to achieve greater usage.
3. Regional trails that link communities should be provided consistent with the Parks and Recreation Element, to enable more alternative transportation between and through communities.

### Parks and Recreation Element (PRE)

The Parks and Recreation Element (PRE) of the General Plan includes objectives and policies to ensure adequate park and recreation opportunities for both residents and visitors (Appendix E of the PRE). Objective C aims to provide a viable multi-use trail system that is protective of private property interests and public resources and consistent with Chapter 8, Parks and Recreation Project List. The proposed project is listed in the Parks and Recreation Element Project List as a proposed county park, recreation, and natural area within the San Luis Bay Inland (Table 10b) and Avila Beach (Table 11b) planning areas.

The PRE includes objectives and policies intended to minimize environmental impacts resulting from future park facilities. Appendix F of the PRE provides standard mitigation measures for park facilities, which have been either incorporated into the project design, will be achieved through implementation of project-specific mitigation measures or will be incorporated into the project design and construction documents.

### San Luis Obispo Inland Area Plan

The San Luis Obispo planning area includes the unincorporated agricultural and rural lands located outside the San Luis Obispo city limits. The planning area is bounded by Los Padres National Forest to the north and east, Cuesta College and Camp San Luis Obispo to the west, and the Irish Hills and the Arroyo Grande fringe to the south. Part of the vision for the area is to

## 2.6 TRANSPORTATION AND CIRCULATION

maintain a rural character in harmony with agriculture, business, recreational, environmental, and residential opportunities. Key goals and objectives identified in this area plan are:

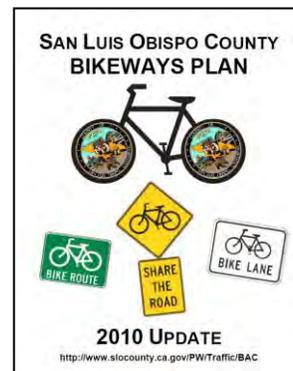
Goal: Provide for an area-wide bikeway system to enable efficient and safe transportation for bicyclists riding to work, school, shopping, or for recreation.

Objectives:

- a. City and county governments, schools, major private employers, and shopping centers should provide bicycle parking facilities at locations of employment, shopping, schools, transit facilities, and park-and-ride lots to increase the use of bicycles.
- b. Promote interconnection of designated bikeways in city, county, state, and federal plans for circulation, land use, parks, and public facilities.
- c. Promote linkages between transit and bikeways by accommodating bicycles on buses.
- d. Encourage employers to provide incentive programs and shower/locker facilities for employees who ride bicycles to work.
- e. Develop Class I bike paths along selected riparian routes or other appropriate corridors where possible to link residential areas with important destinations (no dead-end routes) while avoiding impacts to agricultural and environmentally sensitive areas.
- f. Provide for the safe and separate uses of the roads for bicycle and other vehicular traffic, including slow agricultural vehicles, through separate bike lanes.

### San Luis Obispo County Bikeways Plan

The *San Luis Obispo County Bikeways Plan 2010 Update* 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 Bikeways Plan conforms to requirements of the California Bicycle Transportation Act (Streets and Highways Code Section 890–894.2). The plan shares the goals of the County General Plan, Clean Air Plan, and local area circulation studies. The Bikeways Plan identifies the proposed project as a priority project in Table 4 (page 20) of that document.



### 2010 Regional Transportation Plan and Preliminary Sustainability Communities Strategy



The San Luis Obispo Council of Governments prepared the *2010 Regional Transportation Plan-Preliminary Sustainable Communities Strategy* (RTP-PSCS) in December 2012. The primary purpose of the 2010 RTP-PSCS was to integrate sustainable communities strategies developed under the *Community 2050 Regional Blueprint* and continue progress in accomplishing the intermodal mix of policies, programs, and projects in the adopted *Regional Transportation Plan (RTP), Vision 2025*, adopted in 2005. These policies and programs seek to develop a coordinated, integrated, and balanced transportation system that meets the current and long-term transportation needs of all the cities, unincorporated communities, socioeconomic classes, businesses, and industries in the region. The vision, goals, key issues,

strategies, action policies, and projects planned in the 2010 RTP-PSCS respond to the overarching mission statement, which is “to invest in a transportation system that enhances our quality of life, meets our mobility needs now and in the future, and better connects highways, transit, road, bicycle, and pedestrian networks to our homes, schools, work, shopping and other activities” (SLOCOG 2010).

The project site is located within the Central County region of the RTP study area. The proposed project has been identified in the 2010 RTP-PSCS as a non-motorized project (page 6-13), and various segments have been listed in Table 6-1 (MPO ID: CEN-NMOT-006, -003, -009) and Table 6-2 (MPO ID: CEN-NMOT-006-012).

### **San Luis Obispo County Department of Public Works – 2011 Public Improvement Standards**

The San Luis Obispo County Public Works Department has prepared Public Improvement Standards (2011), which provide “uniform and functional facilities that ensure health and safety, and enhance the quality of life for the communities of San Luis Obispo County.” The standards include design standards, construction specifications for improvement plans, site preparation and earthwork, roadways, road edges, storm drainage, water supply, wastewater disposal, utilities, traffic control, and project completion. Standard construction drawings are also included in the Public Improvement Standards. These standards provide the minimum requirements for the design and construction of any public improvement in the County of San Luis Obispo.

According to Section 4.1.3 of the 2011 Public Improvement Standards, a multi-use path may be integrated with the edge of the roadway pavement (attached) or separated from the roadway by a landscaped parkway (detached). Pathways must be separated from the roadway when the design speed for the adjacent roadway is 45 mph or greater and are required to be a minimum of 10 feet from the edge of travelway.

Multi-use paths that cross public streets or roads shall cross only at intersections or other approved locations designated in the County Trails Plan. An engineering study is required to determine if marked crosswalks are appropriate at a location that is not controlled by traffic signals, yield signs, or stop signs. The engineering study is required to evaluate the pedestrian demand, collision history, traffic volumes, site geometry, sight distance, and visibility conditions at night. In addition, proper signage, warning devices, ADA compliance, and lighting may need to be installed to support the marked crosswalk. The San Luis Obispo County 2011 Public Improvement Standards include guidelines to be used when marking crosswalks and making intersection improvements. Applicable guidelines include, but are not limited to, the following:

- A. **Installation of Marked Crosswalks on Uncontrolled Approaches of an Intersection.** Based on standards from the Caltrans Traffic Manual, the *Manual of Uniform Traffic Control Devices*, and Federal Highway Administration criteria, the table included in Appendix D3 shall be used to determine the appropriateness of marking crosswalks on public streets. Note that crosswalks used on roads with posted speed limits of 45 mph and above will require signage or other improvements. The County Traffic Engineer shall be consulted prior to any installation.

The County Traffic Engineer may authorize the installation of a marked crosswalk that does not satisfy all the criteria in the table, if it is based on an engineering analysis of the site, or other unique circumstances warrant the installation of a marked crosswalk.

## 2.6 TRANSPORTATION AND CIRCULATION

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- B. **Installation of Marked Crosswalks Between Intersections (Midblock).** A midblock marked crosswalk may be installed if it meets the following requirements:
1. The crossing location is greater than 600 feet from the nearest intersection on a through highway; and
  2. There is a reasonable demand (40 pedestrians per hour) by pedestrians, as demonstrated by a survey of the street within the concentrated area; and
  3. The crossing is more than 300 feet from the nearest signal or stop-controlled intersection; and
  4. There is a high pedestrian volume generator nearby. The County Traffic Engineer may authorize the installation of a marked crosswalk that does not satisfy all the criteria in this section if it is deemed that, based on the analysis, other unique circumstances warrant the installation of a marked crosswalk in a midblock location.
- F. **In-Pavement and Sign-Mounted Warning Light Systems for Crosswalks.** The installation of in-pavement and/or sign-mounted warning light systems, which incorporate flashing systems based on pedestrian demand, shall be considered only if all the following requirements are met:
1. At least 40 pedestrians regularly use the crossing during each of any two hours (not necessarily consecutive) during a 24-hour period.
  2. The vehicular volume through the crossing exceeds 200 vehicles per hour in urban areas.
  3. The 85th percentile approach speed is 45 mph or less.
  4. The roadway has more than 2 lanes but not more than 5 lanes in both directions.
  5. The crosswalk is not controlled by a traffic signal, stop or yield sign. In certain cases the County Traffic Engineer may determine that a warning system is warranted due to the specific needs of visibility of school zone crosswalks. The County Traffic Engineer may elect a sign-mounted warning light system without in pavement warning lights due to approach visibility and speeds to the crossing, or when the pavement condition is not suitable for in-pavement warning lights.
- G. **Illumination of Intersections (Crosswalks).** Within urban reserve lines, all new intersections and crossings (either marked or unmarked crosswalks), on streets with buildout traffic over 5,000 ADT, shall have the level of illumination, as defined in Section 3.2.1 B2 of these standards. Lighting standards shall conform to the style provided in the applicable Community Design Plan or those shown in the Standard Drawings.

If the new crosswalk installation, either marked or unmarked, is created through land development, the developer shall arrange for the installation, maintenance, and operation of the street light. Operation and maintenance shall be paid for either through an existing lighting district, community services district, or homeowners association for the development.

- H. **Crosswalk Dimensions and Markings.** All marked crosswalks shall consist of two transverse lines, no less than 8 feet apart, or as defined under the latest state ADA requirements. Crosswalk transverse lines shall be a minimum of 12 inches wide. The County Traffic Engineer may require the use of “ladder” or “zebra” style crosswalks. The curb ramp treatments at both ends of a marked crosswalk shall be brought into compliance with current ADA requirements at the time the crosswalk is marked.

The design and construction of multi-use pathways are subject to review and approval by both the Department of Public Works and the Department of General Services Agency - Parks Division.

### 2.6.3 IMPACTS AND MITIGATION MEASURES

#### STANDARDS OF SIGNIFICANCE

A transportation/traffic impact is considered significant if implementation of the project would result in any of the following (based on California Environmental Quality Act (CEQA) 2013 Guidelines Appendix G):

- a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- e) Result in inadequate emergency access.
- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

#### METHODOLOGY

The evaluation of the potential transportation and traffic impacts associated with implementation of the proposed project was based on a review of planning documents, including the various components and policies of the County General Plan and other County regulations establishing measures of performance for the entire circulations system, including the roadway network, bicycle and pedestrian facilities, public transportation, and air travel. The analysis was also based on a review of the Traffic Impact Report (Trip Generation & Left Turn Lane Warrants) prepared for the Octagon Barn Center Conditional Use Permit by Pinnacle Traffic Engineering in January 2010 and consultation with San Luis Obispo County Public Works Department.

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The focus of the transportation/traffic analysis in this section is on potential traffic safety impacts that would result from the proposed project, specifically since the proposed BJP will require two roadway crossings along South Higuera Street. San Luis Obispo County has established LOS C as the lower limit for acceptable traffic operations on rural facilities.

### IMPACTS AND MITIGATION MEASURES

#### Air Traffic Patterns

The project site is located more than 2 miles west of the San Luis Obispo County Regional Airport. According to the Airport Land Use Plan, the APE is not located within any of the approach zones for the airport (ALUC 2005). The proposed project would construct a multipurpose pathway that is primarily at existing grade elevation. Since the APE is not located within the approach zones and no lighting is proposed, the proposed project would have **no impact** on air traffic patterns.

#### Conflict with a Applicable Plan, or Policy Including the Congestion Management Plan

**Impact 2.6.1** Implementation of the proposed project will result in development of a pathway that is identified in the *2010 Regional Transportation Plan-Preliminary Sustainable Communities Strategy* and would support the use of alternative methods of transportation. This impact is considered **Class III, less than significant**.

The BJP would implement a project that is identified in the San Luis Obispo General Plan Parks and Recreation Element (PRE), the San Luis Obispo County *Bikeways Plan 2010 Update*, and the 2010 RTP-PSCS. The RTP-PSCS is the congestion management plan for the area. The project site is located within the Central County region of the RTP study area. The proposed project has been identified in the RTP-PSCS as a non-motorized project (page 6-13), and various segments have been listed in Table 6-1 (MPO ID: CEN-NMOT-006, -003, -009) and Table 6-2 (MPO ID: CEN-NMOT-006-012).

The proposed project would help alleviate existing unsafe conditions by providing a multi-use pathway that is primarily a Class I facility. This would eliminate the need for bicyclists to share the roadways with vehicles and benefit the community by providing a pathway that may also be used by pedestrians and users of all ages and abilities. Implementation of the proposed project would provide a crucial link for non-motorized travel between the City of San Luis Obispo and the community of Avila Beach, which would improve safety and the performance of the roadway network. For all these reasons, the project is consistent with County plans and policies, including the 2010 RTP-PSCS, *Bikeway Plan 2010 Update*, and *General Plan Park and Recreation Element*. This is considered a **Class III, less than significant**, project impact.

#### Hazardous Design Features

**Impact 2.6.2** Implementation of the proposed project will result in development of a multi-use pathway that includes potentially hazardous design features such as at-grade midblock crossings, shared use with high-speed roadways, and a highway overcrossing with elevated ramps (Segment 5). This impact is considered a **Class II, significant but mitigable**, impact.

The proposed project would result in construction of a multi-use pathway that would include two at-grade crossings along South Higuera Street near the Octagon Barn trailhead within Segment 1 and an overcrossing structure at Highway 101 that includes elevated ramps (Segment 5). It is

estimated that the proposed project will attract approximately 236,000 annual users (Alta Planning + Design/Questa Engineering Corporation 2003). Safety features have been incorporated into the design; however, certain components of the design may also pose safety hazards or conflict with the County's Public Improvement Standards. These features are discussed in more detail below.

### Proposed Safety Features

Safety features have been incorporated into the design of the pathway to ensure that the grade is not excessive and that railings and barriers are provided to ensure pathway users, which will include users of all ages and abilities, are protected from hazards. The type of hazards experienced may include excessive speeds of bicyclists, motorized vehicle speeds, and interface with agricultural operations, which are discussed in detail below.

Caltrans' "Chapter 1000 (Planning and Design of Bikeways)" and AASHTO's Guide for the Development of Bicycle Facilities state that grades up to 10 percent are allowable for shorter distances on bike paths; however, the application of ADA standards on multi-use paths is not clearly defined. The State has started requiring that all multi-use paths meet ADA standards under the expectation that they will be used by both bicycles and pedestrians. Steeper grades, up to 8.3 percent, can be used with intermittent landings, although these are generally inappropriate for pathways with bicycle use because they can cause a bicyclist to lose control. The proposed project has been designed not to exceed a maximum gradient of 8.3 percent with appropriate landings to reflect ADA recommendations. However, most of the alignment has a grade of 5 percent or less.

Railings and barriers are necessary to address roadway safety conditions, pedestrian and bicycle traffic, compliance with ADA requirements, and compliance with Occupational Safety and Health Administration (OSHA) requirements. Wooden railings are proposed at bridge crossings where necessary. Railings are required when a multi-use path exceeds 30 inches in height above the grade below within 5 feet and the side slope exceeds 2:1. Proposed railings have been designed to conform to the Caltrans Bridge Design Specifications, Section 2.7.3 "Pedestrian Railing." Because of the proximity of the Highway 101/South Higuera Street northbound off-ramp to a portion of the pathway that is shared use, new metal beam guard railings are proposed at the South Higuera Street transition to Cloveridge Lane. Guard railings are required to be designed and constructed in accordance with the Caltrans Highway Design Manual. These improvements would also be subject to review and approval by Caltrans. Split-rail fencing would be provided to separate the shared use path from adjacent agricultural operations, as shown in Detail 4 (Appendix A.6). Construction of new split-rail fencing and repair of existing T-post wire fencing are proposed adjacent to existing agricultural operations.

The design and construction of the proposed project will be reviewed and approved by both the San Luis Obispo County Department of Public Works and Caltrans.

### Potentially Hazardous Design Features

Although the proposed project includes safety design measures, several components of the proposed project design may pose safety hazards. These design features are discussed below.

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### Shared Use Pathway Sections

The proposed project would provide primarily a Class I, separated/detached pathway for most of the alignment; however, a Class III facility (shared use path and shared road shoulder) is proposed at the following locations:

- South Higuera Street Transition to Cloveridge Lane. Approximately 500 linear feet of the pathway would be located along the roadway shoulder at the beginning of the Highway 101/South Higuera Street southbound on-ramp, which would include a 4-foot-wide striped and signed bike lane as shown in Detail 1B (Appendix A6). Per Detail 1B, the pathway would be a minimum 4-foot-wide bike lane adjacent to the roadway with a 5-foot-wide shoulder. Approximately 200 linear feet of the shared pathway would be adjacent to a 3-foot-high soldier pile retaining wall with safety railing on top of the retaining wall as shown in Detail 11 (Appendix A6). Approximately 100 feet of the existing traffic barrier at the South Higuera/Cloveridge Lane transition at the Highway 101/South Higuera Street northbound off-ramp would be reconstructed as a metal beam barricade with a 30-inch by 30-inch "END" sign and reflectors consistent with Caltrans requirements as shown in Detail 8 (Appendix A6).
- Cloveridge Lane. Due to the relatively narrow right-of-way in this location, approximately 1,300 linear feet of the pathway would be Class III, a shared use path, with Cloveridge Lane, as shown in Detail 1C (Appendix A6). The shared use path would be located within the existing roadway alignment. Cloveridge Lane is a county road with a 28-foot right-of-way that serves rural residential uses.
- North Section of Monte Road. Approximately 1,000 linear feet of the pathway would be Class III, a shared use path, with Monte Road, as shown in Detail 1C (Appendix A6). The shared use path would be located within the existing roadway alignment. Monte Road is a county road with a 50-foot right-of-way that serves rural residential uses, including the Baron Canyon subdivision.

According to the San Luis Obispo County 2011 Public Improvement Standards, an attached path shall be 6 feet wide and have 2 feet of clearance on each side, while a detached path shall be a minimum of 10 feet wide and be separated a minimum of 10 feet from the edge of traveled way when the roadway has prevailing speeds of 45 mph or greater and 3,000 ADT or greater. In addition, Section 9C.07 of the MUTCD allows for shared lane use if this type of facility would:

- A. Assist bicyclists with lateral positioning in a shared lane with on-street parallel parking in order to reduce the chance of a bicyclist's impacting the open door of a parked vehicle,
- B. Assist bicyclists with lateral positioning in lanes that are too narrow for a motor vehicle and a bicycle to travel side-by-side within the same traffic lane,
- C. Alert road users of the lateral location bicyclists are likely to occupy within the traveled way,
- D. Encourage safe passing of bicyclists by motorists, and
- E. Reduce the incidence of wrong-way bicycling.

However, shared lane markings are not recommended on roadways that have a speed limit above 35 mph. Section 9B.06 of the MUTCD provides for bicycles using the full traffic lane on roadways where no bicycle lanes or adjacent shoulders usable by bicyclists are present and where travel lanes are too narrow for bicyclists and motor vehicles to operate side by side. A "Bicycles May Use Full Lane" sign may be used in locations where it is important to inform road users that bicyclists might occupy the travel lane.

The shared use path is proposed along Cloveridge Lane near the Highway 101/South Higuera northbound off-ramp. This section of roadway is approximately 28 feet wide and has a speed limit of 40 to 50 mph, with ADT of less than 400. Since this facility does not meet 3,000 ADT criteria for a detached pathway requirement and the roadway is narrow, shared use in this location is acceptable. Monte Road is 17 to 19 feet wide and the speed limit is 40 mph, with ADT of less than 400. These roadways do not have characteristics that would meet the criteria for a detached pathway because they have ADT of less than 3,000. In addition, due to the width of the roadways, an attached pathway cannot be provided consistent with the County's standards. If motorists were not alerted that bicycles/pedestrians are likely to occupy the travelway, this could present a hazardous design feature, which would be considered a potentially significant impact. Implementation of the mitigation provided below would reduce the impact at these locations to a **Class III, less than significant**, level.

### Mitigation Measure

**MM 2.6.2-1** Prior to final design approval, the San Luis Obispo General Services Agency shall design the proposed project consistent with the requirements of the San Luis County 2011 Public Improvement Standards and Caltrans' *Manual for Uniform Traffic Control Devices*. Where the attached path standards cannot be met, "Shared Lane" and/or "Bicycles May Use Full Lane" signs shall be posted in addition to or instead of the shared lane markings to inform motor vehicles that bicyclists might occupy the travel lane, pursuant to Section 9B.06 of the *Manual for Uniform Traffic Control Devices*. Shared lane marking shall be placed immediately after an intersection and spaced at intervals not greater than 250 feet thereafter. The final design shall be subject to review and approval by the San Luis Obispo County Department of Public Works.

Implementation of the above mitigation measure would ensure that motorists on shared use roadways are alerted to the fact that pedestrians/bicycles may be traveling within the roadway right-of-way pursuant to the MUTCD standards. Although this would reduce potential hazards associated with the proposed shared use improvements, additional mitigation measures would be necessary to address safety hazards associated with the proposed at-grade crossings.

### At-Grade Crossings

The proposed project includes the following at-grade crossings:

- South Higuera Street. A new crosswalk and signal are proposed near the future Buckley Road extension intersection. In addition, a second new crosswalk with a traffic warning device is proposed near the north end of the Filipponi Ecological Preserve.
- Venado Lane. A new crosswalk is proposed at Venado Lane.
- San Luis Bay Drive. A new crosswalk and three-way stop control is proposed at the Monte Road/San Luis Bay Drive intersection.

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According to the San Luis Obispo County 2011 Public Improvement Standards, multi-use paths that cross public streets or roads shall cross only at intersections or other approved locations designated in the County Trails Plan (Section 4.1.3). The at-grade crossings at Venado Lane and San Luis Bay Drive are proposed at existing intersections. Pursuant to the County's 2011 Public Improvement Standards, the crosswalk at San Luis Bay Drive would require signage or other improvements.

The two at-grade crossings along South Higuera Street, however, are not proposed at existing intersections. The northern crossing is proposed between the future Buckley Road extension and Octagon Barn Center (approximately 600 linear feet south of the trailhead). This northern at-grade crossing would ultimately be relocated to the future signalized intersection at Buckley Road and South Higuera Street once the Buckley Road extension is constructed. The southern at-grade crossing would be located approximately 3,500 linear feet south of the northern crossing. These proposed crossings conflict with elements of the County's 2011 *Public Improvement Standards* and the San Luis Obispo County Department of Public Works does not support these two proposed midblock at-grade crossings at South Higuera Street due to design concerns. The design concerns are primarily related to the higher rates of speed and high volume of traffic on South Higuera Street. This would be considered a significant impact.

The future relocation of the at-grade crossing to the future Buckley Road/South Higuera Street intersection would resolve some of the conflicts with the County's 2011 *Public Improvement Standards*, as the northern at-grade crossing would be relocated to a signalized intersection where speeds would be reduced and fully controlled. However, the timing of the Buckley Road extension is unknown at this time.

Prior to the construction of the Buckley Road extension, there may be a need for an interim crossing of South Higuera Street that incorporates certain safety precautions to ensure adequate performance of the circulation system. A Draft Connectivity Study prepared for the City of San Luis Obispo portion of the BJP identifies a preferred alignment that includes a crossing at the future Buckley Road signalized intersection once constructed, as well as another interim at-grade crossing located further north. Although a single at-grade crossing of South Higuera Street would not benefit the proposed project (as there would be no feasible crossing locations to the south to allow users to continue on the proposed alignment), it would allow the City of San Luis Obispo's portion of the BJP to connect to the proposed project, which would not require a second at-grade crossing. Although the City of San Luis Obispo's proposed at-grade crossing of South Higuera Street are not directly triggered by the BJP project, it is reasonably foreseeable that the proposed project will connect to the City of San Luis Obispo's proposed extension of the BJP northward (SLO City 2013). Implementation of the following mitigation measure addresses the current design, as well as the future condition with the City of San Luis Obispo's trail connection.

### Mitigation Measure

#### **MM 2.6.2-2**

The proposed project shall be redesigned to eliminate at least one at-grade crossing of South Higuera Street. A single at-grade crossing of South Higuera Street to accommodate a connection to the City's portion of the pathway would be acceptable if designed consistent with San Luis Obispo County's 2011 *Public Improvement Standards*. The final design of a single at-grade crossing of South Higuera Street shall be included in the design of the future Buckley Road extension, which will include a signalized intersection at South Higuera Street. An interim at-grade crossing of South Higuera Street may be acceptable prior to the construction of the signalized intersection under the following circumstances:

- Prior to final design approval, the San Luis Obispo County General Services Agency shall review and approve a design for a single interim at-grade crossing on South Higuera Street.
- The location of this single interim at-grade crossing shall be coordinated with the City of San Luis Obispo and the San Luis Obispo County Department of Public Works.
- The San Luis Obispo County Department of Public Works shall ensure that the design of the at-grade crossing is consistent with the San Luis County *2011 Public Improvement Standards* and Caltrans' *Manual for Uniform Traffic Control Devices*. Necessary safety features may include, but are not limited to, the following design features as deemed appropriate to provide a safe crossing:
  - Use of flashing lights, roadway striping, or changes in pavement texture.
  - Signing for path users shall include a standard "STOP" sign and pavement marking, combined with other features such as bollards to slow bicyclists.
  - For path users, directional signs and street names at crossings to help direct people to their destinations.
  - For motorists, a sign reading "Path Xing" along with a path emblem or logo to both warn and promote use of the path itself.
  - A median stripe on the path approach to organize and warn path users.
  - Crosswalk striping in accordance with local and state preference, possibly accompanied by pavement treatments to help warn and slow motorists.
- The interim at-grade crossing shall be abandoned with construction of the Buckley Road extension and relocated to the south side of the new Buckley Road/South Higuera Street signalized intersection.

Implementation of the above mitigation will eliminate potential conflicts with the San Luis County *2011 Public Improvement Standards* through an alternative design. Implementation of this measure would require realignment of the BJP similar to Alternative 3. The environmental impacts associated with this realignment are discussed in Section 3.0, Alternatives. The measure will also accommodate a single at-grade crossing concept to allow connection with the City of San Luis Obispo's future connection to the BJP. As designs for this single at grade crossing concept can meet all applicable design standards, the impact is considered a **Class II**, *significant but mitigable*, project impact.

### Emergency Access

**Impact 2.6.3** Implementation of the proposed project will result in development of a pathway that will not impede an evacuation route; however, emergency

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access to the pathway may be limited. This impact is considered **Class II**, *less than significant impact with mitigation incorporated*.

Most of the project area is in a moderate to high fire hazard area. Fire protection to the area is provided by CALFIRE/San Luis Obispo County Fire. The closest station is Avila Valley Station 62, which is located at 1551 Sparrow Road, San Luis Obispo. Emergency response times to the project area vary from 5 to 15 minutes.

The proposed project would not result in the construction of any major structures that would result in an increase in population or a substantial increased demand for emergency services. However, due to the length of the pathway, it could be challenging to locate those in need if markers are not provided. This is considered a potentially significant impact. Mitigation provided below would reduce this impact to a less than significant level.

### Mitigation Measure

**MM 2.6.3-1** Prior to final design approval, the San Luis Obispo County General Services Agency shall ensure that the project has been designed to provide the following:

- Pathway landmarks or other location aids to allow an injured or ill party to convey location to emergency responders for party locating;
- Emergency access for a 20-ton fire engine to remote areas of the pathway; and
- Informational signs, gate control, and weather monitoring to avoid flood hazards during storm events.

The environmental coordinator, or designee, shall review the final improvement plans for consistency prior to commencing construction.

Implementation of the above mitigation measures shall ensure that recommendations received from CALFIRE in response to the Notice of Preparation are incorporated into the project design. Therefore, the proposed project's affect on emergency would be considered a **Class II**, *significant but mitigable*, project impact.

### **Pedestrian and Bicycle Facilities**

**Impact 2.6.4** Implementation of the proposed project would result in the construction of bicycle and pedestrian improvements that are consistent with the San Luis Obispo County General Plan, *Bikeways Plan 2010 Update*, and Regional Transportation Plan-Preliminary Sustainable Communities Strategy. This is considered a **Class III**, *less than significant*, project impact.

The proposed project is a portion of the City-to-Sea pathway that is planned to eventually join the communities of San Luis Obispo and Avila Beach. There is an existing portion of the multipurpose pathway between the Ontario Road staging area and the community of Avila Beach. The proposed project would extend the existing section of the pathway to the southern limits of the City of San Luis Obispo. The proposed project has been planned in coordination with the San Luis Obispo General Plan Parks and Recreation Element (PRE), San Luis Obispo County *Bikeways Plan 2010 Update*, and *Regional Transportation Plan-Preliminary Sustainable*

*Communities Strategy* (RTP-PSCS). Bicycle travel has become more vital to the circulation system as traffic congestion, recreation preferences, and concern for the environment have increased over the years. Therefore, the proposed project would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities and this would be considered a **Class III, less than significant**, project impact.

### CUMULATIVE IMPACTS AND MITIGATION MEASURES

#### Cumulative Traffic Impacts

**Impact 2.6.5** Implementation of the proposed project, when combined with other reasonably foreseeable development, would not exacerbate conflicts with transportation-related operations, plans, policies, or regulations. This is considered a **Class III, less than significant**, cumulative impact.

The 2008 average AADT for Highway 101 in the vicinity of the project area is estimated to be 69,500 (LOS D), and the 2035 projected AADT is 74,082 (LOS E). From Avila Beach Drive to the City of San Luis Obispo, the highway is the most heavily traveled connection between the central and south portions of the county. Over the next 20 years, projected growth and land use intensification in the South County will continue to generate increased traffic and degrade LOS at the existing facilities. Increasing levels of commute traffic and summer traffic will affect the peak periods. Continued development of auxiliary lanes, improvement to alternative routes, and the implementation of closed circuit television monitoring are proposed to be used to enhance level of service into the future.

The proposed project would promote the use of alternative modes transportation and may have a net beneficial effect on long-term operations of the roadway network. Therefore, the proposed project would not result in traffic impacts that would be considered cumulatively considerable. Design features and emergency access impacts are site specific and will not combine with any other foreseeable projects to create a significant cumulative effect. This would be considered a **Class III, less than significant**, cumulative impact.

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