

## 2.0 INTRODUCTION

This Environmental Impact Report (EIR) has been prepared to evaluate environmental impacts associated with the proposed San Miguel Ranch project (the proposed project) in the County of San Luis Obispo (County) near the community of San Miguel. The County is the “public agency which has the principal responsibility for carrying out or approving the project,” and as such is the “Lead Agency” for this project under the California Environmental Quality Act of 1970 (CEQA) (CEQA Guidelines Section 15367). CEQA requires the Lead Agency to consider the information contained in the Draft EIR prior to taking any discretionary action. This EIR is intended to serve as an informational document to be considered by the County and the Responsible Agencies during deliberations on the proposed project. The project approvals associated with the proposed project are described in Chapter 3.0, Project Description.

An Initial Study prepared by the County indicated that the proposed project may have a significant effect on the environment and that an EIR would be required to more fully evaluate potential adverse environmental impacts that may result from development of the project. As a result, this EIR has been prepared in accordance with CEQA, as amended (Public Resources Code [PRC] Section 21000, et seq.), and the State CEQA Guidelines for Implementation of CEQA (California Code of Regulations [CCR], Title 14, Section 15000 et seq.). This Draft EIR also complies with the procedures established by the County for implementation of CEQA.

Questions regarding the preparation of this document and County review of the proposed project should be referred to the following person:

County of San Luis Obispo  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408  
Contact: Steve McMasters, County Environmental Specialist  
Telephone: (805) 781-5010

### 2.1 PURPOSE AND TYPE OF EIR/INTENDED USES OF THE EIR

This EIR has been prepared to evaluate environmental impacts that may result from implementation of the proposed project. As the Lead Agency, the County has the authority for preparation of this Draft EIR and, after the comment/response process, certification of the Final EIR (FEIR) and approval of the proposed project as described in this EIR, with the exception of the annexation of the San Miguel Ranch Development project site into the San Miguel Community Service District (CSD) to allow expansion of the Urban Reserve Line (URL) and Urban Service Line (USL) and expansion of the San Miguel CSD Wastewater Treatment Plant by the San Miguel CSD. The San Luis Obispo Local Agency Formation Commission (LAFCO) is the Responsible Agency with the authority to make decisions regarding annexation of the San Miguel Ranch Development project site into the San

Miguel CSD. The San Miguel CSD is the Responsible Agency with authority to make decisions regarding expansion of the Wastewater Treatment Plant.

The County and Responsible Agencies have the authority to make decisions on discretionary actions relating to development of the proposed project. As stated previously, this EIR is intended to serve as an informational document to be considered by the County and Responsible Agencies during deliberations on the proposed project. This EIR evaluates and mitigates a reasonable worst-case scenario of potential impacts associated with the proposed project.

This EIR will serve as a Project/Program EIR pursuant to the Guidelines for the California Environmental Quality Act (State CEQA Guidelines) (CCR Title 14, Chapter 3, Sections 15000–15387), Sections 15161 and 15168(a)(2), respectively. According to Section 15161 of the State CEQA Guidelines, a Project EIR is appropriate for specific development projects in which information is available for all phases of the project, including planning, construction, and operation. This EIR will provide project-level analysis for all aspects of the project except the expansion of the Wastewater Treatment Plant.

According to Section 15168(a)(2) of the State CEQA Guidelines, a Program EIR is appropriate for a series of actions that can be characterized as one large project and are related either geographically, as logical parts in the chain of contemplated actions; in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways. Because the proposed San Miguel Ranch residential subdivision would require wastewater treatment services beyond the capacity of the existing plant, the Wastewater Treatment Plant expansion (as contemplated in the San Miguel CSD's current Wastewater Master Plan) may be considered a logical part of the chain of anticipated actions required for development and operation of the proposed project. Inclusion of the Wastewater Treatment Plant expansion in this EIR provides an occasion for more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action and ensures consideration of cumulative impacts that might be otherwise slighted on a case-by-case basis. When additional details and construction plans are available for expansion of the Wastewater Treatment Plant, the San Miguel CSD will examine the action to determine whether the effects were fully analyzed in this EIR in accordance with State CEQA Guidelines Section 15162, or whether any subsequent additional environmental review would be required.

As previously mentioned, the County is the Lead Agency for this Project under CEQA (CEQA Guidelines Section 15367). CEQA requires the Lead Agency to consider the information contained in the Draft EIR prior to taking any discretionary action. This Draft EIR provides information to the Lead Agency and other public agencies, the general public, and decision makers regarding the potential environmental impacts from the construction and operation of the proposed project. The purpose of the public review of the EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the CEQA Guidelines states the following regarding standards from which adequacy is judged:

“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental

effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

Under CEQA, “The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the proposed project, and to indicate the manner in which those significant effects can be mitigated or avoided” (PRC Section 21002.1[a]). As previously discussed in Chapter 1.0, Executive Summary, an EIR is the most comprehensive form of environmental documentation identified in CEQA and the CEQA Guidelines and provides the information needed to assess the environmental consequences of a proposed project. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts.

## **2.2 PROJECT HISTORY**

The project applicant filed a General Plan Amendment Application (File No. LRP 2004-00007) with the County on August 26, 2004. On June 7, 2005, the County Board of Supervisors authorized the processing of the application for a General Plan Amendment (LRP 2004-00007). Subsequently, the environmental review process began as required by the California Environmental Quality Act (CEQA), as amended January 1, 2007 (Public Resource Code [PRC] Sections 21000–21178). The County issued a Notice of Preparation of a Draft EIR for the San Miguel Ranch General Plan Amendment and Vesting Tentative Tract Map on March 22, 2006. A Scoping Meeting was held on April 11, 2006, at the San Miguel Community Center.

## **2.3 PUBLIC REVIEW PROCESS**

In compliance with the CEQA Guidelines, the County has taken steps to maximize opportunities for the public and other public agencies to participate in the environmental review process. The County conducted the scoping process and issued a Notice of Preparation (NOP) and Initial Study for the proposed project and determined that an EIR was required to evaluate the potentially significant environmental effects of the proposed project and related actions. Additionally, a public scoping session was conducted, as discussed below. Refer to Table 3.G in Chapter 3.0, Project Description, for a list of additional (future) opportunities for public review and input.

### **2.3.1 Notice of Preparation**

On March 22, 2006, an NOP for the proposed project was distributed by the County via the State of California Clearinghouse. The State Clearinghouse issued a project number for the EIR (SCH No. 2006031108). In accordance with State CEQA Guidelines, Section 15082, the NOP was circulated to the agencies and individuals listed in Appendix A for a period of 30 days,<sup>1</sup> during which time written

<sup>1</sup> Although the NOP was distributed on March 22, 2006, according to the State Clearinghouse the official scoping period commenced on March 27, 2006, and ended on April 25, 2006.

comments were solicited pertaining to environmental issues/topics that the Draft EIR should evaluate. Responses to the NOP were received from the following agencies:

- United States Department of the Interior, Fish and Wildlife Service
- California Department of Conservation
- California Department of Transportation
- California Public Utilities Commission
- California Department of Forestry and Fire Protection (CAL FIRE)
- County of San Luis Obispo Department of Agriculture/Measurement Standards
- County of San Luis Obispo Department of Parks and Recreation
- County of San Luis Obispo Division of Environmental Health
- County of San Luis Obispo Department of Public Works
- San Luis Obispo Air Pollution Control District
- Local Agency Formation Commission (LAFCO)
- City of El Paso De Robles
- San Miguel Advisory Committee
- Paso Robles Public Schools

In addition, the following individuals submitted written comments on the NOP:

- Paul Campomenosi
- Andrea Hobbs
- Walter Hobbs
- Bob Hrabe
- Steven and Patricia McHarris
- John Pritchard

### **2.3.2 Scoping Meeting and Areas of Controversy**

The County held a public scoping meeting on April 11, 2006, to present the proposed project and to solicit input from interested individuals regarding environmental issues that should be addressed in this Draft EIR. Key environmental issues and concerns raised at the scoping meeting included: (1) conversion of agricultural lands to urban uses; (2) potential to trigger urban decay and blight in the San Miguel Urban Area; (3) potential project inconsistency with the San Luis Obispo Clear Air Plan; (4) conflicts with surrounding land uses and existing agricultural operations; (5) increased traffic; (6) long-term sustainability of the project water supply; (7) the impact of project groundwater pumping on off-site wells; (8) potential impacts to schools; (9) potential impacts on public services, including fire and police; and (10) aesthetic impacts, including nighttime lighting.

Please note that this is not an exhaustive list of areas of controversy, but rather key issues that were raised during the scoping process. The EIR addresses each of these areas of concern or controversy in detail, examines project-related and cumulative environmental impacts, identifies significant adverse environmental impacts, and proposes mitigation measures designed to reduce or eliminate potentially significant impacts. Appendix A includes the NOP, a summary of the verbal comments at the scoping meeting, and copies of written comments received.

### **2.3.3 Public Review Period**

This EIR is being distributed to numerous public agencies and other interested parties for review and comment. The EIR is also available at the following locations throughout the County and on the County's Web site.<sup>1</sup>

County of San Luis Obispo  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

San Miguel Library  
254 13th St.  
San Miguel, CA 93451  
For hours of operation, call: (805) 467-3224

San Luis Obispo City/County Library  
995 Palm Street  
San Luis Obispo, CA 93403  
For hours of operation, call: (805) 781-5989

California Polytechnic State University  
Robert E. Kennedy Library  
San Luis Obispo, CA 93407  
For hours of operation, call: (805) 756-5760

Cuesta College Library  
1504 Colusa Avenue  
San Luis Obispo, CA 93405  
For hours of operation, call: (805) 546-3155

All comments received from agencies and individuals on the Draft EIR will be accepted during the public review period, which will not be less than 45 days in compliance with CEQA. All comments on the Draft EIR should be sent to the following County contact person:

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<sup>1</sup> <http://www.slocounty.ca.gov/planning/environmental/EnvironmentalNotices.htm>.

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Following the close of the review period, the County will prepare responses to all comments and will compile these comments and responses into a Final EIR. All responses to comments submitted on the Draft EIR by agencies will be provided to those agencies at least 10 days prior to final action on the project. The County Board of Supervisors will make findings regarding the extent and nature of the impacts as presented in the Final EIR. The Final EIR will need to be certified as complete by the County prior to making a decision to approve or deny the project. Public input is encouraged at all public hearings before the County.

## **2.4 SCOPE OF THIS EIR**

As required by State CEQA Guidelines, Section 15128, this Draft EIR must identify the effects of the proposed project determined to be significant. This Draft EIR is considered a “full-scope” EIR in which all environmental impact categories identified in the County’s Initial Study and Environmental Checklist Form are discussed in Chapter 4.0 of this document.

## **2.5 FORMAT OF THE EIR**

Pursuant to State CEQA Guidelines, Section 15120(c), this Draft EIR contains the information and analysis required by Sections 15122 through 15131. Each of the required elements is covered in one of the Draft EIR chapters described below.

### **2.5.1 Chapter 1.0: Executive Summary**

Chapter 1.0 contains the Executive Summary of the Draft EIR document, listing all significant project impacts, mitigation measures that have been recommended to reduce any significant impacts of the proposed project, and the level of significance of each impact following mitigation. The summary is presented in a matrix (tabular) format.

### **2.5.2 Chapter 2.0: Introduction**

Chapter 2.0 contains a discussion of the purpose and intended use of the Draft EIR, background on project initiation and the NOP, and areas of controversy known to the Lead Agency, including issues raised by the public.

### **2.5.3 Chapter 3.0: Project Description**

Chapter 3.0 includes discussion of the project's geographical setting; the site's previous use as agricultural land; and the project's goals, objectives, characteristics, components, and phasing.

### **2.5.4 Chapter 4.0: Existing Environmental Setting, Environmental Analysis, Impacts, and Mitigation Measures**

Chapter 4.0 includes an analysis of the project's environmental impacts. It is organized into topical sections, including land use, traffic, aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, population and housing, public services and utilities, recreation, water and wastewater, and surface hydrology and water quality. The environmental setting discussions describe the "existing conditions" of the environment on the project site and in the vicinity of the site as they pertain to the environmental issues being analyzed (Section 15125 of the State CEQA Guidelines).

The project impact discussions identify and focus on the significant environmental effects of the proposed project. The direct and indirect significant effects of the project on the environment are identified and described, giving due consideration to both the short-term and long-term effects, as necessary (Section 15126.2[a] of the State CEQA Guidelines).

Chapter 4.0 also includes within each environmental impact analyzed a discussion of the cumulative effects of the project when considered in combination with other projects, causing related impacts as required by Section 15130 of the CEQA Guidelines. Cumulative impacts are based on the build out of the project and the surrounding area, including all other known proposed projects in the surrounding area.

The discussions of mitigation measures identify and describe feasible measures that could minimize or lessen significant adverse impacts for each significant environmental effect identified in the Draft EIR (Section 15126[c] of the State CEQA Guidelines). The level of significance before and after mitigation is reported in each section. Unavoidable adverse effects are identified where mitigation is not expected to reduce the effects to less than significant levels.

### **2.5.5 Chapter 5.0: Alternatives to the Proposed Project**

In accordance with CEQA, the alternatives discussion in Chapter 5.0 describes a reasonable range of alternatives that could feasibly attain the basic objectives of the project and are capable of eliminating any significant adverse environmental effects or reducing them to a less than significant level. The alternatives analyzed in Chapter 5.0 include: (1) No Project/Existing General Plan and Zoning; (2) Expanded Open Space Design Plan; (3) Visual Resources Mitigation Design Plan; (4) Reduced Intensity Plan; and (5) the San Joaquin Kit Fox Design Plan; (6) Compact Design Alternative; and (7) the Expanded URL Alternative. As specified in the State CEQA Guidelines Section 15126.6(f)(2), this chapter identifies and assesses potential alternative project sites within and adjacent to the San Miguel Urban Area that could accommodate the proposed project.

### **2.5.6 Chapter 6.0: Growth-Inducing Impacts**

Chapter 6.0 includes CEQA-mandated discussions on growth-inducing impacts of the proposed project as required by Section 15126(d) of the State CEQA Guidelines. This chapter includes a discussion of ways in which the proposed project could foster economic or population growth, remove obstacles to growth, or result in the construction of additional housing, either directly or indirectly, in the surrounding environment.

### **2.5.7 Chapter 7.0: Long-Term Implications of the Project**

Chapter 7.0 includes CEQA-mandated discussions on the following topics as required by Section 15126 of the State CEQA Guidelines: (1) significant irreversible environmental changes that would result from implementation of the proposed project; and (2) significant adverse environmental impacts for which either no mitigation or only partial mitigation is feasible.

### **2.5.8 Chapter 8.0: Mitigation Monitoring and Reporting Program**

PRC Section 21081.6 requires that agencies adopt a mitigation monitoring and reporting program for any project for which it had made findings pursuant to PRC Section 21081. Chapter 8.0 provides a list of all proposed project mitigation measures, defines the parties responsible for implementation and review/approval, and identifies the timing for implementation of each control measure.

### **2.5.9 Chapters 9.0, 10.0, and 11.0**

Chapters 9.0, 10.0, and 11.0 provide the organizations and persons contacted during preparation of the Draft EIR, the Draft EIR preparers and technical report authors and other experts included in preparation of the Draft EIR, and the references used in this Draft EIR.

## **2.6 INCORPORATION BY REFERENCE**

As permitted in Section 15150 of the State CEQA Guidelines, an EIR may reference all or portions of another document that is a matter of public record or is generally available to the public. Information from the documents that have been incorporated by reference has been briefly summarized in the appropriate sections of this Draft EIR, along with a description of how the public may obtain and review these documents. These documents include:

- County of San Luis Obispo General Plan Elements (as amended)
- County of San Luis Obispo County Code and other titles references herein
- San Miguel Community Services District Wastewater Master Plan (January 2005)

Documents that are incorporated by reference are available for review at the County of San Luis Obispo, Department of Planning and Building, located at the address provided above.