



INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

For ER # 0589-2021

1. Project Title:

Open Space Winter Evening Hours of Use at Cerro San Luis Natural Reserve

2. Lead Agency Name and Address:

City of San Luis Obispo
990 Palm Street
San Luis Obispo, CA 93401

3. Contact Person and Phone Number:

Robert Hill, Sustainability & Natural Resources Official
(805) 781-7211
rhill@slocity.org

4. Project Location:

The 118-acre Cerro San Luis Natural Reserve (the “project site” or “the Reserve”) is located within the western portion of the City of San Luis Obispo (City) at 1000 Fernandez Road, San Luis Obispo, California 93401. The regional location and project location are depicted in Figure 1 and Figure 2. The project site is located within City-owned property adjacent to and west of United States Highway 101 (U.S. 101). The City has a license agreement with the neighboring private property owner that allows use of the westerly portion of the “M Trail” segment that is located outside of the City-owned property.

Cerro San Luis is one of the nine named volcanic peaks, or Morros, that form a series of ancient volcanic plugs that extend between the cities of Morro Bay and San Luis Obispo and divide the Los Osos and Chorro Creek valleys. The Morros run in a southeasterly direction from Morro Rock on the coast to Islay Hill, at the southeastern boundary of the City. Cerro San Luis, situated between Islay Hill and Bishop Peak, is the eighth named Morro from the coast. The peak of Cerro San Luis is owned by the Madonna family and is therefore sometimes known locally as Madonna Mountain or San Luis Mountain (City of San Luis Obispo 2005).

The Reserve is one of numerous City-owned properties comprising approximately 4,250 acres that are held in open space reserve, natural reserve, agricultural reserve, or ecological reserve status.

From U.S. 101, the Reserve is publicly accessible from Marsh Street and Fernandez Road. Public parking and trailhead facilities are located along Fernandez Road (City of San Luis Obispo 2005).

5. Project Sponsor’s Name and Address:

City of San Luis Obispo
990 Palm Street
San Luis Obispo, California 93401

Figure 1 Regional Location



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★ Project Location N

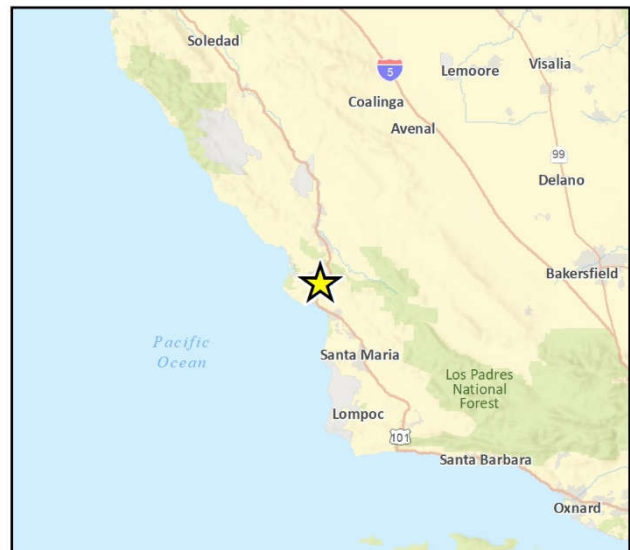
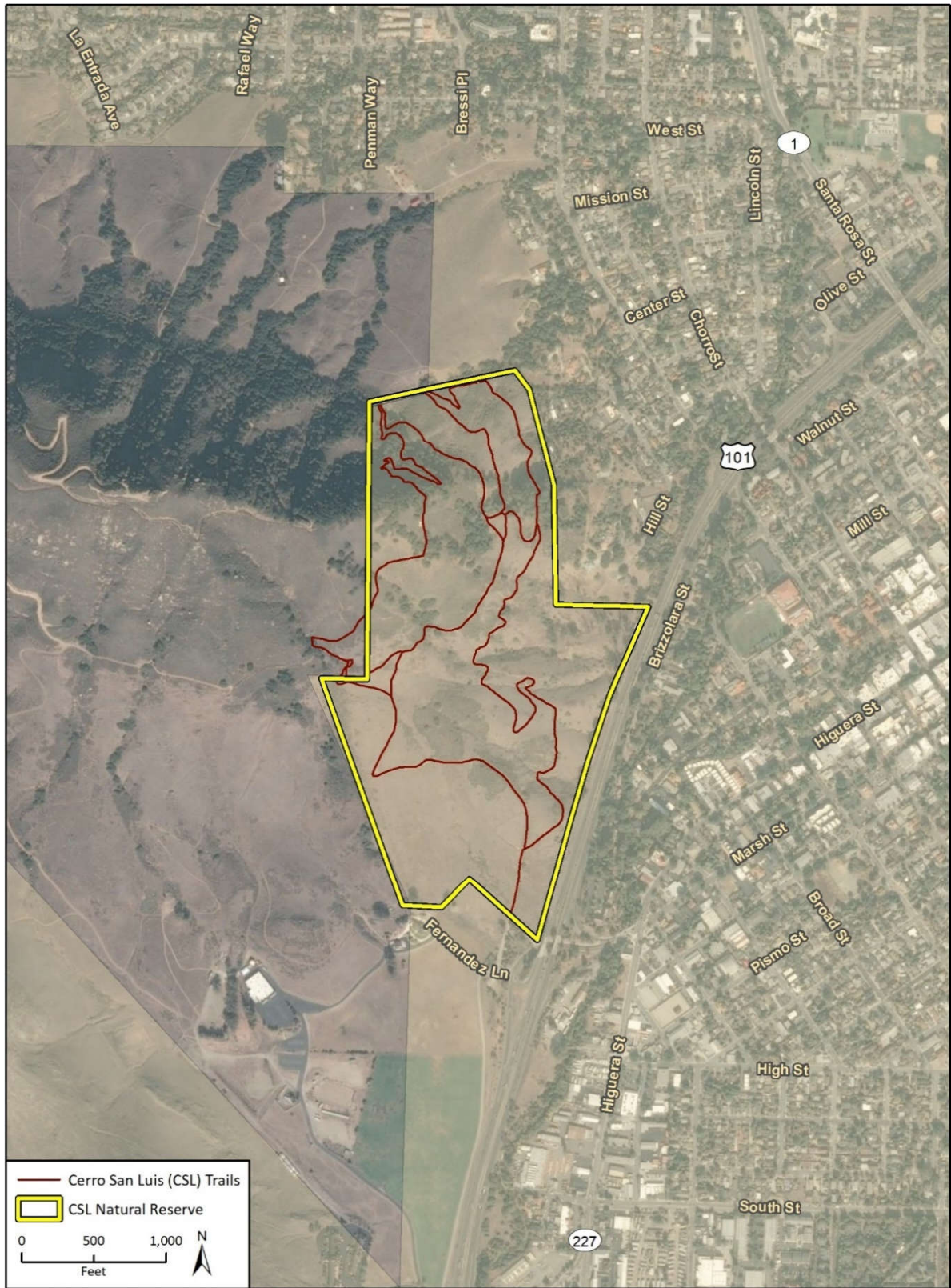


Fig 1 Regional Location

Figure 2 Project Site Location



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Fig. 2 Project Location

6. General Plan Designations:

Open Space

7. Zoning:

Conservation/Open Space (C/OS-20)

8. Project Background:

8.1 Open Space Regulation

The City's existing Open Space Regulations (Municipal Code Section 12.22) were adopted by Ordinance 1332 Section (§) 1 in 1998. Section 12.22.050 of the Open Space Regulations prohibit overnight usage of City open space:

12.22.050(B): Presence in Open Space Lands Restricted to Certain Hours - No Overnight Usage. Open space lands where public access is permitted shall be open to the public from dawn to dusk. It shall be unlawful to enter or remain within such lands between one hour after sunset and one hour before sunrise of the following day without approval from the director.

Specifically, the City's Open Space Regulations allow for passive recreation on the City's publicly accessible trail system, including Cerro San Luis Natural Reserve, from one hour before sunrise until one hour after sunset. Common recreational activities within the Reserve include hiking, jogging, and mountain biking.

8.2 Extended Use Hours Pilot Program

On January 16, 2018, the City Council approved Resolution 10858, which authorized a two-year pilot program and adopted a Mitigated Negative Declaration (MND) to expand the hours of use at the Reserve until 8:30 PM during the winter when daylight savings is in effect.^{1,2} The pilot program allowed the City to issue up to 65 permits daily for access to approximately 4.9 miles of trails within City property within the Cerro San Luis Natural Reserve from one hour after sunset until 8:30 PM during daylight savings time. On November 17, 2020, the City approved a one-year extension of the pilot program and adopted an Addendum to the 2018 MND.³ The pilot program took place during the winter seasons of 2018-2019 (November 4 to March 10), 2019-2020 (November 3 to March 8), and 2020-2021 (November 1 to March 14). The pilot program ended on March 14, 2021.

According to the San Luis Obispo Open Space Survey (Riggs et al. 2015), use of the Reserve averaged approximately 800 visitors per day during between December 2014 and March 2015. The average daily use between the hours of 6:00 PM and 9:00 PM was 65 individuals, despite the City's existing Open Space Regulations provision that open space is closed one hour after sunset. Therefore, the pilot program limited access to the existing average daily baseline of 65 individuals from one hour after sunset until 8:30 PM during daylight savings time. A website-based application was used to issue permits to the public.

On March 16, 2021, the majority of City Council voted to direct staff to implement a permanent program for winter hours of use at Cerro San Luis Natural Reserve, and also received and filed a Final Summary Report of findings from the Pilot Program.⁴ A total of 3,160 permits were issued during the 2018-2019 season, 2,747 permits were issued during the 2019-2020 season, and 2,702 permits were issued during the 2020-2021 season. In total, 7,783

¹ The City Council agenda and minutes for January 16, 2019 are available on-line at: <http://opengov.slocity.org/WebLink/DocView.aspx?id=70277&dbid=0&repo=CityClerk>

² The MND is available online at: <https://ceqanet.opr.ca.gov/Project/2017091049>

³ The City Council agenda, which includes the Addendum, and minutes for November 17, 2020 are available on-line at: <http://opengov.slocity.org/WebLink/DocView.aspx?id=70277&dbid=0&repo=CityClerk>

⁴ The City Council Agenda Report and presentation for March 16, 2021 are available on-line at: <http://opengov.slocity.org/WebLink/DocView.aspx?id=139031&dbid=0&repo=CityClerk>
The Final Summary Report attachment is available on-line at: <http://opengov.slocity.org/WebLink/DocView.aspx?id=139011&dbid=0&repo=CityClerk>

permits were issued, of which 826 were bikers and 6,957 were hikers and joggers. In general, less than the number of available permits were issued during the months of November and January through March. During December, the maximum number of permits (65) was typically issued. The Ranger Service had to deny entry at the trailhead to at least 36 people in the 2018-2019 season, 206 people in the 2019-2020 season, and 52 people in the 2020-2021 season (City of San Luis Obispo 2021).

Of the open space properties owned by the City, Cerro San Luis Natural Reserve was selected for the Pilot Program based on the following criteria:

- 1) Avoiding open space properties where wildlife use is thought to be most prolific,
- 2) Avoiding neighborhoods, and
- 3) Open space properties that present reduced challenges for emergency response access.

Johnson Ranch Open Space and Irish Hills Natural Reserve are part of a much larger wildlife habitat area that is ecologically connected to the larger Irish Hills landscape, while Stenner Springs Natural Reserve and Reservoir Canyon Natural Reserve are similarly connected to the Los Padres National Forest. Bishop Peak Natural Reserve, Terrace Hill Open Space, South Hills Natural Reserve, and Islay Hill Open Space are all proximate to existing neighborhoods. This narrowed the options for the pilot program to Laguna Lake Natural Reserve and Cerro San Luis Natural Reserve. Both properties are tangent to urbanized areas and disturbances such as Highway 101, located away from neighborhoods, feature designated parking areas, and have emergency vehicle access (City of San Luis Obispo 2017). Laguna Lake Natural Reserve was discarded from consideration due to the presence of numerous rare and sensitive botanical and avian species, leaving Cerro San Luis Natural Reserve as the most appropriate site for the allowance of winter evening hours of use.

During the pilot program, wildlife surveys were conducted to inform the presence of wildlife species using the Cerro San Luis Natural Reserve. Four wildlife game cameras, cover boards, bat detection equipment, and field surveys were used to document and track nocturnal wildlife species diversity and locations. The cameras and cover boards were checked weekly, and detection equipment were used monthly. Observed common wildlife species included barn owl, great-horned owl, sharp-shinned hawk, deer, coyote, and others. During the course of the City's ownership of the Cerro San Luis Natural Reserve, third-party professional wildlife surveys have been conducted by the firms Tenera Environmental (Tenera) and Terra Verde Environmental Consulting (Terra Verde). Special status wildlife species observed either by Tenera or Terra Verde included but were not limited to California mountain lion (*Puma concolor*), San Diego woodrat (*Neotoma lepida intermedia*), Mexican free-tailed bat (*Tadarida brasiliensis*), ornate shrew (*Sorex ornatus*), western skink (*Eumeces skiltonianus*), yellow-rumped warbler (*Setophaga coronata*), rufous-crowned sparrow (*Aimophila ruficeps*), and monarch butterfly (*Danaus plexippus*) (Tenera 2004; Terra Verde 2017, 2019, 2021).

8.3 Open Space Conservation Plan

The Cerro San Luis Natural Reserve Conservation Plan ("Conservation Plan") was prepared by the City in 2005. The Conservation Plan includes an inventory of the soils, cultural resources, and biological resources present in the Reserve, and management guidelines and policies designed to achieve the goals of the City's General Plan Conservation and Open Space Element (2006). The Conservation Plan does not currently include any policies related to hours of use.

9. Description of the Project:

The Open Space Winter Evening Hours of Use at Cerro San Luis Natural Reserve project ("proposed project") would revise the City's existing Open Space Regulations (San Luis Obispo Municipal Code, Chapter 12.22) to permanently extend the public use hours on the existing Cerro San Luis Natural Reserve trail system within City property. The hours of use would be extended to between one hour before sunrise until 8:30 PM when daylight savings time is in effect. Public use hours when daylight savings is not in effect would remain from one hour before

sunrise until one hour after sunset. The Open Space Regulations are proposed to be revised as follows (proposed changes are shown in underline text):

12.22.050(B): Presence in Open Space Lands Restricted to Certain Hours – No Overnight Usage. Open space lands where public access is permitted shall be open to the public from dawn to dusk. It shall be unlawful to enter or remain within such lands between one hour after sunset and one hour before sunrise of the following day without approval from the director. Notwithstanding the foregoing, the City may implement a special program at Cerro San Luis Natural Reserve only that allows for extended hours of use until 8:30 PM, Pacific Standard Time, when daylight savings time is not in effect, in accordance with City Council Resolution R-[XXXXX] (2021 Series) adopted on [date], or as such Resolution may be subsequently amended by the Council consistent with the purpose of this ordinance and the environmental review document supporting this provision. All other provisions of the Open Space Regulations contained in this Chapter 12.22 shall remain in effect.

The City’s Parks and Recreation Department Ranger Service personnel would provide oversight and additional patrol of the Reserve during the extended hours of use. A permit program would be permanently implemented to limit access to the Cerro San Luis trail system to 65 individuals during the extended hours during December, which had the highest demand for night hiking during the pilot program. A permit would not be needed for access from one hour after sunset until 8:30 PM during the months of November and January through March. However, Ranger Service and Natural Resources Program staff would deploy an EcoCounterTM device to track frequency of human use and hours of use at the Reserve. The EcoCounterTM device utilizes sensors to track pedestrian and cyclist use of the Reserve trail. If it is determined that use during the extended hours exceeds the existing average daily baseline use of 65 individuals during the months of November and January through March, the permitting system would be re-instated the day after the exceedance occurs for all program months in order to ensure that use does not exceed 65 individuals. Re-instatement of the permitting system would be communicated to the public via social media, the City website, and rangers stationed at the trailhead. For purposes of operational efficiency, the City Council may elect to require permits for all program months at the time of adoption.

The City’s Parks and Recreation Department proposes to develop information and educational materials for the public that is specific to nighttime use and wildlife at the Reserve. These materials will re-iterate the City’s rules and regulations in effect, as well as highlight the sensitivity of evening use, potential for wildlife interactions and impacts, and methods to avoid or reduce impacts, including that visitors would be required to stay on established trails during nighttime use. These informational materials will be available on the City’s website (with potential to access via a QR code), at the entrance of the Reserve, and on pamphlets that can be handed out or placed in a rack on the kiosk at the entrance of the Reserve. Permit applicants will be provided with the information and educational materials during the application process and be required to acknowledge receipt and confirm understanding prior to receiving the permit.

Section 15125(a)(1) of the California Environmental Quality Act (CEQA) Guidelines states that an environmental document “should include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced.” Section 15125(a) states that this approach “normally constitute[s] the baseline physical conditions by which a lead agency determines whether an impact is significant.” The CEQA baseline is July 2021, when preparation of this Initial Study was initiated. The CEQA baseline includes the conditions under the current Open Space Ordinance with passive recreation on the Reserve restricted to one hour before sunrise to one hour after sunset. As discussed in Section 8.2, according to the San Luis Obispo Open Space Survey (Riggs et al. 2015), the average daily use between the hours of 6:00 PM and 9:00 PM was recorded as 65 individuals, despite the City’s existing Open Space Regulation provision that open space is closed one hour after sunset. Therefore, the existing average baseline use during the proposed evening hours is 65 individuals [see *Communities for a Better Environment v. South Coast Air Quality Management District, et al.* (2010) 48 Cal.4th 310 (“*Communities for a Better Environment*) and *Communities for a Better Environment v. South Coast Air Quality Management District (Tesoro Refining and Marketing Company, LLC, Real Party in Interest)* (2d Dist. 2020) 47 Cal.App.5th 588].

⁵ Information regarding the EcoCounterTM devices is available on-line at: <https://www.eco-counter.com/>

10. Project Entitlements:

No entitlements are required.

11. Surrounding Land Uses and Settings:

Existing uses surrounding the Reserve are as follows:

- **West:** Rural land; County of San Luis Obispo jurisdiction
- **North:** Rural land (C/OS-20)
- **East:** U.S. 101; single-family residential neighborhood (R-1)
- **South:** Rural land (C/OS-20)

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Native American Tribes were notified about the project consistent with City and State regulations including, but not limited to, Assembly Bill 52. The California Native American Heritage Commission (NAHC) supplied a list of local Native American individuals and/or groups with interests and knowledge about the area. Those individuals, as well as tribes previously requesting consultation pursuant to Assembly Bill 52, were contacted and no contacts requested formal consultation or indicated presence of tribal cultural resources at the project site.

13. Other public agencies whose approval is required:

The project site is located in the City of San Luis Obispo. The property is owned by the City of San Luis Obispo, and is therefore subject to City plans, policies, and requirements. The City Council would approve the revisions to the Open Space Regulations. The proposed project would not require approval from any other public agency.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

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

FISH AND WILDLIFE FEES

<input type="checkbox"/>	The California Department of Fish and Wildlife has reviewed the CEQA document and written no effect determination request and has determined that the project will not have a potential effect on fish, wildlife, or habitat (see attached determination).
<input checked="" type="checkbox"/>	The project has potential to result in less than significant impacts to fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code. This initial study has been circulated to the California Department of Fish and Wildlife for review and comment.

STATE CLEARINGHOUSE

<input checked="" type="checkbox"/>	This environmental document must be submitted to the State Clearinghouse for review by one or more State agencies (e.g., Cal Trans, California Department of Fish and Wildlife, Department of Housing and Community Development). The public review period shall not be less than 30 days (CEQA Guidelines 15073[a]).
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DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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

Shawna Scott

Signature

September 9, 2021

Date

Shawna Scott
Printed Name

For: Michael Codron,
Community Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 19, "Earlier Analysis," as described in (5) below, may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063 (c) (3) (D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, open space, and historic buildings within a local or state scenic highway?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

In the local area, Cerro San Luis Natural Reserve serves as a substantial public scenic resource as the immediate backdrop for downtown San Luis Obispo and many other areas of the City. Unobstructed public views of Cerro San Luis can be gained along U.S. Highway 101 North and South, from other City of San Luis Obispo open space properties such as Terrace Hill Open Space and Reservoir Canyon Natural Reserve, as well as numerous neighborhoods to the north and east of the project site.

- a-b) According to the Circulation Element of the City General Plan, the segment of U.S. Route 101 (US 101) through the City of San Luis Obispo is identified as having moderate and high scenic value. Views of the Reserve are available along this segment of U.S. 101. However, users would continue to utilize the Reserve for passive recreational activities, including hiking and biking, which occur under existing conditions. The project does not include any grading, construction, or vegetation removal activities. Therefore, no scenic vistas or scenic resources, including but not limited to, trees, rock outcroppings, open space, or historic resources would be damaged with implementation of the project.
- c) There would be no physical changes to the landscape associated with the project which includes extending the hours of use of the Reserve when daylight savings time is in effect. Users would continue to utilize the Reserve for passive recreational activities, including hiking and biking, which occur under existing conditions. Implementation of the project would not substantially degrade the existing visual character or quality of the site and its surroundings.
- d) Existing sources of light and glare include headlights from vehicles when entering/exiting the Reserve and personal use from hikers/bikers. During the evening hours, hikers and mountain bikers would utilize flashlights, headlamps, or mounted lighting equipment. These lights can sometimes be seen from offsite locations under existing evening use of the Reserve; however, this visibility is distant, intermittent, and short in duration (ranging from a few moments to a few minutes). In addition, the project would limit the number of users to the average daily baseline of 65 individuals. Therefore, the project would not increase lighting beyond that occurring in the existing condition. Implementation of the project would not result in substantial adverse effects associated with light and glare.

Conclusion

There would be no impact related to scenic vistas and scenic resources. Impacts related to the degradation of visual character/quality and generation of light and glare would be less than significant. No mitigation is required.

2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	1,2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	1, 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	1, 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1, 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	1, 2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

- a-d) The project site is not located on land currently used for agriculture and does not contain any forest land or resources. There is no agriculturally-zoned land, land enrolled in a Williamson Act Contract, or timber or forest lands on the project site, and the site is not a part of any timber harvesting plans or zones. The Farmland Mapping and Monitoring Program (FMMP) designates the project site and surrounding area as “Grazing Land.” The project would not directly convert agricultural land to non-agricultural use, conflict with existing zoning for agricultural use, convert forest land to non-forest use, or conflict with existing zoning for forest land.
- e) The project site and surrounding area does not contain forestland. The FMMP designates the project site and surrounding area as “Grazing Land.” The project does not include any activities which would directly or indirectly

interfere with livestock grazing. The project would not result in significant impacts related to changes to the environmental which could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

Conclusion

There would be no impacts related to conversion or loss of agricultural and forestry resources, conflict with zoning for agricultural use or forestland, and conflict with Williamson Act contracts. Impacts related to related to changes to the environment which could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use would be less than significant. No mitigation is required.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	3, 4, 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	3, 4, 5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	3, 4, 5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	3, 4, 5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

- a) The applicable air quality plan in the region is the 2001 San Luis Obispo Air Pollution Control District’s (SLOAPCD) Clean Air Plan (2001), which evaluates long-term emissions, cumulative effects, and establishes countywide programs to reach acceptable air quality levels. The project does not include new land uses and would not generate population growth or include any other action that would have the potential to conflict with or obstruct implementation of the SLOAPCD Clean Air Plan.
- b-d) The project includes extending the hours of use of the Reserve and would not include construction, ground disturbance, or operation of structures or equipment that have the potential to generate pollutant emissions or objectionable odors. However, trail users may use vehicles to travel to the Reserve which can emit air quality pollutants and generate odors. As discussed in the *Project Description*, the San Luis Obispo Open Space Survey (2015) indicated 65 individual visits represents the average daily use after allowable hours until 8:30 PM in the existing condition. Assuming that each of those visitors arrives at the Reserve in a vehicle as a single occupant, the expected vehicle trips to the Reserve during this time would be up to 65 per day. The San Luis Obispo Open Space Survey also found that 32 percent of open space users walk, bike, or use other means of accessing open space other than driving a car. The project would limit use of the trail during the extended hours to the existing baseline of 65 individuals. Therefore, vehicle trips would be similar to existing conditions and would not result in new mobile emissions. Potential impacts would be less than significant.

Conclusion

No impact would occur related to conflict with or obstruction with an applicable air quality plan. Air quality impacts related to new increase in criteria pollutants, exposure of sensitive receptors to substantial pollutant concentrations, and odors would be less than significant. No mitigation is required.

4. BIOLOGICAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 6-12, 14-17	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	6-9, 13	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	6-9, 12	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	1, 6-12, 14-17	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The Reserve is a natural open space that consists of moderate to steep slopes with elevations ranging from approximately 190 feet to 920 feet above mean sea level. As described in the Cerro San Luis Natural Reserve Conservation Plan (2005) and the Final Report on the Wildlife Resources of the Cerro San Luis Natural Reserve (Tenera Environmental [Tenera] 2004), vegetation within the Reserve consists of five communities: annual grassland, coastal scrub, coast live oak woodland, opuntia scrub, and introduced trees, consisting of stands of blue gum eucalyptus (*Eucalyptus globulus*), Monterey cypress (*Hesperocyparis macrocarpa*), and Peruvian pepper (*Schinus molle*). A formal jurisdictional delineation has not been prepared for the site; however, the site includes several ephemeral drainages that consist of somewhat incised channels with a bedrock substrate. Two of the features originate within the coast live oak woodland but consist of an ephemeral erosional feature and do not contain associated riparian vegetation community. The Cerro San Luis Natural Reserve Conservation Plan also describes three such areas as seeps and/or springs.

The California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB; 2021) and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California (Inventory; 2021) were queried to obtain updated information regarding special status species documented on and within the *San Luis Obispo, California* United States Geological Survey 7.5-minute topographic quadrangle and surrounding eight quadrangles. The United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC; 2021) was also queried to determine federally listed species and designated critical habitats known to occur within San Luis Obispo County. The records searches identified 48 special status animals, 114 special status plants, and eight sensitive natural communities that have been documented within the nine-quadrangle searches. The majority of the species identified by the queries do not have potential to occur within the project site due to the absence of suitable habitat. The remainder of the species have suitable habitat present on-site; however, subsequent surveys have not determined presence within the project site except where noted.

The site was assessed for biological resources by Tenera in 2004 and subsequently surveyed for wildlife by Terra Verde Environmental Consulting (Terra Verde) in 2017, 2019, and 2021. Three special status wildlife species have been documented within the site: candidate for federal listing as threatened southern California mountain lion (*Puma concolor*) and two state Species of Special Concern: San Diego woodrat (*Neotoma lepida intermedia*) and western mastiff bat (*Eumops perotis californicus*). Additionally, numerous wildlife species or resources of local concern have been documented, including: monarch butterfly (*Danaus plexippus*; not present in an overwintering site), western skink (*Plestiodon skiltonianus*), yellow-rumped warbler (*Setophaga coronata*), rufous-crowned sparrow (*Aimophila ruficeps*), and ornate shrew (*Sorex ornatus*), as well as multiple species of raptor species such as American kestrel (*Falco sparverius*), great horned owl (*Bubo virginianus*), and barn owl (*Tyto alba*), and bat species such as Mexican free-tailed bat (*Tadarida brasiliensis*). Common wildlife observed within the Reserve include coyote (*Canis latrans*), striped skunk (*Mephitis mephitis*), bobcat (*Lynx rufus*), deer (*Odocoileus* sp.), and fox (*Vulpes* sp.). Formal botanical surveys were not conducted by Tenera or Terra Verde and no occurrences of special status plant species have been documented in the study area by the CNDDDB or Inventory.

- a) Southern California mountain lion, a candidate for federal listing as threatened, has been documented within the Reserve. No other state or federally listed threatened or endangered species are known to occur within the Reserve site, but two other special status wildlife species have been documented on-site: San Diego woodrat and western mastiff bat, both state Species of Special Concern. Additionally, numerous species of local concern have been documented on-site. The proposed project is not expected to result in direct impacts to special status wildlife species. The potential for species individuals to be physically injured or killed by visitors through trampling is extremely low because visitors would utilize existing trails instead of treading through habitat that individuals may be using as refugia, which refers to a location that wildlife may utilize to escape danger or adverse weather conditions. Any individuals encountered on trails would be able to escape into refugia. In the event that visitors stray from the trails, the wildlife habitat onsite includes numerous burrow complexes as well as areas of thick, woody shrubs and complex topography that preclude human visitors from traversing those areas, and therefore provides opportunities for wildlife to escape potential harm. Further, the number of potential off-trail visitors is not expected to increase as a result of the project, compared to baseline conditions. Special status wildlife species western skink, yellow-rumped warbler, and monarch butterfly are unlikely to be encountered by nighttime visitors as they are diurnal (active during the day) species, and their nesting, denning, and/or refugia are located outside of the existing trails. San Diego woodrat would be unlikely to be directly affected as the documented locations of individuals and their nests/middens are well away from established trails and/or within dense vegetation such as opuntia scrub dominated by prickly pear cactus (*Opuntia* sp.) that would provide protection from visitors potentially diverting from established trails. Mountain lion and bat species such as western mastiff bat and Mexican free-tailed bat, are highly mobile and would not be at significant risk for direct physical harm from visitors because they are able to escape into refugia to minimize encounters with visitors. The proposed project would not modify habitat for special status wildlife species, as visitors will be required to utilize existing trails in accordance with San Luis Obispo Municipal Code Section 12.22.050(P) and the Conservation Guidelines for the City of San Luis Obispo Policy HA12 (City of San Luis Obispo 2002).

The project could result in indirect effects to nocturnal special status wildlife species by disturbance of nocturnal and/or crepuscular (active at dusk and dawn) behaviors through additional noise, temporary light exposure, and human presence in general, including human-associated disturbances such as pets. Affected wildlife behavior may include but is not limited to foraging, breeding and/or nesting, and evasion of predators. Further, indirect effects could include negative physiological effects such as negative energy balances for individuals forced to use energy to flee visitors and/or missed foraging opportunities.

A 2016 scientific study reviewed 274 separate peer-reviewed articles regarding the effects of passive recreation on wildlife, spanning numerous geographic areas, taxonomic groups, and recreation activities (Larson et al. 2016). Overall, Larson et al. identified a clear correlation between recreation and negative effects to many wildlife species, including mountain lion. The study also observed that individual-level and community-level effects were more frequent than population-level effects. The City employs spatial restrictions at the Reserve including designating approximately 85% of the Reserve for habitat, management, and/or restoration. Given the limited project area and spatial restrictions on visitors by existing trails, effects on wildlife by the proposed project are more likely to occur on an individual- or community-level, rather than population-level effects. Adverse effects to special status wildlife species on an individual- or community-level are considered less than significant under CEQA. Population-level effects may be considered significant under CEQA; however, based on the available evidence population-level effects are not anticipated as a result of the project.

A 2012 study in Boulder, Colorado reviewed and cited numerous studies concluding that artificial light, such as that from a headlamp or flashlight, can have negative effects on wildlife such as dazzling and confusing individuals leaving them vulnerable to predation, disrupting foraging patterns and behavior, and disrupting movement (ERO Resource Corporation 2012). However, the study also acknowledges that wildlife may “habituate,” or become accustomed, to a disturbance if consistently faced with similar disturbances. The Reserve was specifically chosen by the City for extended hours due to its proximity to the urban interface. The Reserve is located adjacent to U.S. Highway 101, residential development, and near downtown San Luis Obispo, which are substantial sources of noise and light. The proposed project would legalize limited after-hours access to the Reserve; however, the number of night-use permits that would be offered is derived from and comparable to the observed usage prior to the pilot program instituted by the City and is consistent with the historic use due to unauthorized after-hours use prior to the pilot program. Therefore, the project would not increase the recreational usage of the Reserve. Based on the existing sources of noise and light associated with the urban interface, existing (baseline) after-hours use of the Reserve, and vehicle traffic along U.S. Highway 101, the wildlife within the Reserve are habituated to light and noise from these existing conditions, and the indirect effects of an incremental increase in light and noise from the proposed project would not be significant.

Special status plant species are not known to occupy the Reserve; however, formal botanical studies have not been conducted for the project site and several special status plant species have potential to occur within the site. That said, the proposed project would not modify habitat for special status plant species or alter native vegetation communities, as visitors would be utilizing existing trails in accordance with San Luis Obispo Municipal Code Section 12.22.050(P) and the Conservation Guidelines for the City of San Luis Obispo Policy HA12 (2002); therefore, no direct or indirect effects to special status plant species, if present, are expected to occur.

- b) The Reserve does not contain significant, mature riparian habitat. The Cerro San Luis Natural Reserve Conservation Plan describes the coastal scrub and coast live oak woodland vegetation communities on-site as sensitive natural communities; however, neither community is listed by the CDFW Sensitive Natural Communities list (CDFW 2021). The seeps and/or springs associated with drainage features on-site are considered sensitive natural communities, but the proposed project would not have an adverse effect on vegetation because the project does not include any grading or vegetation removal and visitors would be utilizing existing trails in accordance with San Luis Obispo Municipal Code Section 12.22.050(P) and the Conservation Guidelines for the City of San Luis Obispo Policy HA12 (City of San Luis Obispo 2002). Therefore, direct or indirect effects to seeps and/or springs are not anticipated.
- c) The proposed action does not include direct or indirect removal, filling, or hydrological interruption of a state or federally protected wetland. Therefore, no effects to such features are anticipated.
- d) The Reserve does not contain aquatic habitat or habitat for migratory fish such as the south-central Distinct Population Segment of California coast steelhead (*Oncorhynchus mykiss*). The site is located within the City of San Luis Obispo and is bound by U.S. Highway 101 and residential development on the east side and is within close proximity to development on the north and south sides. The proximity to development precludes the site from providing immediate connectivity between large core habitat areas. West and southwest of the site includes large swaths of open rangeland and native habitat that provides much stronger migration habitat from the coast to unique habitat opportunities such as Laguna Lake. Due to the availability of contiguous and relatively unimpeded migration habitat adjacent to the site compared to the proximity of the subject site to development, it is unlikely wildlife would use it as a regional movement corridor between core populations. The City of San Luis Obispo’s General Plan Conservation and Open Space Element

depicts the adjacent parcel to the southwest as a “Potential Wildlife Corridor” to the Prado and Tank Farm areas, as well as an adjacent parcel to the north, which is mapped as a “Wildlife Corridor” on the Figure 3 map. Wildlife could potentially use the corridor to the southwest to migrate, but the area is unlikely to be a significant corridor, as wildlife would have to cross U.S. Highway 101, which is mapped as a “Linear Boundary” on the Figure 3 map. The mapped corridor to the north indicates connectivity with Old Garden Creek. This corridor would not support connectivity for aquatic species, and it is separated by Broad Street and residential development. Neither mapped corridor is located within the Cerro San Luis Natural Reserve, and the proposed project would not result in changes that would directly or indirectly modify or impede wildlife movement along these corridors. Therefore, the proposed project would not significantly interfere with wildlife movement corridors.

Locally, wildlife likely utilizes the open habitat associated with the trails to move throughout the site. Further, the site is likely used by numerous species for reproduction (i.e., mating and rearing young). Table 1 below provides an approximate reproductive season for nocturnal special status species observed within the site. Rock crevices and trees within the site contains suitable habitat for maternity roosts for bats during the bat maternity season (typically March through August). Additionally, raptors and songbirds/passerines likely utilize the site for nesting and rearing young. Large mammals such as mule deer (*Odocoileus hemionus*) could use the site as a nursery site, and the recreational use could affect a species’ ability to utilize a nursery site if implemented during the rearing season, typically starting in spring. San Diego woodrat, a special status species, is known from the site, including nest structures; however, nests/middens are located well away from the established trails in thick vegetation that would preclude accidental disturbance and the species tends not to be sensitive to human presence based on experience with woodrats at other sites (pers. obs. K. Weichert, Rincon Consultants). Mountain lions likely utilize the site only transiently, as they have large home ranges (between 20 and 100 square miles) and require a high availability of prey, which the 118-acre Reserve cannot support due to its relatively small size (US Forest Service 2021; Midpeninsula Regional Open Space District 2021). Suitable habitat for littering and/or rearing young, which typically consists of caves or rock alcoves, is not present on-site. Additionally, the proximity of the site to development and the existing levels of use and disturbance make mountain lion unlikely to be resident to the site.

Table 1- Special Status Wildlife Typical Reproductive Season

Species	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
San Diego woodrat (<i>Neotoma lepida intermedia</i>)	X	X	X							X	X	X
Mountain lion (<i>Puma concolor</i>)	X	X	X									X
Typical Passerine Nesting Season		X	X	X	X	X	X	X	X			
Typical Raptor Nesting Season		X	X	X	X	X	X	X	X			
Typical Bat Maternity Season			X	X	X	X	X	X				

The proposed project could affect the ability of wildlife species such as bats and birds to use the site for maternity roosts and nesting by disturbing individuals through additional noise, temporary light exposure, and human presence in general. However, the extended hours of use would only be offered when daylight savings time is in effect (approximately November through the first half of March), which is almost entirely outside the nesting bird and bat maternity seasons. Additionally, any individuals attempting to nest or establish a maternity roost or utilize a nursery site during the later months of the extended hours period would presumably be doing so with an existing level of light and noise disturbance and could therefore be habituated to the stimuli. Further, the proposed project would not increase the existing level or times of visitation to the Reserve, as visitors have been using the site as part of the City’s pilot study

as well as unauthorized use prior to the pilot study. For these reasons, the effects of the proposed project on wildlife using nursery, maternity, or nesting sites is not significant.

- e) The City of San Luis Obispo's General Plan Conservation and Open Space Element (COSE) contains policies to protect special status species, City-designated species of local concern, and wildlife corridors (policies 7.3.1, 7.3.2, and 7.3.3).

Policy 7.3.1 requires protection of state and federally listed species and California Rare Plant Ranked plant species though projects or actions on land-use, development, construction, creek maintenance, etc. The proposed project would not conflict with this policy as the only federally listed species known from the site, mountain lion, would occur only transiently, and would not be substantially affected by the project. No other state or federally listed species are present within the project site.

Policy 7.3.2 outlines guidelines for protection of species of local concern, which includes species listed within the COSE. Species of local concern are known from the site, including monarch butterfly, western skink, yellow-rumped warbler, rufous-crowned sparrow, and ornate shrew, and generally raptors and nesting birds. With implementation of the mitigation measures identified, the project would not conflict with policy 7.3.2.

Policy 7.3.3 requires that wildlife habitat, including corridors free of human disruption be preserved, where necessary. As discussed above the project site does not provide immediate connectivity to separate open spaces or core habitat areas. The proposed project would not substantially conflict with policy 7.3.3 or associate goals.

Additionally, COSE Policy 8.5.5 allows the City to consider passive recreation such as hiking, nature study, bicycle use, etc. where it will not "degrade or significantly impact resource preservation." Overall, the proposed project would not conflict with existing policies and ordinances protecting biological resources. The project would allow a limited expansion of the hours of use, which is consistent with the current use established during the pilot program, and the historic use due to illegal after-hours use prior to the pilot program. Therefore, potential impacts to resources are not expected to increase from baseline conditions or to be significant in accordance with CEQA guidelines.

- f) The Reserve is within the Cerro San Luis Natural Reserve Conservation Plan (2005), which was adopted and approved by City Council resolution. Pertinent management goals are presented in Chapter 3 and include the following goals:

3.1 To conserve, enhance and restore natural plant communities; to protect sensitive and endangered plant species and their habitats; and maintain biodiversity of native plants and animals.

3.2 To provide the public with a safe and pleasing natural environment in which to pursue passive recreational activities, while maintaining the integrity of the resource and minimizing the impact on the wildlife and habitats represented.

3.3 To preserve and restore creeks, wetlands and ephemeral seeps or springs in a natural state and provide suitable habitat to all native aquatic and riparian species.

3.4 To conserve and protect native plant and animal species and enhance their habitats in order to maintain viable wildlife populations within balanced ecosystems.

The proposed project would allow a limited expansion of the hours of use, which is consistent with the current use established during the pilot program, and the historic use due to illegal after-hour use prior to the pilot program. Therefore, potential impacts to natural plant communities, wildlife, and habitats are not expected to increase from baseline conditions or to be significant in accordance with CEQA guidelines. The proposed project would not conflict with the goals of the adopted local conservation plan. No other regional or state habitat conservation plans are applicable to the site.

Conclusion

Impacts related to candidate, sensitive, or special status species; riparian habitat and sensitive natural communities; wetlands; wildlife movement; conflicts with local policies or ordinances; and conflicts with habitat conservation plans would be less than significant. No mitigation is required.

5. CULTURAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historic resource pursuant to §15064.5?	6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

a-c) The project does not include construction, rehabilitation, or ground disturbance which have the potential to damage or uncover known or unknown historic or archaeological resources, or human remains. The Cerro San Luis Natural Reserve Conservation Plan states that there are two archaeological sites located on the Reserve; however, extending the hours of use would not impact these resources since use of the Reserve would be limited to the existing trail system in accordance with San Luis Obispo Municipal Code Section 12.22.050(P) and the Conservation Guidelines for the City of San Luis Obispo Policy HA12 (City of San Luis Obispo 2002), and would not affect these archaeological sites.

Conclusion

Impacts related to historic/cultural resources would be less than significant. No mitigation is required.

6. ENERGY

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

Evaluation

a-b) The project would not include construction activities or operation of any building or structural development requiring electricity, natural gas, or other types of energy. Trail users may use vehicles to travel to the Reserve which consume

energy resources. However, the number of trail users would be limited to the existing average baseline of 65 individual and would therefore not increase energy consumption from vehicles entering/existing the Reserve. The project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources.

Conclusion

The project would not result wasteful, inefficient, or unnecessary use of energy and the project would not conflict with or obstruct plans related to renewable energy and efficiency. No mitigation is required.

7. GEOLOGY AND SOILS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	18, 19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	18,19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	18-20	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	18, 19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	18-20	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 1802.3.2 of the California Building Code (2013), creating substantial direct or indirect risks to life or property?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

According to the Department of Conservation and as identified in the Safety Element of the City General Plan, no active faults are located in the project site or its vicinity, and the project site is not located in an Alquist Priolo Earthquake Fault Zone. The project site is located in an area with moderate potential for landslide hazards and low potential for liquefaction hazards.

a, c-d) The project does not include any grading, structural development, or habitable structures which have the potential to expose persons or structures to geological hazards, including seismic ground shaking, ground failure, landslides, unstable soils, or expansive soils.

- b) The use of dirt surface trails in the Reserve may result in minor soil erosion or loss of topsoil over time, however this occurs under existing conditions. The expanded hours of use in the Reserve would occur during the typical rainy season for San Luis Obispo where trail use at any time of day could result in rutting, rilling, or track-out of dirt. To address potential safety hazards resulting from rainy conditions and to prevent damage to trails and soil erosion, the Director of the City’s Parks and Recreation has the authority to close City Open Space during rain events and thereafter, until conditions allow for reopening. Therefore, extended passive use of the Reserve would not result substantial erosion or loss of topsoil.
- e) No septic tanks or alternative wastewater systems are proposed or would be required. Therefore, no impact would occur.
- f) The project does not include construction or ground disturbance which has the potential to damage or uncover known or unknown paleontological resources or geologic features. Therefore, no significant impact would occur.

Conclusion

There would be no impact related to geologic hazards or septic systems. Impacts related to loss of topsoil and paleontological resources would be less than significant. No mitigation is required.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	21	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	21	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

- a-b) The State of California’s Assembly Bill 32, the California Global Warming Solution Act of 2006 and California Governor Schwarzenegger Executive Order S-3-05 (June 1, 2005), both require reductions of greenhouse gases in the State of California. City policies recognize that compact, infill development allow for more efficient use of existing infrastructure and Citywide efforts to reduce greenhouse gas emissions. The City’s Climate Action Plan (CAP) also recognizes that energy efficient design will result in significant energy savings, which result in emissions reductions. The proposed project, however, does not include structural development subject to the efficiency measure typically applied in those cases.
- SLOAPCD states that GHGs (CO₂ and CH₄) from all projects subject to CEQA must be quantified and mitigated to the extent feasible. The California Office of Planning and Research has provided the following direction for the assessment and mitigation of GHG emissions:
 - Lead agencies should make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO₂ and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities;
 - The potential effects of a project may be individually limited but cumulatively considerable. Lead agencies should not dismiss a proposed project’s direct and/or indirect climate change impacts without careful evaluation. All available information and analysis should be provided for any project that may significantly contribute new GHG emissions, either individually or cumulatively, directly or indirectly (e.g., transportation impacts); and,

- The lead agency must impose all mitigation measures that are necessary to reduce GHG emissions to a less than significant level. CEQA does not require mitigation measures that are infeasible for specific legal, economic, technological, or other reasons. A lead agency is not responsible for wholly eliminating all GHG emissions from a project; the CEQA standard is to mitigate to a level that is “less than significant.”
- As discussed in Section 3, *Air Quality*, the project does not include building construction or ground disturbing activities which have the potential to generate construction related greenhouse gas emissions. Expanded hours of passive recreational use of Reserve would not result in any direct operational related emissions as only hiking, jogging, or biking are allowed. However, trail users may drive vehicles to the Reserve, which result in GHG emissions. As discussed in the *Project Description*, the San Luis Obispo Open Space Survey (2015) indicated 65 individual visits represents average daily use after allowable hours until 8:30 PM in the existing condition. Assuming that each of those visitors arrives at the Reserve in a vehicle as a single occupant, the expected vehicle trips to the Reserve during this time would be up to 65 per day. The San Luis Obispo Open Space Survey also found that 32 percent of open space users walk, bike, or use other means of accessing open space other than driving a car. Since the project would limit the number of trail users during the expanded hours to 65 individuals, which is the same as the existing average baseline, the project would not result in additional GHG emissions from vehicle trips compared to existing conditions. Implementation of the proposed project would not generate greenhouse gas emissions beyond existing baseline conditions and the project would not conflict with any applicable plans related to greenhouse gas emission reduction.

Conclusion

Impacts related to greenhouse gas emissions would be less than significant. The project would not conflict with an applicable greenhouse gas plan, policy, or regulation. No mitigation is required.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	22-24	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	25-27	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	28	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	19	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The following databases were reviewed in August 2021 for known hazardous material contamination and facilities at the project site: United States Environmental Protection Agency’s Enviromapper, State Water Resources Control Board’s GeoTracker, and the Department of Toxic Substances Control’s EnviroStor. According to these sources, there is no evidence of hazardous material contamination at the Reserve and there are no registered hazardous material facilities on or adjacent to the Reserve.

- a-d) The project includes extending the hours of use in the Reserve which would not require or result in the transport, use, or disposal of hazardous materials. As such, the project would not result in the potential for upset and accident conditions involving the release of hazardous materials. In addition, implementation of the project would not expose users to existing sources of contamination, as there are no known sources of hazardous material contamination at the Reserve.
- e) The nearest public or private airport to the Reserve is the San Luis Obispo County Regional Airport, located over two miles to the southeast. The Reserve is not located in any safety hazard zones for the airport and the project does not involve construction of any tall structures that could pose a hazard to aircraft overflight. As discussed in Section 13, *Noise*, the Reserve is not located in within the noise level contours of the San Luis Obispo County Regional Airport.
- f) There are no designated emergency response or emergency evacuation routes through the Reserve. However, as discussed in the Project Description and detailed in *An Evaluation of Hours of Use for City of San Luis Obispo Open Space* (City of San Luis Obispo 2017), the Cerro San Luis Natural Reserve was considered for the extended hours of use because it has access for emergency vehicles in the event of an emergency. San Luis Obispo Fire Department and Ranger Service staff were consulted on emergency access issues as during selection of Cerro San Luis Natural Reserve and preparation of *An Evaluation of Hours of Use for City of San Luis Obispo Open Space*. Extending the hours of use at the Reserve would not interfere with adopted emergency response plans or evacuation routes.
- g) The project does not include any structural development or habitable structures. The Reserve is located in an area identified with a Moderate Fire Hazard Risk. Most passive recreational use does not pose a fire risk, although activities such as illegal smoking could pose a fire risk. Use of the trail during the extended hours would be limited to that already occurring in the existing condition, thereby not exacerbating wildfire hazards or subjecting additional users to wildfire hazards. Because use of the trail would not be more intensive than that occurring in the existing condition, the project would not increase risk of wildfire.

Conclusion

There would be no impact related to hazards or hazardous materials. Impacts related to wildfire would be less than significant. No mitigation is required.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i. Result in substantial erosion or siltation on or off site;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Impede or redirect flood flows?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

a-e) The project does not include structural development and no ground disturbance is proposed. Extending the hours of use in the Reserve would not result in any physical changes that would have the potential to violate water quality standards, alter existing drainage patterns, result in erosion or increased run-off compared to existing conditions, impair or decrease groundwater supplies, risk release of pollutants during inundation, or conflict with a water quality control plan or sustainable groundwater management plan.

Conclusion

There would be no impact related to hydrology and water quality. No mitigation is required.

11. LAND USE AND PLANNING

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

Evaluation

- a) Passive recreational use of the Reserve would continue to occur within the existing recreational areas/trails of the Reserve. Extending the hours of use would not divide an established community and there would be no impact.
- b) The Reserve has an existing land use designation of Open Space and is zoned Conservation/Open Space (C/OS-20). The project does not include proposed changes to the Reserve’s land use or zoning designation. The City’s existing Open Space Regulation (Municipal Code Section 12.22) prohibits use of City open space from one hour after sunset until one hour before sunrise. The Cerro San Luis Natural Reserve Conservation Plan does not include policies related to hours of use. The project includes revisions to the City’s existing Open Space Regulations to permanently extend the public use hours on the existing Cerro San Luis Natural Reserve trail system within City property. The hours of use would be extended to between one hour before sunrise until 8:30 PM when daylight savings time is in effect. Public use hours when daylight savings is not in effect would remain from one hour before sunrise until one hour after sunset. With the proposed changes to the Open Space Regulations, the project would be consistent with these regulations. Therefore, extending the hours of use would not conflict with the City land use plans, policies, or regulations.

Conclusion

There would no impacts related to physically dividing an established community. Impacts related to conflicts with plans, policies, or regulations would be less than significant. No mitigation is required.

12. MINERAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

- a-b) Mineral extraction is prohibited within City limits and no known regionally or locally significant mineral resources have been designated in the Reserve. Implementation of the proposed project would extend the hours of passive recreational use in the Reserve and no mineral extraction or exploration is proposed.

Conclusion

There would be no impacts related to mineral resources. No mitigation is required.

13. NOISE

Would the project result in:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	19	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	19, 25	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

- a) The project does not include building construction or ground disturbing activities which have the potential to generate construction related noise. Extending the hours of use in the Reserve could result in noise associated with vehicles within the parking area for the Reserve, or audible voices along the trails, however these sources of noise currently occur under existing baseline conditions. Amplified music is prohibited by the City’s Open Space Regulations. In accordance with the City’s Noise Element and Ordinance, the expanded hours of use in the Reserve would still occur within allowable noise generating hours (7:00 AM – 10:00 PM) and would not generate noise levels in excess of 60dB.
- b) The project does not include building construction or ground disturbing activities which have the potential to generate groundborne vibration.
- c) The nearest public or private airport to the Reserve is the San Luis Obispo County Regional Airport, located over two miles to the southeast. The Reserve is not located in within the airport noise level contours. Extending the hours of use in the Reserve would not subject users to excessive noise levels generated by aircrafts entering/exiting the airstrip.

Conclusion

Impacts related to temporary or permanent noise increases would be less than significant. There would be no impact related to groundborne vibration or exposure to excessive aviation related noise. No mitigation is required.

14. POPULATION AND HOUSING

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

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Evaluation

a-b) Implementation of the project would extend the hours of passive recreational use in the Reserve which would not directly or indirectly induce population growth. No permanent structures or housing would be displaced as part of the project.

Conclusion

There would be no impact related to population and housing. No mitigation is required.

15. PUBLIC SERVICES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
1. Fire protection?	27, 28	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Police protection?	27, 28	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Schools?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Parks?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Other public facilities?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

The City of San Luis Obispo Police Department (SLOPD) provides public safety services for the city and is comprised of 87.5 employees, 61 of which are sworn police officers. With the current 61 sworn officers, the current service level is a ratio of 0.84 sworn officers per 1,000 service population. The SLOPD operates out of one main police station, which is located at 1042 Walnut Street at the intersection of Santa Rosa (Highway 1) and US 101. The City of San Luis Obispo Fire Department (SLOFD) provides emergency response services for the city, including fire and medical, and is comprised of 57 full time employees. The SLOFD operates out of four fire stations in the city and both Fire Station #1 (2160 Santa Barbara Ave) and Fire Station #2 (126 North Chorro Street) are within one mile of the Reserve. Public parks and recreation trails within the city are managed and maintained by the City Department of Parks and Recreation.

a)1.-a)2. The Reserve is within the service area of the City of San Luis Obispo Fire Department and Police Department and the City’s Parks and Recreation Department Ranger provides additional support and emergency service. The possibility exists that expanded hours of use during the evening could result in increased calls for service, however, under current conditions, only 1-2 calls per month are for emergency services at the Reserve. During the 3-year pilot program, only 1 call for emergency service occurred during the extended hours of use. As noted in the Project Description, the City’s Parks and Recreation Department Ranger Service personnel would provide oversight and additional patrol of the Reserve during the extended hours of use. In addition, the Cerro San Luis Natural Reserve was considered for the extended hours of use because it has access for emergency vehicles in the event of an emergency. San Luis Obispo Fire Department and Ranger Service staff were consulted on emergency access issues during selection of Cerro San

Luis Natural Reserve and preparation of *An Evaluation of Hours of Use for City of San Luis Obispo Open Space*. The proposed project would not substantially affect service ratios or performance objectives for fire or police protection services, nor result in the need to construct new fire or police facilities.

- a)3. The project would increase the current hours of use of the Reserve which is intended to expand the allowable accessible open space/recreational activity in the City. In addition, as discussed in Section 14, *Population and Housing*, the project would not induce population growth or increase demand for parks/recreational facilities within the city, such that new facilities would be required. Access to the Reserve would be limited to existing average baseline of 65 individuals and would not increase demand for the Reserve beyond what occurs in the existing condition.
- a)4. As discussed in Section 14, *Population and Housing*, the project does not include the construction of housing and would not generate population growth. Because implementation of the project would not introduce new students to the local school districts, the project would not require new or altered school facilities and would not otherwise affect service ratios or performance objectives for schools.
- a)5. As discussed in Section 14, *Population and Housing*, the project does not include the construction of housing and would not generate population growth. Because implementation of the project would not introduce new residents to the area, the project would not require new or altered public facilities, such as libraries, and would not otherwise affect service ratios or performance objectives for public facilities.

Conclusion

Impacts related to fire and police services would be less than significant and there would be no impact related to environmental issues regarding additional parks/recreation, schools, or other public facilities. No mitigation is required.

16. RECREATION

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	29	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	29	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

Including the Reserve, existing City recreational facilities consist of 28 parks and recreational facilities, 10 designated natural resources and open space areas, and two bike trails. The *City of San Luis Obispo General Plan Parks and Recreation Element* identifies goals, policies, and programs to help plan, develop, and maintain community parks and recreation facilities. The City’s statement of overall department goals is for the City Parks and Recreation facilities and programs to enable all citizens to participate in fun, healthful, or enriching activities that enhance the quality of life in the community.

- a) The project would extend the hours of use within the Reserve. As discussed in Section 14, *Population and Housing*, the project would not generate population growth. The project would limit use of the Reserve at existing levels of 65 daily visits per day between one hour after sunset until 8:30 PM when daylight savings is in effect, consistent with existing conditions, thereby not increasing demand for the Reserve beyond what already occurs. The project would not result in substantial physical deterioration of the Reserve.

- b) The project would extend the hours of use within the Reserve. As discussed in Section 14, *Population and Housing*, the project would not generate population growth or increase the use of existing recreational facilities such that new or expanded facilities would be required.

Conclusion

Impacts related to increased use of existing recreational facilities would be less than significant. There would no impact related to new or expanded recreational facilities. No mitigation is required.

17. TRANSPORTATION

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

Evaluation

- a-b) As discussed in the *Project Description*, the San Luis Obispo Open Space Survey (2015) indicated 65 individual visits represents average daily use after allowable hours until 8:30 PM. Assuming that each of those visitors arrives at the Reserve in a vehicle as a single occupant, the expected vehicle trips to the Reserve during this time are anticipated to be 65 per day, which is the existing baseline. The San Luis Obispo Open Space Survey also found that 32 percent of open space users walk, bike, or use other means of accessing open space other than driving a car. The project would limit access from one hour after sunset until 8:30 PM to the existing baseline of 65 individuals and would therefore not increase vehicle miles traveled. The project does not include any improvements that could conflict with any program, plan, ordinance or policy addressing the circulation system.
- c) There are no design features, incompatible uses, or other components that have the potential to increase traffic hazards or result in inadequate emergency access for vehicles.
- d) As discussed in the *Project Description*, the Cerro San Luis Natural Reserve was considered for the extended hours of use because it has access for emergency vehicles in the event of an emergency. The project would not alter the existing emergency access to the Reserve. The project would not result in significant impacts related to emergency access.

Conclusion

Impacts related to conflict with circulation system plans, ordinances, and policies; conflict or inconsistency with CEQA Guidelines section 15064.3(b), and inadequate emergency access would be less than significant. There would be no impacts related to hazards due to a geometric design feature. No mitigation is required.

18. TRIBAL CULTURAL RESOURCES

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

Evaluation

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, “tribal cultural resources.” AB 52 establishes that “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

California Government Code Section 65352.3 (adopted pursuant to the requirements of Senate Bill 18 [SB 18]) requires local governments to contact, refer plans to, and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government’s jurisdiction, and are identified, upon request, by the NAHC. As noted in the California Office of Planning and Research’s Tribal Consultation Guidelines (2005), “The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places.” SB 18 also states that “if land designated, or proposed to be designated as open space, contains a place, feature, or object described in Sections 5097.9 and 5097.995 of the Public Resources Code, the city or county in which the place, feature, or object is located shall conduct consultations with the California Native American tribe, if any, that has given notice pursuant to Section 65092 for the purpose of determining the level of confidentiality required to protect the specific identity, location, character, or use of the

place, feature, or object and for the purpose of developing treatment with appropriate dignity of the place, feature, or object in any corresponding management plan.”

a-b) Native American Tribes were notified about the project consistent with City and State regulations including, but not limited to, SB 18 and AB 52. The City contacted the California Native American Heritage Commission (NAHC) which supplied a list of local Native American individuals and/or groups with interests and knowledge about the area in August 2021. The City sent tribal consultation letters to tribes that had previously requested consultation and to the NAHC list. The letters were sent out via certified mail and e-mail in 2021 on July 30, August 2, and August 3. The tribes that were contacted included the Santa Ynez Band of Mission Indians; Barbareño/Ventureño Band of Mission Indians; Salinan Tribe of San Luis Obispo, Monterey, and San Benito Counties; Xolon-Salian Tribe; yak tityu yak tihini – Northern Chumash Tribe; Torres Martinez Desert Cahuilla Indians; Chumash Council of Bakersfield; Coastal Band of the Chumash Nation; San Luis Obispo County Chumash Council; Northern Chumash Tribal Council; and Tule River Indian Tribe.

The City received a total of four responses from contacts at the aforementioned list of tribes. Contacts from the Santa Ynez Band of Mission Indians and Barbareño/Ventureño Band of Mission Indians declined any further consultation. A response from the Northern Chumash Tribal Council indicated that no further consultation is requested however they were in general opposition to the project. The yak tityu yak tihini – Northern Chumash Tribe did not request consultation, but suggested signage be provided that states wildlife should not be disturbed if encountered. Since no tribes have requested formal consultation in accordance with SB and AB 52 and since there is no evidence of tribal cultural resources that would be affected at the site, the project would not result in a significant impact on tribal cultural resources.

Conclusion

Impacts related to tribal cultural resources would be less than significant. No mitigation is required.

19. UTILITIES AND SERVICE SYSTEMS

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

Evaluation

- a-c) The proposed project does not include structural development which would require water, wastewater, electricity, natural gas, or telecommunications infrastructure.
- d-e) Extending the hours of use in the Reserve would not increase solid waste/trash generation. Trash generated by trail users would be disposed of in City provided trash enclosures within the Reserve. This minor amount of solid waste would be similar that being generated in the existing condition and would not exceed capacities of local infrastructure. Solid waste disposal services provided by San Luis Garbage would continue to comply with all local, state, federal regulations.

Conclusion

There would be no impact related to water/water supply, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities. Impacts related to solid waste would be less than significant. No mitigation is required.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	30	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	30	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	30	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	30	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

- a-b) The project does not include any structural development or habitable structures and the Reserve is not located in a Very High Fire Hazard Severity Zone. Specifically, the project site is located within an area designated as Moderate Fire Hazard Risk. As discussed in Section 8, *Hazards and Hazardous Materials*, there are no designated emergency response or emergency evacuation routes through the Reserve; therefore, the project would not substantially impair any adopted emergency response or evacuation plan. Passive recreational use of the Reserve is intermittent and temporary, and extending the hours of use in the Reserve would not directly or indirectly expose users to significant wildfire risk, wildfire created hazards, or exacerbate wildfire hazards within an area classified as a very high fire hazard severity zone.
- c) The project does not include the installation or maintenance of infrastructure that could exacerbate fire risk.

- d) The project site is primarily surrounded by open space and rural land, does not include any structural development or habitable structures, and is not located in a Very High Fire Hazard Severity Zone. The project does not include any grading, construction, vegetation removal activities, or drainage changes. Expanded hours of passive recreational use of the Reserve would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Based on existing use of the Reserve, and the authority of the Parks and Recreation Director to close City Open Space during rain events and thereafter, potential impacts would be less than significant.

Conclusion

Impacts related to impairment of an emergency response plan or emergency evacuation plan and exacerbation of wildfire risk would be less than significant. There would be no significant impacts related to exacerbation of wildfire risk from installation or maintenance of infrastructure or exposure of people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. No mitigation is required.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
As described in Section 4, <i>Biological Resources</i> , the project site was previously developed and project implementation would have less than significant impacts to biological resources. The project would not impact wildlife habitats or cause wildlife populations to drop below self-sustaining levels. Additionally, Section 5, <i>Cultural Resources</i> , explains that the project would not adversely affect any historic or archeological resources. Impacts would be less than significant.					
	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Cerro San Luis Natural Reserve is the only City of San Luis Obispo open space property (out of 14) proposed for expanded winter hours of use. As described in Sections 1 through 20 of this Initial Study, the project would have no impacts or less than significant impacts. These include short-term, long-term, and where appropriate, cumulative impacts. As discussed in Section 3, *Air Quality* and Section 8, *Greenhouse Gas Emissions*, implementation of the project would not generate new pollutant emissions, therefore the project would not contribute to cumulative air quality or greenhouse gas emission impacts. As discussed in Section 13, *Noise*, the project would not generate noise levels in excess of local standards; therefore, the project would not contribute to cumulative increases in noise. As discussed in Section 17, *Transportation*, the number of operational vehicle trips generated by the project would be consistent with those under existing conditions and the project would not contribute to cumulative transportation related impacts.

As described in Section 4, *Biological Resources*, the project site was previously developed and project implementation would have less than significant impacts to biological resources. The project would not impact wildlife habitats or cause wildlife populations to drop below self-sustaining levels. As mentioned above, the Cerro San Luis Natural Reserve is the only City of San Luis Obispo open space property (out of 14) proposed for expanded winter hours of use and the Reserve is surrounded by similar natural and open space areas, including Irish Hills Natural Reserve and the Los Padres National Forest. The project would not considerably contribute to cumulative effects to biological resources as it does not build upon the effects of past projects or projects within the foreseeable future.

Certain resource areas (e.g., agricultural and mineral) were determined to have no impact in comparison to existing conditions. Therefore, the project would not contribute to cumulative impacts related to these issues. Other issues (e.g., archaeological and paleontological resources, geology and soils, and hazards and hazardous materials) are by their nature project-specific and impacts at one location do not add to impacts at other locations or create additive impacts. In addition, the proposed project would not generate population growth or construct habitable structures; therefore, it would not contribute to any cumulative increases in demand for public services, or utilities such as water, wastewater, and solid waste service. The project's contribution to cumulative impacts would not be cumulatively considerable and cumulative impacts of the proposed project would be less than significant.

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

In general, and as analyzed in this Initial Study, impacts to human beings are associated with air quality contaminants, hazards related to adverse geologic conditions, exposure to hazards and hazardous materials, and excessive noise. As detailed in analyses in Section 3, *Air Quality*, Section 7, *Geology and Soils*, Section 9, *Hazards and Hazardous Materials*, Section 10, *Hydrology and Water Quality*, and Section 13, *Noise*, the proposed project would not result, either directly or indirectly, in substantial adverse effects related to these hazards. Compliance with applicable rules and regulations, as described throughout this Initial Study would reduce potential impacts on human beings to a less than significant level.

22. EARLIER ANALYSES

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:

a) **Earlier analysis used.** Identify earlier analyses and state where they are available for review.

On January 16, 2018, the City Council approved Resolution 10858, which authorized a two-year pilot program and adopted a Mitigated Negative Declaration (MND) to expand the hours of use at the Reserve until 8:30 PM during the winter when daylight

savings is in effect.^{6,7} The pilot program allowed the City to issue up to 65 permits daily for access to approximately 4.9 miles of trails within City property within the Cerro San Luis Natural Reserve from one hour after sunset until 8:30 PM during daylight savings time. On November 17, 2020, the City approved a one-year extension of the pilot program and adopted an Addendum to the 2018 MND.

The analysis provided in this Initial Study has been prepared and provided independent of the previous MND. No tiering or incorporation/refinement of previous mitigation measures have been applied.

b) **Impacts adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

See Response in Checklist Item 22a.

c) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.

See Response in Checklist Item 22a.

23. SOURCE REFERENCES

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6.	Cerro San Luis Natural Reserve Conservation Plan; City of San Luis Obispo, 2005
7.	Terre Verde Environmental Consulting, LLC. 2017. Summary and Results of Wildlife Surveys at Cerro San Luis Natural Reserve, City of San Luis Obispo, California.
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11.	ERO Resources Corporation. 2012. Nighttime Access Management White Paper Analysis. April.
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⁶ The City Council agenda and minutes for January 16, 2019 are available on-line at: <http://opengov.slocity.org/WebLink/DocView.aspx?id=70277&dbid=0&repo=CityClerk>

⁷ The MND is available online at: <https://ceqanet.opr.ca.gov/Project/2017091049>

18.	Department of Conservation, Earthquake California Earthquake Hazards Zone Application, 2019
19.	City of San Luis Obispo Safety Element, 2014
20.	County of San Luis Obispo, Safety Element, 1999
21.	City of San Luis Obispo Climate Action Plan, August 2020
22.	United States Environmental Protection Agency, Enviromapper for Envirofacts, 2021
23.	Department of Toxic Substances Control, EnviroStor, 2021
24.	State Water Resources Control Board, Geotracker, 2021
25.	County of San Luis Obispo, Amended and Restated San Luis Obispo County Regional Airport (SBP) Airport Land Use Plan, 2021
26.	City of San Luis Obispo Noise Element, 1996
27.	City of San Luis Obispo. General Plan Annual Report. 2020.
28.	San Luis Obispo, City of. An Evaluation of Hours of Use for City of San Luis Obispo Open Space. 2017.
29.	City of San Luis Obispo General Plan Parks and Recreation Element, 2001
30.	CalFIRE, Fire Hazard Severity Zones Maps. 2021.
31.	Riggs, et al. San Luis Obispo Open Space Survey. 2015.
32.	San Luis Obispo, City of. City of San Luis Obispo Winter Evening Access, Pilot Program Statistics. 2021.
33.	San Luis Obispo, City of. Conservation Guidelines for the City of San Luis Obispo. 2002.