



Negative Declaration & Notice Of Determination

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

ENVIRONMENTAL DETERMINATION NO. ED17-041

DATE: January 3, 2018

PROJECT/ENTITLEMENT: Caroni Parcel Map; SUB2017-00004/CO17-00059

APPLICANT NAME: Shella and Donald Caroni **Email:** shellacar@yahoo.com

ADDRESS: 564 Applegate Way, Arroyo Grande, CA 93420

CONTACT PERSON: Dennis Schmidt **Telephone:** (805) 835-3582

PROPOSED USES/INTENT: A request by SHELLA & DONALD CARONI for a Tentative Parcel Map (CO 17-0059) to subdivide an existing thirteen-acre parcel into two parcels of six acres and seven acres in size, for the purpose of sale and/or development. The site is currently developed with a primary and a secondary residence, workshop, detached garage and accessory building that would all be located on the proposed seven-acre Parcel 1, leaving Proposed Parcel 2 vacant. A 10-foot Adjustment to the required 80-foot front setback is requested to accommodate existing development on Proposed Parcel 1. The proposed project is within the Residential Rural land use category

LOCATION: The proposed project is located at 564 Applegate Way, Arroyo Grande. The site is in the South County Inland sub area of the South County planning area.

LEAD AGENCY: County of San Luis Obispo
Dept of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040
Website: <http://www.sloplanning.org>

STATE CLEARINGHOUSE REVIEW: YES NO

OTHER POTENTIAL PERMITTING AGENCIES:

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT4:30 p.m. (2 wks from above DATE)

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as *Lead Agency*
 Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Cindy Chambers (cchambers@co.slo.ca.us)

San Luis Obispo County

Signature

Project Manager Name

Date

Public Agency



Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

(ver 5.10) Using Form

Project Title & No. Caroni Parcel Map ED17-041 SUB2017-00004 CO17-0059

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water /Hydrology
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- 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.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact 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.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) 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.

Cindy Chambers (cchambers@co.slo.ca.us)  12-27-17
 Prepared by (Print) Signature Date

TERRY WAHLER  Ellen Carroll, Environmental Coordinator 12-27-17
 Reviewed by (Print) Signature (for) Date



Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by SHELLA & DONALD CARONI for a Tentative Parcel Map (CO 17-0059) to subdivide a 13.04 acre parcel into two parcels of 6.0 and 7.04 gross acres for the purpose of sale and/or development. The project site is within the Residential Rural land use category, and is located at the northwest corner of Applegate Way and Viejo Road (unimproved) at 564 and 608 Applegate Way. The site is in the South County Inland sub area of the South County planning area (Figure 1).

The project site contains two single family residences (a primary and secondary residence); accessory structures that include a workshop, detached garage, and barn; septic systems; agricultural service roads, and water wells. Vegetation onsite consists of coast live oak woodland, ruderal/developed, agriculture (an avocado orchard), and ornamental landscaping. A row of mature Monterey pine trees has been planted along the northern property line on the adjoining parcel (Figure 2). The project tentative parcel map (Figure 3) indicates that no oak trees are proposed for removal for this project.

Access is provided by Applegate Way, a two-lane local road, and a 10 foot wide road easement for the future westerly extension of Viejo Road, an unimproved offer of dedication that borders the northerly property line. No improvements to Viejo Road are proposed or required as part of this subdivision; the easement is currently used as an agricultural road. At such time that Viejo Road is improved to County standards, it would provide additional access to Parcel 2. Access to Parcel 1 would be served by an existing, partially paved driveway from Applegate Way (a local road). Parcel 2 would require construction of a new driveway from Applegate Way at the time of development.

The tentative parcel map (Figure 3) shows Parcel 1 as 7.04 gross acres (6.7 acres net) which will contain the existing single-family residences, accessory structures, septic systems, and a water well along with an avocado orchard and a small oak woodland. Parcel 2 is shown as 6.0 gross acres (5.61 acres net) and will contain an existing water well and agricultural roads. The remaining acreage of Parcel 2 is fallow land previously used for the cultivation of row crops (strawberries).

No grading, construction, site disturbance or additional development including any additional residential use is proposed beyond baseline conditions. However, the creation of a new parcel would allow for the construction of two additional residential units (a primary and secondary unit) on Parcel 2 as well as accessory structures along with construction activities such as grading, tree trimming, road/driveway improvements, and fire clearance measures. A 10-foot adjustment to the required 80-foot front setback is requested to accommodate existing development on proposed Parcel 1.

ASSESSOR PARCEL NUMBER(S): 091-111-015

Latitude: 35° 3' 48.4554" Longitude: 120° 32' 29.0754"

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLAN AREA: South County

SUB: South County Inland

COMM:

LAND USE CATEGORY: Residential Rural

COMB. DESIGNATION: Renewable Energy Area

PARCEL SIZE: 13.04 acres gross

TOPOGRAPHY: Nearly level to gently sloping

VEGETATION: Agriculture, Ruderal/Developed, Coast Live Oak, Ornamental landscaping

EXISTING USES: Residential and agricultural uses

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural; single-family residence(s)	<i>East:</i> Residential Rural; single-family residence(s)
<i>South:</i> Residential Rural; single-family residence(s) and avocado orchard	<i>West:</i> Residential Rural; single-family residence(s)



Figure 1 -- Project Location

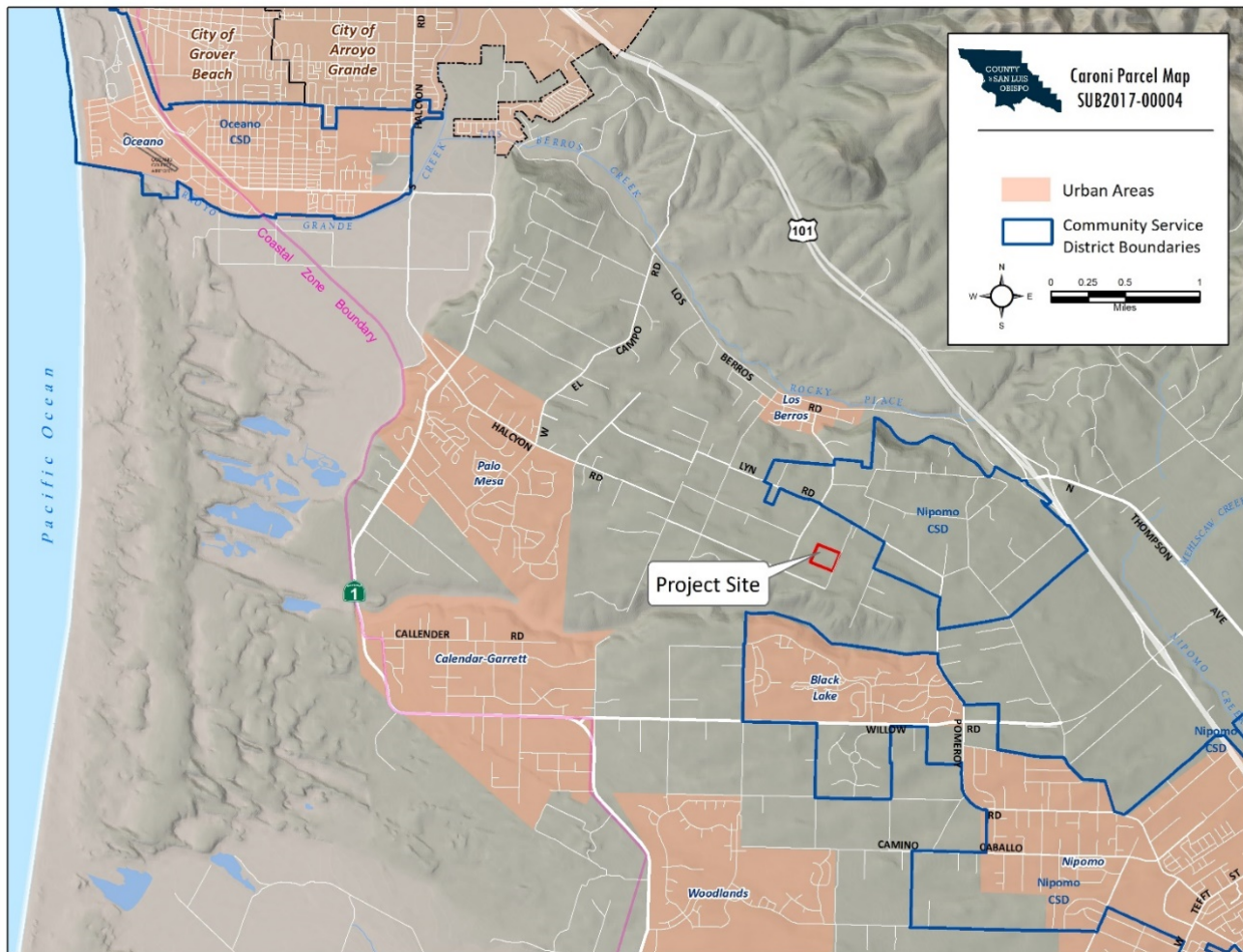


Figure 2 -- Project Setting/Proposed Lot Split



C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, at least one issue was identified as having a potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.



COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project site is located in a semi-rural area of the County south of the Los Berros Village Reserve Line (VRL) and north of the Black Lake VRL. The project site and surrounding properties are designated Residential Rural and have been developed with single family residences on parcels that vary in size from 5 to 10 acres. Many properties in the vicinity support non-commercial agricultural activities that include row crops and orchards. The property lies on the west side of Applegate Way. Existing development (residences and accessory structures) is generally located in the southern and western portions of the project site on proposed Parcel 1. A small oak woodland extends from Applegate Way to the rear of the site along either side of the existing unimproved driveway. The oak woodland wraps around a small avocado orchard which has been planted in a gently sloping area along the south property line. Views of existing development from Applegate Way are largely screened by the existing oak woodland and the intervening topography which slopes downward to the northwest.

Proposed Parcel 2 is vacant and contains agricultural roads and fallow land previously planted with row crops. A row of Monterey pine trees has been established along the northerly property line on the adjoining property.



Impact. No grading, construction or additional development is proposed beyond baseline conditions. However, the creation of an additional parcel (Parcel 2) would allow for the future construction of two additional residential units (a primary and secondary unit) as well as accessory structures and associated construction activities such as grading, tree trimming, road/driveway improvements, and fire clearance measures. Because of the absence of vegetation, new structures constructed on Parcel 2 would likely be visible from Applegate Way. In addition, new development could result in additional sources of night lighting/glare.

Mitigation/Conclusion. Project impacts to aesthetic and visual resources are considered less than significant because:

- Existing development is screened from public view by existing vegetation and the gently sloping topography.
- Applegate Way is a local road serving a rural area of the County. Accordingly, it carries low traffic volumes which in turn means that the opportunity for the public to view the project site is correspondingly low.
- The newly created parcels would be consistent with the existing pattern of rural development in the area which consists of single family residences on comparably sized parcels.
- The project affords areas for new development where it will not silhouette against any ridgelines as viewed from public roadways.
- With respect to night lighting/glare, at the time new development is proposed on Parcel 2, the applicant will be required by ordinance to provide a lighting plan showing shielded exterior street and home lighting in order to screen light sources from neighboring properties and from the street.

There is no evidence that additional measures beyond those required by ordinance or codes are needed. No mitigation measures above what is already required by ordinance are necessary.

2. AGRICULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Conflict with existing zoning for agricultural use, or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting.

Project Elements. The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Residential Rural

Historic/Existing Commercial Crops:
Strawberry, Uncultivated

State Classification: Not prime farmland

In Agricultural Preserve? Nipomo AG Preserve Area

Under Williamson Act contract? No.

The soil type(s) and characteristics on the subject property include:

Oceano sand, (9 - 30 % slope). This moderately sloping sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities, steep slopes. The soil is considered Class VI without irrigation and is not rated when irrigated.

The project is located within the Nipomo Agricultural preserve area which encompasses much of the planning area. However, this property is not located within an established Agricultural Preserve and is not enrolled in a Land Conservation Act (Williamson Act) contract. The property is not located in the Agriculture land use category.

The project site is 13.04 acres in size and contains a small avocado orchard. No other agricultural activities are currently being pursued. However, irrigated row crops have been cultivated on the property as recently as 2014.

Figure 4 -- Project Soils



Impacts.

Conversion of Prime Farm Land. No grading, construction or additional development is proposed beyond baseline conditions. However, the creation of a new lot would allow for the future construction of two additional residential units (a primary and secondary unit) on Parcel 2 along with accessory structures, grading and road/driveway improvements which would result in the permanent conversion of some agricultural soils to a non-agricultural use.

Soils on the project site are listed as a “Farmland of Statewide Importance” on Table SL-2 of the Conservation and Open Space Element and Class 4 irrigated/Class 6 Non-irrigated on the Natural Resource Conservation Service soil classification. Therefore, the project is located on soils that are not considered prime farmland. In addition, the small size of the parent parcel and resulting parcels are too small to be viable for commercial agricultural activities Accordingly, the project will not result in the conversion of prime farmland.

Impair the Agricultural Use Of Other Property Or Result in Conversion To Other Uses. Surrounding properties consist of rural residential development on parcels that vary in size from 5 acres to 10 acres. Many of these parcels support non-commercial agriculture such as orchards. Because of the small parcel sizes in the area and the limited productivity of the soil, the project is not expected to adversely impact agricultural uses on surrounding properties or result in the conversion of such lands to other uses.

Conflict With Existing Zoning or Williamson Act Program. The project site is within the *Residential Rural* land use category (zoning) where the construction of two residences per legal lot is an allowed use. The proposed parcel sizes are consistent with LUO standards for the Residential Rural land use category. The project site is not located within an Agricultural Preserve and is not subject to a Williamson Act Contract.

Mitigation/Conclusion. The project will have a less than significant impact on agricultural resources. No mitigation measures are necessary.

3. AIR QUALITY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GREENHOUSE GASES				
f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed and updated their [CEQA Air Quality Handbook \(2012\)](#) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.



The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO₂/year (MT CO₂e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO₂e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

Construction Phase Impacts. The SLO APCD CEQA Handbook establishes thresholds of significance for various types of development and associated activities (Table 1). The Handbook also includes screening criteria for construction related impacts. According to the Handbook, a project with grading in excess of 4.0 acres and moving 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM₁₀). In addition, a project with the potential to generate 137 lbs per day of ozone precursors (ROG + NO_x) or diesel particulates in excess of 7 lbs per day can result in a significant impact (Table 1). The construction of a new primary and secondary residence on Parcel 2 is not expected to exceed the daily emissions threshold for ROG and NO_x combined.

Table 1 – Thresholds of Significance for Construction			
Pollutant	Threshold¹		
	Daily	Quarterly Tier 1	Quarterly Tier 2
ROG+NOx (combined)	137 lbs	2.5 tons	6.3 tons
Diesel Particulate Matter	7 lbs	0.13 tons	0.32 tons
Fugitive Particulate Matter (PM10), Dust ²		2.5 tons	
Greenhouse Gases (CO ₂ , CH ₄ , N ₂ O, HFC, CFC, F6S)	Amortized and Combined with Operational Emissions		

Source: SLO County APCD CEQA Air Quality Handbook, page 2-2.

Notes:

1. Daily and quarterly emission thresholds are based on the California Health & Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5 ton PM10 quarterly threshold.

Impacts to Sensitive Receptors. Sensitive receptors are people or other organisms that may have a significantly increased sensitivity or exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. Construction of two new dwellings on Parcel 2 would be within 1,000 feet of residences on Parcel 1 and on the east side of Applegate Way which can be occupied by sensitive receptors who could be exposed to diesel particulates and fugitive dust from construction activities. This is considered a potentially significant impact.

Naturally Occurring Asbestos. According to the APCD CEQA Air Quality Handbook, Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (CARB). Under the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.

The APCD website includes a map of zones throughout SLO County where NOA has been found and a geological evaluation is required prior to any grading. According to the web site map, the project site does not lie in an area where a geologic study for the presence of NOA is required.

Development Burning. On February 5, 2000, the SLO APCD prohibited development burning of vegetative material within San Luis Obispo County. However, in under certain circumstances where no technically feasible alternative is available, limited burning may be allowed subject to regulations applied by the SLO APCD. Unregulated burning would result in a potentially significant impact.

Operational Phase Impacts. According to the APCD thresholds of significance, a project with less than 68 single family residences in an urban setting is unlikely to exceed to APCD operational thresholds for ozone precursor emissions. This project could result in the construction of two additional single family

residences. Therefore, operational phase emissions relating to ozone precursors and particulate matter are considered less than significant.

Consistency With the Clean Air Plan. The project will accommodate a level of development for the site that was anticipated by the Clean Air Plan. As discussed above, motor vehicle trips associated with operation of the project are expected to generate emissions that fall below the APCD threshold for operational impacts.

With regard to greenhouse gas emissions, using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

The Clean Air Plan includes land use management strategies to guide decisionmakers on land use approaches that result in improved air quality. This development is consistent with the "Planning Compact Communities" strategy because it incorporates an increase in development density within an urban area (Templeton URL) which is preferable over increasing densities in rural areas.

Mitigation/Conclusion. With the recommended mitigation measures for construction dust control and reduction of construction vehicle emissions, air quality impacts can and will be mitigated. (See Exhibit B for mitigation measures).

4. BIOLOGICAL RESOURCES

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species* or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Species – as defined in Section 15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

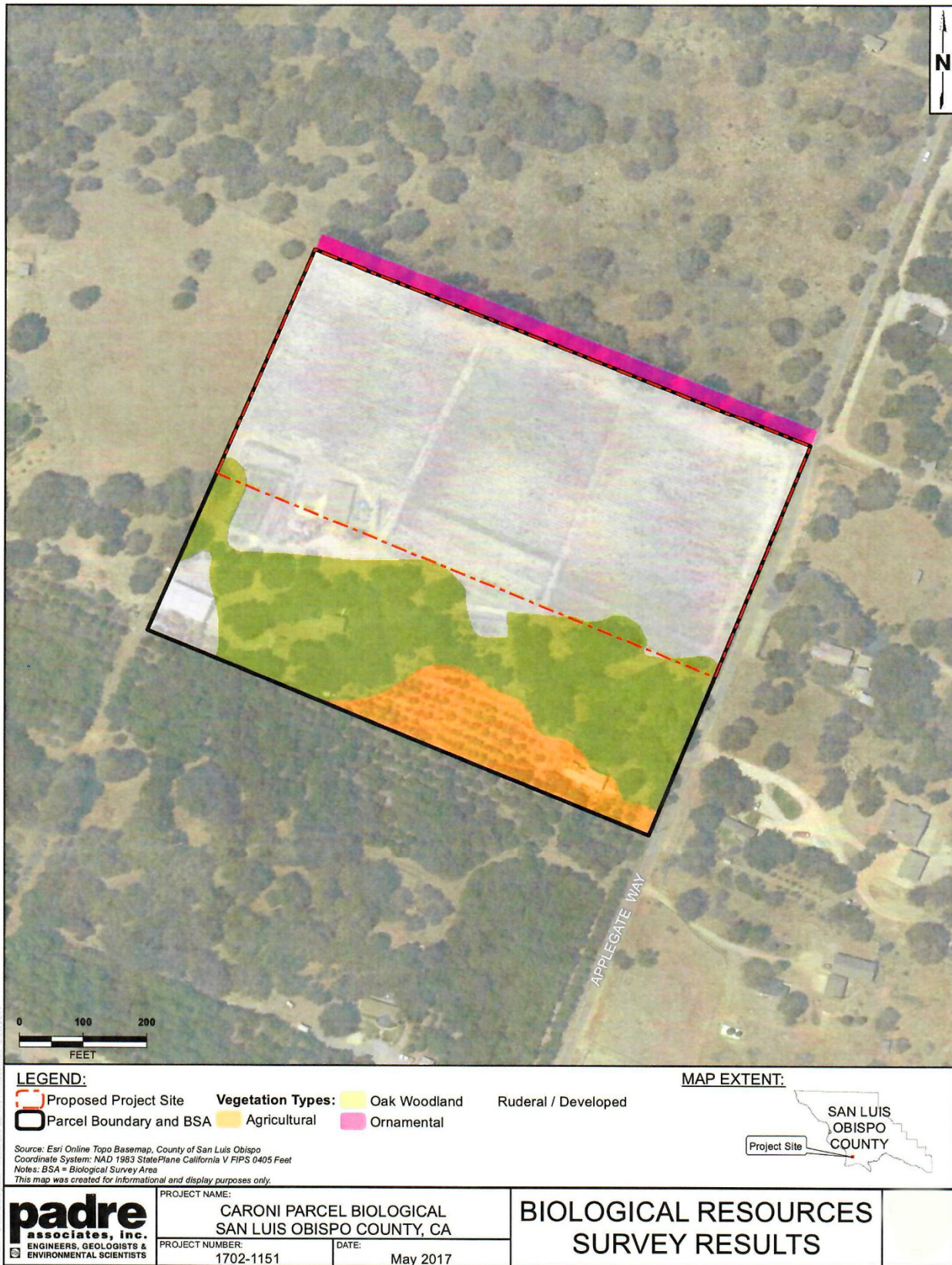
Setting. The following are existing elements on or near the proposed project relating to potential biological concerns:

- On-site Vegetation: Coast Live Oak Woodland, Ruderal/Developed, Agricultural, and Ornamental
- Name and distance from blue line creek(s): Los Berros Creek is located roughly 1 mile to the north
- Habitat(s): Oak Woodland; ruderal. Ornamental landscaping and agriculture.
- Site’s tree canopy coverage: Approximately 10%.

A Biological Resources Survey Report was prepared for the project in 2017 (Padre Associates, Inc., May 2017). The following is a summary of the findings and recommendations of that study.

Habitats and Vegetation. Based on species composition, life form, and land use, the vegetation habitats within the biological survey area (BSA) can be divided into four classifications, Coast live oak woodland, Ruderal/Developed, Agricultural, and Ornamental (Figure 5). The vegetation classification is based on *A Manual of California Vegetation, Second Edition* (Manual) (Saywer, et. al., 2009). Descriptions of these classifications are discussed in this section.

Figure 5 – Vegetative Communities On the Project Site



Coast Live Oak Woodland (+/- 2.7 acres). As observed during the May 2017 field survey, Coast live oak woodland occurred in the southern portion of the parcel, and was dominated by coast live oak trees (*Quercus agrifolia*) exhibiting an intermittent canopy, with a low growing, herbaceous understory consisting of native and non-native grasses and forbs such as foxtail barley (*Hordeum murinum*), Ripgut brome (*Bromus diandrus*), veldt grass (*Ehrharta calycina*), chickweed (*Stellaria media*), cheeseweed (*Malva parviflora*), redstem filaree (*Erodium cicutarium*), miner's lettuce (*Claytonia perfoliata*), milk thistle, (*Silybum marianum*), and giant bedstraw (*Galium porrigens*). The coast live oak trees were mature and range in size from approximately 10 inches to 20 inches in diameter, with an understory that has been maintained and mowed.

Ruderal/Developed (+/- 9.39 acres). Within the project's biological report, Ruderal/Developed habitat is a term used to describe the area that has been disturbed by past land-use practices and/or recent ground disturbance, and where the surface has been modified for residential infrastructure uses such as buildings, parking areas, and paved or unpaved roads. As observed during the May 2017 field survey, Ruderal/Developed habitat occurred in the northern half of the Parcel. The vegetation consisted of disturbance-adapted non-native annual grasses and forbs such as rattail grass (*Festuca myuros*), foxtail barley, red-stemmed filaree, radish (*Raphanus sativus*), and prostrate knotweed (*Polygonum aviculare*), with scattered occurrences of native species such as sandy soil suncup (*Camissonia strigulosa*), and small flowered fiddleneck (*Amsinckia menziesii*).

Ornamental (+/- 0.5 acres, off site). According to the May 2017 field survey, a windrow of Monterey pine (*Pinus radiata*) was located outside of the project site, adjacent to the northern fence line. Many of the trees were dead and standing, with minimal to intermittent canopy cover, and understory consisting primarily of veldt grass.

Agriculture (+/- 1.0 acres). During the May 2017 field survey a mature avocado orchard was observed in the southwestern portion of the Parcel, surrounded by oak woodland. The understory consisted of duff and low growing herbaceous vegetation that had been mowed and maintained to provide access to the trees.

Wildlife. Observed wildlife species include those seen or detected by track, scat, skeletal remains, burrows, and/or vocalization during the field survey conducted within the BSA. Complications in the quantitative assessment of wildlife species may have influenced observations made during the field survey. Due to these complications, this section describes both the wildlife species observed during the field survey and common wildlife species that have the potential to occur within the BSA based on presence of suitable habitat and surrounding areas of the project site.

The BSA supports sparse to moderate cover of disturbance adapted vegetation (non-native annual grasses and forbs within open and wooded habitats). The ruderal/undeveloped area and trees have the potential to provide suitable foraging, nesting, and denning habitat for sensitive wildlife, however no sensitive wildlife species were observed during the May 2017 field survey. Species observed directly or indirectly included, but were not limited to Nuttall's woodpecker (*Picoides nuttallii*), house finch (*Haemorrhous mexicanus*), northern pacific rattlesnake (*Crotalus oreganus oreganus*), gopher snake (*Pituophis catenifer catenifer*), and Botta's pocket gopher (*Thomomys bottae*). No nests were observed. A complete list of wildlife species observed is included as Appendix C of the project's biological report.

Special-Status Plant Species. Based on proximity and habitat preferences, the following sensitive plants have the potential, however slight, to occur within the project site: Hoovers bent grass (*Agrostis hooveri*), Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*), Miles' milk vetch (*Astragalus didymocarpus*), Pismo clarkia (*Clarkia speciosa* subsp. *immaculata*), San Luis Obispo Mariposa lily (*Calochortis simulans*), and San Luis Obispo owl's clover (*Castilleja densiflora* ssp. *obispoensis*). The survey was conducted during the blooming period for all the potentially occurring sensitive plants.

The CDFW currently maintains a list of plant communities referred to as the Natural Communities List, which replaces all other lists of terrestrial natural communities and vegetation types developed for the CNDDDB. Plant communities that are listed in the Natural Communities List and meet the threshold of special concern (S1-S3 Rank) are considered sensitive. Six sensitive communities occur within five miles of the BSA (CDFW, 2017), however, none of them occur within the project site. See the project's biological report, Appendix D for a list of sensitive habitats in the region.

Special-Status Wildlife Species. Special-status wildlife species are either listed as Endangered or Threatened under FESA or CESA, considered rare by resources agencies, professional organizations, and the scientific community. The desktop review indicated that 8 sensitive wildlife species have been recorded within five miles of the BSA. See the Biological Report Appendix D for a complete list of these species and their regulatory status. Based on proximity and habitat preferences, the following sensitive animal species have the potential, however slight, to occur within the project site: Oso flaco flightless moth (*Areniscythis brachypteris*), Morro Bay blue butterfly (*Plebejus icarioides moroensis*), monarch (*Danaus plexippus*), silvery legless lizard (*Anniella pulchra pulchra*), coast horned lizard (*Phrynosoma blainvillii*), sharp-shinned hawk (*Accipiter striatus*), burrowing owl (*Athene cunicularia*), and American badger (*Taxidea taxus*).

Sensitive Communities

Coast Live Oak Trees and Woodland. Individual coast live oak trees and coast live oak woodland are considered sensitive resources by the County. The County requires mitigation for impacts to or removal of native oak trees with a diameter at breast height (DBH) of five inches or greater, as measured at a height of four feet six inches above ground. Impacts include any ground disturbance within the critical root zone (i.e., 1.5 times the edge of canopy/drip line), trunk damage, or any pruning of branches that are three inches in diameter or greater. Mitigation ratios for removed and impacted trees are 4:1 and 2:1, respectively.

Critical Habitat Areas. USFWS-designated critical habitat areas contain physical or biological features that are essential to the conservation of certain federally-listed species. Critical habitat may also include areas that are not currently occupied by the species, but are important for its recovery. Further, species with designated critical habitat are ultimately protected if occurring outside designated critical habitat areas. One USFWS-designated critical habitat (La Graciosa thistle [*Cirsium scariosum* var. *loncholepis*]) occurs within five miles of the BSA (USFWS, 2017a). This critical habitat is designated as federally endangered, state threatened, and CRPR 1B.1.

Wetlands. The USFWS National Wetlands Inventory (NWI) query identified three features nearby the Parcel: Black Lake Canyon (approximately one mile southwest), and Los Berros Creek (approximately one mile north), classified as Freshwater Forested/Shrub Wetlands, and an unnamed area (approximately two miles east), classified as Freshwater Emergent Wetland. None of these resources occur on the project site.

Migratory Nesting Birds.The federal Migratory Bird Treaty Act (MBTA) and the Convention for the Protection of Migratory Birds and Animals, agreements between the United States and Canada and the United States and Mexico, respectively, afford protection for migratory birds by making it unlawful to collect, sell, pursue, hunt, or kill native migratory birds, their eggs, nests, or any parts thereof. Certain game birds have been omitted from this protection. The laws were adopted to eliminate the commercial market for migratory bird feathers and parts, especially those of larger raptors and other birds of prey. Suitable nesting habitat is provided by the diverse communities on site. No migratory birds were observed during the field survey. However, the likelihood of the presence of nesting birds during the typical avian nesting season (February 1 through September 15) is considered very high.

Impact. The project site has been maintained by the owner for residential, agricultural, and fire prevention purposes. Based on a discussion with the property owner, maintenance activities include periodic mowing, understory vegetation clearing, tree trimming, and access road and outbuilding vegetation clearance. No new development or construction is proposed as part of this parcel map. However, the creation of an additional parcel would allow for the construction of an additional primary residence and accessory structures, as well as grading, tree trimming, road improvements, and fire clearance measures. The majority of improvements are expected to occur on proposed Parcel 2 and along Applegate Way. The existing area of oak woodland is confined to Proposed Parcel 1 which is fully developed with a primary and secondary residence and accessory structures.

Impacts to Unique or Special-status Plant Species. As discussed above, the project site has the potential to support eight listed plant species. The CNDDDB query identified a population of Pismo clarkia approximately 0.3 miles west of the BSA. Current aerial images suggest that the population was mapped in open grassland with scattered oak trees, and possibly disturbed through agricultural land uses. The proposed Project site supports sparse to moderate cover of disturbance adapted vegetation (primarily non-native annual grasses and forbs), that has been mowed and graded periodically for numerous years, thereby reducing the quality of the habitat, and minimizing the potential for occurrence of Pismo clarkia. In addition, no Pismo clarkia was observed during the May 2017 survey, which was during the typical blooming period for this species. In summary, no special- status plant species were identified, and no suitable habitat was observed within the BSA.

Impacts to Unique or Special-status Wildlife Species. The BSA supports sparse to moderate cover of disturbance adapted vegetation (non-native annual grasses and forbs, within open and wooded habitats. The ruderal/undeveloped areas and trees have the potential to provide suitable foraging, nesting, and denning habitat for sensitive wildlife, however no sensitive wildlife species were observed during the May 2017 field survey.

Noise, vibrations, and dust generated by proposed project activities may disrupt foraging, nesting, and/or denning activities of some wildlife within or adjacent to the Project impact area. In addition, direct impacts to wildlife (i.e., death or injury) may also occur due to equipment operation and/or human foot traffic during Project activities.

Impacts to Migratory Birds. No nesting migratory birds or vacant nests were observed during surveys of the BSA. However, development activities could adversely impact a variety of nesting migratory bird species if site disturbance is implemented during the typical nesting bird season (February 15 through September 15). The oak woodland and ruderal/undeveloped areas provide suitable nesting and foraging habitat for birds, and therefore, there is potential for impacts because of construction activities that may occur on Parcel 2.

Since the biological study area supports suitable nesting habitat, future construction activities must comply with the MBTA and the Fish and Game Code.

Interference with the movement of resident or migratory wildlife species. The proposed project will have no direct or indirect effect on the movement of resident or migratory fish and wildlife species.



Conclusion/Mitigation. Adverse impacts could occur if future uses of the property would result in temporary or permanent modification to sensitive habitats, or to habitats occupied by special-status species. However, no grading, construction, site disturbance (including tree removal) or development (including residential uses) are proposed as part of the parcel map beyond baseline conditions. Therefore, the project will not result in adverse impacts to biological resources beyond baseline conditions. However, the analysis provided by the BRA prepared in 2017 supports the following conclusions and recommendations with regard to future development activities on the project site:

Pre-construction Surveys. Project-specific pre-construction surveys for sensitive animal species will be required prior to the onset of ground disturbing activities.

Federal Endangered Species Act. The project site does not provide suitable habitat for federally listed species. In the event that future development would adversely impact habitat for federally listed species the applicant will be required to comply with the relevant provisions of the ESA.

California Endangered Species Act (CESA). The biological report indicates that no CESA or SSC listed species were observed during the surveys. However future development could result in the loss of habitat for CESA listed species. Under the CESA CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence of CESA protected species. Future development that could adversely impact listed species will be required to comply with relevant provisions of the CESA.

Migratory Bird Treaty Act of 1918. Project grading, road improvements, and development may result in impacts to migratory birds. No migratory birds or vacant nests were observed during surveys of the BSA; however, the BSA supports suitable nesting habitat. Future development will be required to conduct project-specific nesting bird surveys prior to project construction.

California Fish & Game Code §§ 3511, 3502, 3503.5. No migratory birds or vacant nests were observed during surveys of the BSA; however, the BSA supports suitable nesting habitat. Therefore future development, including grading, road improvements, and development, may result in impacts to migratory birds. Project-specific pre-construction surveys for nesting birds will be required prior to the onset of construction activities.

With the recommended mitigation measures for pre-construction surveys, potential impacts to biological resources can and will be mitigated. (See Exhibit B for mitigation measures).

5. CULTURAL RESOURCES

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Cause a substantial adverse change to a Tribal Cultural Resource?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

In July, 2015, the legislature added the new requirements to the CEQA process regarding tribal cultural resources in Assembly Bill 52 (Gatto, 2014). By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now 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.” (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, § 21080.3.1.) If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code §20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.

In order to meet AB52 Cultural Resources requirements, outreach to four Native American tribal groups had been conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council).

The project site is located about one mile south of Los Berros Creek but contains no surface water sources. The potential for the presence, or regular activities of, Native Americans increases in proximity to reliable water sources.

The project site has been developed with residences and has been disturbed by agricultural and fire prevention activities.

Impact. No grading, construction, site disturbance or additional development including any additional residential use is proposed beyond baseline conditions. However, the creation of a new lot would allow future construction of two additional residential units (a primary and secondary unit) and accessory structures as well as activities associated with construction such as grading, tree trimming,



road/driveway improvements, and fire clearance measures.

Padre Associates, Inc. conducted a Phase I Archaeological Study of the project site in June 2017. The study was conducted by a qualified archaeologist consistent with County guidelines and includes a cultural resources records search, a site visit, and the preparation of a technical report documenting the results of the assessment which includes management recommendations. The study included a records search from the Central Coast Information Center (CCIC), located at the University of California, Santa Barbara which did not identify any cultural resources within the project site or a 1,000-foot radius. In the event that cultural materials are encountered during future ground disturbance, Padre Associates recommends stopping all activities with a 100-foot radius of the find and contacting a County-qualified archaeologist.

No evidence of cultural materials was noted during the project's review by Padre Associates, Inc. Because of the long history of anthropogenic activities and the absence of resources, impacts to historical and paleontological resources are not expected.

Mitigation/Conclusion. Based on the Phase I findings and consultation with the tribal representatives, it was determined that LUO Section 22.05.150 standards for archeological resources discovery during construction activities are sufficient to mitigate potential impacts to cultural resources, in the event of a discovery. No significant cultural resource impacts are expected to occur, and no mitigation measures above what are already required by ordinance are necessary.

6. GEOLOGY AND SOILS

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Per Division of Mines and Geology Special Publication #42

Setting.

GEOLOGY -- The following relates to the project's geologic aspects or conditions:

Topography: Nearly level to gently sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate

Nearby potentially active faults?: No Distance? Not applicable

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? None



DRAINAGE – The following relates to the project’s drainage aspects:

Within the 100-year Flood Hazard designation? No

Closest creek/Distance? Los Berros Creek is located roughly 1 mile north of the project site.

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – Soil type, amount of disturbance and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project’s soil types and descriptions are listed in the previous Agriculture section under “Setting”. As described in the NRCS Soil Survey, the the project’s soil erodibility is as follows:

Soil erodibility: Low

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. No grading, construction, site disturbance or additional development including any additional residential use is proposed beyond baseline conditions. However, the creation of a new lot would allow for the construction of two additional residential units (a primary and secondary unit) and accessory structures as well as grading and road/driveway improvements.

Mitigation/Conclusion. At the time of final map clearance, the Public Works Department will require a sedimentation and erosion control plan and a storm water control plan (if the project is subject to MS-4 requirements) for subdivision related improvements in accordance with County Public Works Improvement Standards.

A sedimentation and erosion control plan is required for all construction and grading projects by LUO Sec. 22.52.120 to minimize these impacts. Prior to building permit issuance for new development onsite and/or grading projects, the applicant will need to obtain a land use permit and show that new development complies with County drainage, sedimentation, and storm water requirements. Therefore, based on the project being able to comply with these regulations, potential geologic/soil impacts are considered less than significant.

There is no evidence that additional measures beyond those required by ordinance or codes are needed. Impacts associated with geology and soils are considered less than significant.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be within a 'very high' fire hazard severity zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Be within an area classified as a 'state responsibility' area as defined by CalFire?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The State of California Hazardous Waste and Substances Site List (also known as the "Cortese List") is a planning document used by state and local agencies and developers to comply with



the siting requirements prescribed by federal, State, and local regulations relating to hazardous materials sites. A search of the Cortese database conducted in November 2017 revealed no active sites in the vicinity, including the project site.

With regards to potential fire hazards, the subject project is within a High Fire Hazard Severity Zones. Based on the County's fire response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The project is not expected to conflict with any regional emergency response or evacuation plan. The project is not within an Airport Review area.

Impact. No grading, construction, site disturbance or additional development including any additional residential use is proposed beyond baseline conditions. However, the creation of a new lot would allow future construction of two additional residential units (a primary and secondary unit) and accessory structures as well as activities associated with construction such as grading, tree trimming, road/driveway improvements, and fire clearance measures.

The project has been reviewed by County Fire/ Cal Fire for code requirements relating to fire protection. In their August 9, 2017 letter County Fire/ Cal Fire indicated they had no significant fire or life safety concerns regarding the proposed two lot subdivision and no fire safety plan is required at this time. If development is proposed on one or both parcels beyond current use a fire safety review will be needed.

Regarding road safety impacts, the project has been reviewed by County Public Works, which is discussed further in the Transportation section.

The project is not expected to conflict with any regional emergency response or evacuation plan.

Mitigation/Conclusion. In terms of fire safety there is no evidence that additional measures beyond those required by ordinance or codes are needed. No significant impacts as a result of hazards or hazardous materials are anticipated.

8. NOISE

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is located in a semi-rural area of the County where residences on 5 to 10 acre lots is the prevailing land use. Noise sources affecting the project site include non-commercial agricultural activities as well as traffic on Applegate Way. Sensitive receptors in the vicinity of the project site include existing single family residences. There are no significant stationary sources of noise in the area. The project site is not located in an airport overflight review area.

The Noise Element of the County’s General Plan includes projections for future noise levels from known stationary and vehicle-generated noise sources. According to the Noise Element, the project lies within an area where future noise levels are expected to remain within an acceptable threshold.

Impacts

Construction and Operational Impacts. No grading, construction, site disturbance or additional development is proposed beyond baseline conditions. However, the creation of a new lot would allow for the future construction of two additional residential units (a primary and secondary unit) on Parcel 2 and accessory structures as well as activities associated with construction such as grading, tree trimming, road/driveway improvements, and fire clearance measures. Future construction activities will be required to obtain a land use permit and comply with the County’s Noise Element.

Mitigation/Conclusion. There is no evidence that additional measures beyond those required by ordinance or codes are needed. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County’s Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Impact. Properties in the Residential Rural land use category are allowed two dwellings per legal parcel (a primary unit and a secondary unit), subject to approval of a land use permit as required by 22.06.030, Table 2-3 of the Land Use Ordinance. At this time no grading, construction, site disturbance or additional development including any additional residential uses is proposed beyond baseline conditions. No existing dwellings are proposed for demolition. Therefore, the project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated. The project will mitigate its cumulative impact to the shortage of affordable housing stock by providing affordable housing unit(s) either on-site and/or by payment of the in-lieu fee. No mitigation measures are necessary. Prior to map recordation, the applicant will pay an affordable housing in-lieu fee consistent with the applicable fee ordinance.

10. PUBLIC SERVICES/UTILITIES

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project area is served by the following public services/facilities:

Police: County Sheriff South Patrol Location: Community of Oceano (Approximately 5 miles to the northwest)

Fire: Cal Fire (formerly CDF) Mesa Hazard Severity: High Response Time: 5-10 minutes
Location: (Approximately 5.6 miles to the southwest)

School District: Lucia Mar Unified School District.

Setting. Water and wastewater services will be provided by on-site wells and septic systems. Police protection is provided by the County Sheriff which has a sub-station at 1681 Front St, Oceano. The nearest County fire stations are Station 20 in Nipomo and Station 22 on the Nipomo Mesa. According to CalFire, emergency response times to the project site are 5 - 10 minutes. The project is located within the Lucia Mar School District.

Impact. Fire protection issues are discussed in Section 7, Hazards and Hazardous Materials. No significant project-specific impacts to utilities or public services were identified. At this time no grading, construction, site disturbance or additional development including any additional residential uses is proposed beyond baseline conditions. The project’s direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. To mitigate the demand for new or expanded public facilities caused by development, the County has adopted development impact fees in accordance with Government Code Section 66000 et seq. Under this program private development is required to pay a fee that is proportional to the incremental demand for a particular facility needed to serve such development. The amount of the fees must be justified by a supporting study (fee justification study) which identifies the new or expanded facilities needed to serve expected demand into the future and apportions these costs to new development. New development is required to pay the appropriate fees for new or expanded public facilities commensurate with the type and size of development. The project’s direct and cumulative impacts are within the general assumptions for allowable uses for the subject property that was used to estimate the county’s impact fees. Project impacts to area roadways are discussed in Section 12, Transportation/Circulation. Payment of the relevant fees, if required, will reduce the cumulative impacts to less than significant levels.

11. RECREATION

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The County's Parks and Recreation Element identifies Applegate Way as a planned trail corridor. County Parks (letter dated 10/26/17) is recommending that the applicant dedicate a 15 foot wide public trail easement along Applegate Way with the final location of the trail easement approved by County Parks prior to map recordation. In addition, prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Impact/Conclusion. As conditioned, the proposed project will not impact planned trail corridors or create a significant need for additional park, Natural Area, and/or recreational resources but will contribute to a cumulative demand for these resources. As required by the conditions of approval dedication of the required trail easement and the payment of a "Quimby" fee will adequately mitigate the project's impact on recreational facilities. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/CIRCULATION

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. Access to the project site is provided by Applegate Way, a local roadway that extends to the south from Pomeroy Road, a two-lane collector. Traffic counts taken in 2014 on Pomeroy Road south of Los Berros revealed an average daily traffic of 1,136 trips with a PM peak hour volume of 133.

The County has established the acceptable Level of Service (LOS) "C" or better on rural roads. The existing road network in the area including the project's access street (Applegate Way) is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

The project was referred to County Public Works for review and comment. No significant traffic-related concerns were identified. In addition, the project is within the South County Area 2 Circulation Fee area. This fee provides the means to collect "fair share" monies from new development to help fund certain regional road improvements that will be needed once the area reaches "buildout". The project will be subject to this fee.

In addition, per the Public Works Department letter dated November 2, 2017, the applicant will be required to provide a 25-foot offer of dedication for public road purposes along Applegate Way. In accordance with Resolution 2008-152 Applegate Way does not need to be improved to a County road standard but must be improved to County Fire/ CalFire requirements. As noted in the Hazards section of this report (Section 7), County Fire/ CalFire is not requiring improvements with the proposed



subdivision.

Impact. The creation of an additional lot could accommodate two new single family residences which would increase the traffic on Applegate Way by about 19 vehicle trips per day, based on the Institute of Traffic Engineer's manual of 9.57 trips/unit. This small increase is not expected to result in a significant change to the existing road service or traffic safety levels, however the project will contribute to an areawide cumulative impact to circulation. The project does not conflict with adopted policies, plans and programs on transportation.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary. As required by the conditions of approval, the dedication along Applegate Way Road and the payment of circulation fees will mitigate the project's fair share contribution to areawide circulation impacts.

13. WASTEWATER

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The two existing residences on the project site are served by septic systems. Regulations and guidelines for proper wastewater system design and criteria are found within the County’s Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the “Water Quality Control Plan, Central Coast Basin” (Regional Water Quality Control Board [RWQCB] hereafter referred to as the “Basin Plan”), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- ✓ Sufficient land area (refer to County’s Land Use Ordinance or Plumbing Code) – depending on water source, parcel size minimums will range from one acre to 2.5 acres;
- ✓ The soil’s ability to percolate or “filter” effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil’s depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- ✓ The soil’s slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

To assure a system can meet existing regulations, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to “filter” effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has “poor filtering” characteristics) or is too slow (slower or more than 120 minutes per inch);
- ✓ the topography on which a system is placed is steep enough to potentially allow “daylighting” of effluent downslope; or

- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

The soil type for the project is provided in the Agricultural Resource section. Based on data from the Natural Resource Conservation Service (NRCS) Soil Survey, the main limitation(s) of this soil for wastewater effluent include:

- **poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. In this case, based on general knowledge of the area, the response received from the Environmental Health Services, and the size of the proposed parcels, it is expected that there will be adequate separation for filtering of effluent before reaching any groundwater source.
- **seepage in bottom layer**, where effluent seeps quickly through (rather than be absorbed by) the soil horizon(s) to a soil layer just above bedrock that is typically in a saturated condition. The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) with possible treatment of the soil to insure effluent movement rate through the soil meets basin plan requirements. Special engineering may be required to provide this acceptable percolation rate.
- **cemented pan**, where there is thin in an upper soil horizon that may interfere with or intercept effluent percolation and create saturated soil conditions above the impervious layer which may be near the soil surface. When such conditions exist, one of the following is necessary to resolve the potential problem: leach lines must either penetrate or be below the cemented pan, if leach lines above the cemented pan layer, this layer must be removed or permanently modified to allow effluent to percolate through this layer.

Impacts/Mitigation. The following factors were considered in assessing potential impacts to wastewater:

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;
- ✓ The soil's percolation rate is between 30 to 120 minutes per inch;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to accommodate an on-site septic system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of any future wastewater system, the applicant will be required to show compliance with the Plumbing Code and Central Coast Basin Plan, including any above-discussed information relating to potential constraints.

The Environmental Health Division has reviewed the project (letter of July 10, 2017) and has determined that individual wastewater systems are an acceptable method of disposal provided County and State installation requirements are met. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

14. WATER & HYDROLOGY

Will the project:

QUALITY

a) *Violate any water quality standards?*

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

b) *Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?*

c) *Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?*

d) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?*

e) *Change rates of soil absorption, or amount or direction of surface runoff?*

f) *Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?*

g) *Involve activities within the 100-year flood zone?*

QUANTITY

h) *Change the quantity or movement of available surface or ground water?*

i) *Adversely affect community water service provider?*

j) *Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?*

k) *Other:* _____

Setting. The project proposes to obtain its water from an on-site well. The Environmental Health Division has reviewed the project (letter of July 10, 2017) for water availability and has confirmed preliminary evidence of water in the form of a Well Completion Report (No. 2016-194). Based on available information, the proposed water source is not known to have any significant availability or quality problems.

Section 22.98.070F of the Land Use Ordinance provides standards for water use and conservation in the Nipomo Mesa Water Conservation Area. These standards are applicable to subdivisions where the estimated non-agricultural water demand resulting from a land division exceeds the existing non-agricultural water demand. In this case, there are two dwelling units on the project site (proposed in the area of Parcel 1). Proposed Parcel 2 is currently undeveloped and is fallow. In the future, Parcel 2



could be developed with two residential dwellings (a primary and secondary dwelling) and thus the non-agricultural water demand onsite would be expected to increase. The ordinance requires payment of a supplemental water fee at the time of building permit issuance. However, a supplemental water fee was never established and the Ordinance requirements have been enforced through the development review process.

Title 19 of the County Code (the Building and Construction Ordinance) was amended in October 2015 to require water neutral development for those water basins for which the Resource Management System has assigned a Level of Severity III. Standards for the Nipomo Mesa Water Conservation Area require new water use to be offset at a 1:1 ratio by purchasing offset credits through the County run water conservation program or by hiring a licensed plumber to perform retrofits within the Nipomo Mesa Water Conservation Area. Offset verification must occur prior to issuance of building permits.

The topography of the project is relatively level to gently sloping. Los Berros is the closest creek near the property and is located approximately 1 mile to the north. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

DRAINAGE – The following relates to the project's drainage aspects:

Within the 100-year Flood Hazard designation? No

Closest creek? Los Berros Creek Distance? Approximately 1 mile north

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Low

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact – Water Quality/Hydrology

No grading, construction, site disturbance or additional development including any additional residential uses are proposed beyond baseline conditions. However, future development onsite would potentially include two additional residence on Parcel 2 and accessory structures. With regards to project impacts on water quality the following conditions apply:

- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;

- ✓ If future construction will result in the disturbance of one acre or more, such development will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not on highly erodible soils;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Bioswales will be installed as a part of the drainage plan as required by County ordinance;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body.

Impact -- Water Quantity

No grading, construction, site disturbance or additional development including any residential use is proposed beyond baseline conditions. At such time as additional residential development may be proposed on Parcel 2, compliance with the water conservation standards of LUO Section 22.98.070F will be required. As conditioned, and based on available water information, there are no known constraints to prevent the project from meeting its water demands.

Mitigation/Conclusion. Existing regulations and/or required plans will adequately address surface water quality impacts at the time of development. No additional measures above what are required or proposed are needed to protect water quality. No significant impacts from water use are anticipated beyond baseline conditions.

15. LAND USE

Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting/Impact. Surrounding land uses are identified on Page 2 of this Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study. The project is not within the County's Airport Review combining designation (AR).

PLANNING AREA STANDARDS

The proposed project is subject to the following Planning Area Standard(s) as found in the County's LUO:

1. LUO Section 22.98.070 South County Sub-Area- Inland
2. LUO Section 22.98.070B Edge of Nipomo Mesa
3. LUO Section 22.98.070F Nipomo Mesa Water Conservation Area (discussed in the Water/Hydrology Section)
4. LUO Section 22.98.072H3 RR-Porter Pacific Tract
5. LUO Section 22.22.060 Subdivision Design Standards for the RR Land Use Category

The allowable minimum size is the **largest area** obtained from any of the tests, except as provided for cluster divisions by Section 22.22.140.

A. Remoteness test. The minimum parcel size shall be based upon the distance of the parcel proposed for division from the nearest urban or village reserve line, measured on the shortest public road route between the reserve line and the site. Private roads shall be included in the measurement only when they provide the only access to the site from a public road. When a lot proposed for division is within the distances given from more than one reserve line, the smallest parcel size shall be used as the result of this test.

Distance (Road Miles)		Minimum Parcel Size
From Urban Reserve Line	From Village Reserve Line	
10+	5+	20 acres
5-10	0-5	10 acres
0-5	NA	5 acres

Discussion: The project site is within 5 miles of the Nipomo Urban Reserve Line (URL). Therefore, the proposed parcel sizes meet this test for a 5 acre minimum parcel size.

B. Fire hazard/response time test. The minimum parcel size shall be based on the degree of fire hazard in the site vicinity, and the response time. Response time is the time necessary for a fire protection agency to receive the call, prepare personnel and fire equipment for response, dispatch appropriate equipment, and deliver the equipment and personnel to each proposed parcel from the nearest non-seasonal fire station. Fire hazard is defined by the Safety Element of the General Plan; response time is determined by the fire protection agency having jurisdiction.

Response Time ¹	Minimum Parcel Size	
	Moderate Hazard ²	High Hazard ³
15 minutes or less	5 acres	5 acres
More than 15 minutes	10 acres	20 acres

Notes:

1. Determined by applicable fire protection agency.
2. As defined by the Safety Element.
3. Includes the high and very high fire hazard areas of the Safety Element.

Discussion: The project site is within a High Fire Hazard Area in an area where the response time for emergencies is less than fifteen minutes. Therefore, the proposed parcel sizes meet this test for a 5 acre minimum parcel size.

C. Access test.

1. General access test rules. The minimum parcel size is based upon the type of road access to the parcel proposed for division, provided that the proposed parcels will use the road considered in this test for access, either by way of individual or common driveways. Where access to a parcel is over roadways with differing quality of improvement, the minimum size is as required for the road with the least improvement.
2. Timing of improvements and right-of-way availability. If the improvements do not exist at the time of the subdivision application, the conditions of approval for the tentative map shall require the construction of access improvements which meet the minimum requirements specified by this Section. Additional right-of-way width may be required to allow for the construction of required improvements. The right-of-way required by the table in Subsection C.4 shall exist as either: (1) an offer to dedicate to the public or (2) as a private easement prior to acceptance of the tentative map application for processing. If the access is a private easement, it may be required to be offered for dedication to the public as a condition of approval of the tentative map.
3. Conditions of approval for improvements and maintenance. In the event that a land division application is approved, the extent of on-site and off-site road improvements



required as a condition of approval, and acceptance of the new road for maintenance by the county may vary. This will depend on the parcel size proposed and the requirements of county standards and specifications in effect at the time the tentative map is approved. Paved roads will be required when:

- a. Parcels of less than five acres are proposed; the access road is identified as a collector or arterial by the Circulation or Land Use Element; or
- b. The road will have the potential to serve 20 or more lots or the road will have the potential to experience a traffic volume of 100 or more average daily trips (ADT), based on the capability for future land divisions and development in the site vicinity as determined by the Land Use Element. In the event it is determined by staff that a road will serve 20 or more lots, or will experience 100 ADT or more, the basis for such a determination shall be explained in the staff report on the subdivision.

4. Parcel size criteria. Minimum parcel size based on the access test shall be determined as shown in the following table (an existing road which is improved to higher standards than those specified in the table will also satisfy the following criteria).

Minimum Parcel Size	Access Standards		
	Right of Way	Surfacing	Maintenance
20 acres	Minimum 40 foot ROW to county road	County standard gravel road ¹	Organized maintenance ²
10 acres	Minimum 40 foot ROW to county road	County standard gravel road ¹	Organized maintenance ²
5 acres	Minimum 40 foot ROW to county road	County standard gravel road ¹	Organized maintenance ²

Notes:

- 1. A County Standard Gravel Road is a road that satisfies or has been constructed to meet the specifications for a gravel road set forth in the county's "Standard Specifications and Drawings." Public maintenance means that the road is maintained by the state, county, or special district.
- 2. Organized maintenance is by an organized group of property owners through an association which collects fees and contracts for repairs.

Discussion: The project site fronts on a paved, county-maintained road within the South County Area 2 Circulation Fee area that is 25 feet wide, and is conditioned to provide an offer of dedication of 25 feet for public right-of-way to meet a 50-foot ROW width. Therefore, the proposed project meets this test for a 5 acre minimum parcel size as conditioned.

D. Slope Test. Site slope shall be measured as defined in Article 8 (Definitions - Slope).

Average Slope	Minimum Parcel Size	
	Outside GSA	Inside GSA ¹
Over 30%	10 acres	20 acres
16-30%	7 acres	10 acres
0-15%	5 acres	5 acres

Notes:

- 1. Geologic study area combining designation.

Discussion: The project site is not within a geologic study area combining designation and the average slope is less than 15%. Therefore, the proposed parcel sizes meet this test for a 5 acre minimum parcel size.

TRANSFER OF DEVELOPMENT CREDITS (TDC)

The following sections apply to new subdivision in the South County:

LUO Section 22.24.070 Transfer of Development Credits

LUO Section 22.24.200 South County Community-Based Program

Discussion: LUO Sections 22.24.070 and 22.24.200 set forth a volunteer program allowing for the transfer of development credits from one parcel to another, intended to help minimize urban sprawl. Section 22.24.070.B.2 requires the retirement of a Transfer of Development Credit for each new parcel created by subdivision located outside of an Urban or Village Reserve Line. An exception (under B.3) can be made when the Review Authority finds that no sending credits are available within the required area. The subject property is located outside any Urban or Village Reserve area, and there are TDC sending credits available in the Black Lake Canyon area, within two miles of the parcel, through the Land Conservancy. The project will be conditioned to purchase a TDC credit for the proposed new parcel prior to filing the map, and retire it with map recordation as required by ordinance.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required by ordinance were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

Will the project:

- a) *Have the potential to 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, 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 pre-history?*

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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- b) *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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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- c) *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"/>
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For further information on CEQA or the County's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: <http://resources.ca.gov/ceqa/> for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Services	In File**
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	In File**
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Wildlife	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	In File**
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>South County Advisory Council</u>	In File**
<input checked="" type="checkbox"/>	Other <u>Native Americans</u>	None

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<u>County documents</u>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input checked="" type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<u>Other documents</u>
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Airport Land Use Plan	<input type="checkbox"/> Other
<input type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> South County Area Plan/South County sub area and Update EIR	

In addition to the above referral responses, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

October 5, 2017, Tentative Parcel Map and Application by Dennis Schmidt

Biological Resource Survey Report APN 091-111-015T (Caroni) dated May 2017

Phase I Archaeological Study 564 Applegate Way (APN 091-111-015) dated June 2017



Exhibit B - Mitigation Summary Table

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

Air Quality

AQ-1 Dust Mitigation. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

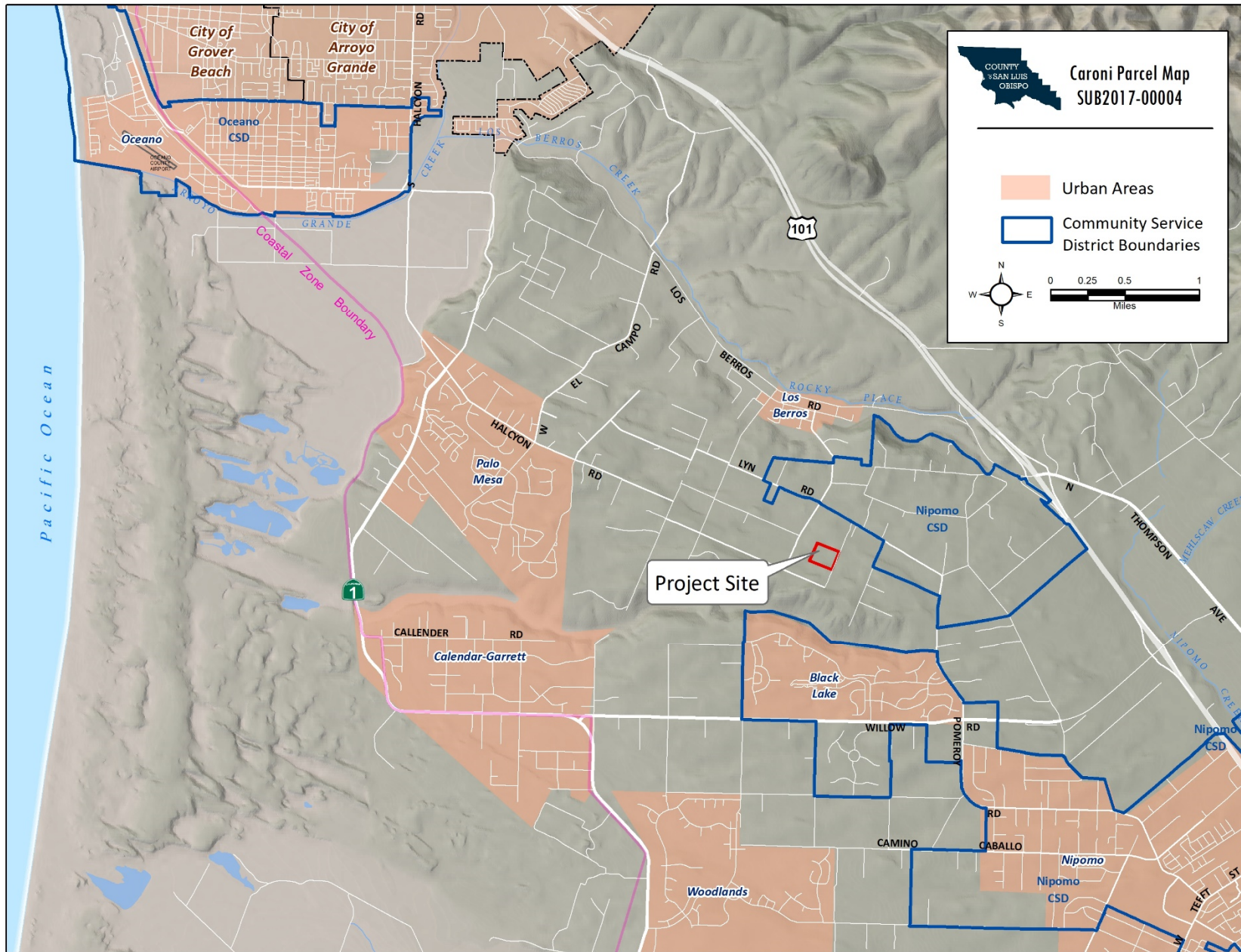
- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. The contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
- c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with evc Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM10 mitigation measures required should be shown on grading and building plans;
- m. The contractor or builder shall designate a person or persons to monitor the fugitive



dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Biological Resources

- BIO-1 Prior to the initiation of construction activities**, a qualified biologist shall conduct a pre-activity, day time survey to ensure special-status wildlife species are not impacted. In the event sensitive wildlife species are found, they shall be allowed to leave the area on their own volition, relocated (as permitted) to suitable habitat areas located outside the work area(s), or resources agencies will be contacted for further guidance.
- BIO-2 Nesting Birds – Pre-Construction Survey & Protection. Prior to any grading construction activities**, the Applicant shall avoid such construction activities during the typical avian nesting season (February 15 to August 15) to protect sensitive avian species and those species protected by the MBTA. If avoiding construction during this season is not feasible, a qualified biologist shall survey the area *within one week* prior to activity beginning on site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged. A non-disturbance buffer of 50 feet will be placed around all non-sensitive, passerine bird species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until the Applicant's biologist has determined that the young have fledged. If special-status avian species are identified, no work will begin until an appropriate buffer is determined by consultation with the County's Environmental Coordinator, local CDFW biologist, and/or the USFWS.



**DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM
FOR CARONI PARCEL MAP CO17-0059
ED17- 041 / SUB2017-00004**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Per Public Resources Code Section 21081.6 the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, is responsible to verify compliance with these COAs.

Project Description:

A request by SHELLA & DONALD CARONI for a Tentative Parcel Map (CO 17-0059) to subdivide an existing thirteen-acre parcel into two parcels of six acres and seven acres in size, for the purpose of sale and/or development. The site is currently developed with a primary and a secondary residence, workshop, detached garage and accessory building that would all be located on the proposed seven-acre Parcel 1, leaving proposed Parcel 2 vacant. The proposed project is within the Residential Rural land use category, and is located at 564 Applegate Way, Arroyo Grande. The site is in the South County Inland sub-area of the South County planning area. No development is proposed with the subdivision. Access to the newly created vacant parcel would be from direct frontage on Applegate Way (a local road).

MAP CONDITIONS

The following mitigation measures must be incorporated into any grading, building or improvement construction plans for development of the property, to minimize the potential for adverse impacts to occur:

Air Quality

AQ-1 Dust Mitigation. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. The contractor or

- builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
- c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
 - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with evc Section 23114;
 - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
 - k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
 - l. All PM10 mitigation measures required should be shown on grading and building plans;
 - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Biological Resources

BIO-1 **Prior to the initiation of construction activities**, a qualified biologist shall conduct a pre-activity, day time survey to ensure special-status wildlife species are not impacted. In the event sensitive wildlife species are found, they shall be allowed to leave the area on their own volition, relocated (as permitted) to suitable habitat areas located outside the work area(s), or resources agencies will be contacted for further guidance.

BIO-2 **Nesting Birds – Pre-Construction Survey & Protection.** **Prior to any grading construction activities**, the Applicant shall avoid such construction activities during the typical avian nesting season (February 15 to August 15) to protect sensitive avian species and those species protected by the MBTA. If avoiding construction during this season is not feasible, a qualified biologist shall survey the area *within one week* prior to activity beginning on site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged. A non-disturbance buffer of 50 feet will be placed around all non-sensitive, passerine bird

species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until the Applicant's biologist has determined that the young have fledged. If special-status avian species are identified, no work will begin until an appropriate buffer is determined by consultation with the County's Environmental Coordinator, local CDFW biologist, and/or the USFWS.



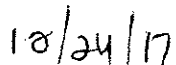
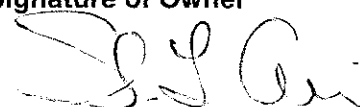
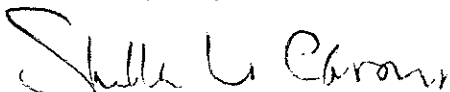
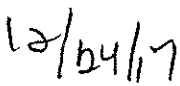
ADDITIONAL MAP SHEET

The above-noted mitigation measure conditions will be reproduced on an Additional Map Sheet and recorded with the parcel map.

AGREEMENT

Prior to recordation of the Final Map, the applicant shall enter into an agreement with the County, in a form acceptable to the County Counsel, where by the applicant agrees, on behalf of the applicant and successors in interest, that the following shall be done:

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

		
Signature of Owner	Name (Print)	Date
		
Signature of Owner	Name (Print)	Date