

**APPENDIX A.
NOTICE OF PREPARATION**



NOTICE OF PREPARATION — DRAFT ENVIRONMENTAL IMPACT REPORT

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET ♦ ROOM 200 ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600
Promoting the Wise Use of Land ♦ Helping to Build Great Communities

DATE: August 7, 2009

TO: Interested Parties

FROM: Department of Planning and Building
976 Osos St., Rm 300
San Luis Obispo, CA 93408-2040

PROJECT TITLE: Loperena Minor Use Permit / Coastal Development Permit DRC2005-00216; ED06-317

PROJECT APPLICANT: Jack Loperena (James Maul Architect)

RESPONSES DUE BY: September 14, 2009

The County of San Luis Obispo will be the Lead Agency and will prepare an Environmental Impact Report for the above-referenced project. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the Environmental Impact Report prepared by our agency when considering your permit or other approval for the project.

PLEASE provide us the following information at your earliest convenience, but not later than the 30-day comment period, which began with your agency's receipt of the Notice of Preparation (NOP).

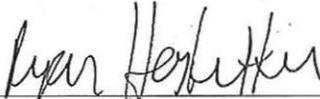
1. NAME OF CONTACT PERSON. (Address, e-mail and telephone number)
2. PERMIT(S) or APPROVAL(S) AUTHORITY. Please provide a summary description of these and send a copy of the relevant sections of legislation, regulatory guidance, etc.
3. ENVIRONMENTAL INFORMATION. What environmental information must be addressed in the Environmental Impact Report to enable your agency to use this documentation as a basis for your permit issuance or approval?
4. PERMIT STIPULATIONS/CONDITIONS. Please provide a list and description of standard stipulations (conditions) that your agency will apply to features of this project. Are there others that have a high likelihood of application to a permit or approval for this project? If so, please list and describe.
5. ALTERNATIVES. What alternatives does your agency recommend be analyzed in equivalent level of detail with those listed above?
6. REASONABLY FORESEEABLE PROJECTS, PROGRAMS or PLANS. Please name any future project, programs or plans that you think may have an overlapping influence with the project as proposed.

7. RELEVANT INFORMATION. Please provide references for any available, appropriate documentation you believe may be useful to the county in preparing the Environmental Impact Report. Reference to and/or inclusion of such documents in an electronic format would be appreciated.
8. FURTHER COMMENTS. Please provide any further comments or information that will help the county to scope the document and determine the appropriate level of environmental assessment.

The project description, location, and the probable environmental effects are contained in the attached materials.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to **Ryan Hostetter** at the address shown above. As requested above, we will need the name for a contact person in your agency.

Signature 
Project Manager
Telephone: (805) 788-2351

Reference: California Administrative Code, Title 14, Section 15082

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 Environmental Division 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 Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Jack Loperena for a Minor Use Permit/Coastal Development Permit to allow for the construction of a 2,396 square foot single family residence with a 217 square foot upper floor deck on the west side of the house. The proposed home is a single story (with basement) and a proposed maximum height of 15' above the centerline elevation of Studio Drive. The project will result in the disturbance of approximately 3,000 square feet of a 3,445 square foot parcel. The proposed project is within the Residential Single Family land use category and is located on the west side of Studio Drive, adjacent to the State Parks property on the northern end of Studio Drive, approximately 250 feet south of the intersection of Studio Drive and Highway 1. The site is in the Estero planning area.

The elevation of the project site itself is located below the grade of Studio Drive by approximately six to ten feet and is directly adjacent to an existing residential neighborhood which has been mostly built out (except for the subject property). The unique cantilevered design of the proposed residence minimizes site disturbance by allowing for minimal footprint of the structure (1,040 square feet or 26% of the lot), and pulling the structure as close to the road as possible as to not extend the footprint on the dry sandy beach. This design also allows for the lower level to be buried below the road elevation and the upper floor and cantilevered portions are only visible from Highway 1 which reduces massing of the structure and the building appears to be single story from Highway 1. The proposed residence complies with the Cayucos Small Scale Neighborhood Design Standards.

The project permit application was applied for in May of 2006 and was scheduled for Planning Department Hearing on August 17, 2007 and was continued from that hearing until September 21, 2007. Staff received a Request for Review on August 23, 2007 of the proposed Mitigated Negative Declaration which was issued on August 9, 2007. In order to address issues raised in the Request for Review, staff requested that the project be continued again off calendar from the September 21, 2007 Planning Department Hearing. During this time staff has consulted with County experts in geology, cultural resources, emergency services, air quality and public works/drainage. Comments from the County experts have been incorporated into an amended Mitigated Negative Declaration which was re circulated for review and the project was again scheduled for a Planning Department Hearing on May 15, 2009. Staff again received a second Request for Review on April 16, 2009. Based on this second request for review staff again continued the item off calendar from the May 15, 2009 Planning Department Hearing. Because of the issues raised in the second request for review, and in consultation with County Environmental Coordinator's office, the applicant has elected to prepare an Environmental Impact Report for the proposed project.

ASSESSOR PARCEL NUMBER(S): 064-253-007

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: Estero, Cayucos

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATION(S): Geologic Study, Local Coastal Plan/Program

EXISTING USES: Undeveloped

TOPOGRAPHY: Moderately sloping from the road to nearly level

VEGETATION: Grasses ice plant

PARCEL SIZE: +/- 3444.71 square feet

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Recreation; undeveloped	<i>East:</i> Residential Rural; undeveloped
<i>South:</i> Residential Single Family; undeveloped	<i>West:</i> Recreation; undeveloped Pacific Ocean

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having 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 - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>

Setting. The project site is located adjacent to the beach approximately 140 feet directly west of

Highway 1 and approximately 250 feet south of the intersection of Highway 1 and Studio Drive. The site is visible from Highway 1 when traveling south and somewhat visible when traveling north. The property is a legal lot that is approximately 25 feet in width adjacent to existing bluff top development within the Studio Drive residential neighborhood. The subject property however does not contain a bluff, and is lower than the adjacent developed properties.

Impact. The proposed project is a two level home (single story with a basement) with a maximum height of 15 feet as measured from the centerline of Studio Drive. The home is low profile with an almost flat roof as viewed from the street and it contains a photovoltaic system to support the electricity for the entire house. The most visible location is the northern elevation as there is no existing development on this side near the property. The applicant has included a fence along this elevation with proposed vines to crawl along the fence which will hide the view of the basement from Studio Drive and the parking area for the adjacent beach access to the north.

The proposed home has a footprint of 1,040 square feet and the property is 3,444 square feet in size. A portion of the home is cantilevered which includes some living space and covered deck area. This portion is cantilevered because the home is not proposed to touch the dry sandy beach below. This concept is similar to a neighboring home two doors down to the south which has a large portion of living area and deck area cantilevered over the flat dry sandy portions of the property.

The design of the proposed residence is unique, and modern. Currently there is no ordinance that limits modern design within this area. There is however, the Small Scale Neighborhood design standards and guidelines for new construction for which this project is subject to. This proposed project has been reviewed with regards to the small scale neighborhood standards, and complies with all the requirements. These requirements include but are not limited to special size requirements, scale, and massing requirements of new residences within this specific area. This proposed home is small in scale (maximum approximate width of 19 feet and length of approximately 95 feet, and a height of 15 feet from the Studio Dr. center line elevation), complies with all the Cayucos Small Scale Neighborhood Design Standards, and is located within an existing developed residential neighborhood. The most significant public view is from Highway 1 motorists traveling south, and from the public beach area. The proposed development will appear as an extension of the residential neighborhood consistent with the land use category. The scale and massing of the proposed house is consistent with that of neighboring residences, however the style and design with the cantilevered deck area is different than neighboring residences as it proposes a much more modern design.

Mitigation/Action Required. Due to the potentially significant impacts to public views, a viewshed analysis from public highways and major roads shall be prepared by qualified persons and shall include, but not be limited to, the following:

1. Development of ratings and recommendations for the assignment of aesthetic values to protect views from Highway 1, and to identify other, if any, potentially significant key viewing areas. Other potentially significant key viewing areas may include the public beaches, and Studio Drive.
2. Recommendation and discussion of adequate and feasible mitigation measures, if any, to ensure that visual resources are adequately protected.

2. AGRICULTURAL RESOURCES
- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <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"/>
c) <i>Conflict with existing zoning or Williamson Act program?</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. The soil types are as follows:

Cropley clay (2 - 9 % slope). This gently sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class II when irrigated.

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. Because there are no impacts to 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 type="checkbox"/>	<input checked="" 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>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the 2003 CEQA Air Quality Handbook 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).

Impact. As proposed, the project will result in the disturbance of approximately 3,000 square feet (includes driveways, walkways, home coverage and landscaping). This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

AB 32: The proposed development will result in an increase of human activity, including increased use of vehicles and electricity, which will generate small increased amounts of carbon dioxide, nitrous oxides, and hydrofluorocarbons. At this time, CEQA does not provide any regulatory guidance on how to address potential impacts of global climate change, and AB32 defers CEQA consideration of GHG as a subsequent phase of this legislation. AB32 also directs the California Air Resources Board as the agency to determine appropriate measures to mitigate for greenhouse gas (GHG) emissions, which may or may not include measures directed at new land use development subject to CEQA. However, due to recent pending EIR lawsuits initiated by the State Attorney General's Office, CEQA documents may include reasonable discussions of greenhouse gas emissions.

The issue of GHG is one of cumulative impacts, however, one proposed single family residence in a residential zoned area is not going to contribute significantly to the generation of GHG. While project impacts on global climate change are not considered significant, project elements that are proposed, which will reduce GHG impacts include: compliance with current Title 24 Energy requirements (electricity reduction for cooling/heating); solar panels are proposed to reduce demand from GHG-emitting power plants; project is within garbage service area, which is recycling over 50% of the wastes (electricity reduction); the project is required to recycle at least 50% of its construction wastes.

Mitigation/Conclusion. No mitigation measures are necessary.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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>Introduce barriers to 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"/>

4. **BIOLOGICAL RESOURCES -**
Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

e) *Other:* _____

Setting. The following habitats were observed on the proposed project: Ice Plant & Grasses

The project site contains mostly all ice plant with some grasses and ornamental vegetation along the southern property line and on the neighbors property to the south. The soils are sandy and do not contain ponding water or any wetland habitat.

Based on the latest California Diversity database, and other biological references, the following is a list of sensitive vegetation, wildlife and/or habitat that have been identified as potentially being within the vicinity of the proposed project:

Plants- San Luis serpentine dudleya (*Dudleya abramsii ssp. bettinae*) has been found about 0.4 mile to the north. This perennial herb is found on serpentinite soils in chaparral; coastal scrub; valley and foothill grassland areas between the 20 and 180-meter elevations. The typical blooming period is May-July. San Luis serpentine dudleya is considered rare by CNPS (List 1B, RED 3-2-3).

California seablite (*Suaeda californica*) has been found about 0.2 mile to the north. This evergreen shrub is generally found growing along margins of marsh and swamp (coastal salt) areas at elevations up to 5 meters. It is a California endemic which has a blooming period of July-October. California seablite is considered federally endangered and extremely rare by the CNPS (List 1B, RED 3-3-3).

Jones's layia (*Layia jonesii*) has been found about 0.8 mile to the south. This annual herb is found on serpentine or clay soils in chaparral and valley grassland habitats at elevations between 5 and 400 meters. Within San Luis Obispo County, this species is known to range primarily from the Cayucos area south to San Luis Obispo. It is a California endemic, with blooming generally occurring in March to May. Jones's layia is federally listed as a Species of Concern, and CNPS considers this species rare (List 1B, RED 3-2-3). The Cal Flora Occurrence Database catalogs 31 historical occurrences of this species within San Luis Obispo County.

Wildlife- Sandy beach tiger beetle (*Cincindela hirticollis gravida*) has been found on-site.

Tidewater goby (*Eucyclogobius newberryi*) has been found about 0.1 mile to the north. This species is found in brackish water habitats along the California coast. Microhabitats include shallow lagoons and lower stream reaches. The goby needs fairly still but not stagnant water with high oxygen levels. Suitable habitat within these streams range from the mouths to approximately 1.5 to 2.0 miles upstream. Tidewater goby is threatened by various factors including water quality degradation and low instream flows caused by water diversions and periodic drought. They are considered federally endangered and a California species of Special Concern.

Southwestern pond turtle (*Emys (or Clemmys) marmorata pallida*) has been found about 0.2 mile and about 0.5 mile to the north, about 0.3 mile to the south, and about 0.4 mile to the southeast. The species prefers slow-water aquatic habitat with available basking sites nearby. Hatchlings require shallow water habitat with relatively dense submergent vegetation for foraging. Southwestern pond turtle is a federal and California Species of Special Concern.

Habitat- California red-legged frog (*Rana aurora draytonii*) FT habitat has been found about 0.2 mile to the north.

Impact. The project site is just about covered with ice plant and some grasses, and has been impacted by pedestrians accessing the beach next door to the state park beach area. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic 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>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Impact. A Phase I (surface) survey was conducted (Central Coast Archaeology, July 10, 2006). No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

In a geologic investigation prepared for the project "shell fragments" were identified within fill material in site borings (Cleath May 2, 2006).

Mitigation/Conclusion. Cleath's report which describes encountering "shell fragments" among loose medium brown sand with silt and clay does not in itself describe a significant cultural resource as established in the California Environmental Quality Act (CEQA). The materials were encountered in fill material, and the soils were not dark or black which would be indicative of a midden. CEQA finds cultural sites significant if one can find value in the ability to learn or gain information from the resource with regards to its origination and connection to the cultural heritage Encountering shell fragments within fill deposits on the beach is not enough to establish that this is a significant cultural resource under CEQA, but if the fill contains disturbed cultural material, it may contain scattered artifacts that could be considered significant. Standard mitigation for impacting disturbed cultural material typically involves retention of an archaeological monitor to observe and record any discoveries while construction occurs. To ensure significant resources are protected if encountered, (assuming there will be a discovery of materials) a monitoring plan is required as a mitigation measure which will ensure a qualified cultural resources specialist on site during ground disturbing activities which will reduce potential impacts to cultural resources to a level of insignificance.

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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6. GEOLOGY AND SOILS - <i>Will the project:</i>	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <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"/>
i) <i>Preclude the future extraction of valuable mineral resources?</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 type="checkbox"/>

Setting. GEOLOGY - The topography of the project is gently sloping. The area proposed for development is within the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate to high. Active faulting is known to exist app. 0.5 mile south of the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance [LUO section 22.14.070 (c), or CZLUO section 23.07.084(c)] to evaluate the area's geological stability relating to the proposed use. A geological report was conducted for the project (Cleath and Associates May 2, 2006, and

March 30, 2007), and a geotechnical investigation was conducted for the project (GSI Soils Inc., January 12, 2007).

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek from the proposed development (unnamed creek) is approximately 0.2 mile to the north. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered very poorly drained. For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080 or CZLUO Sec. 23.05.042) 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 – The soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodability and high shrink-swell characteristics. In addition, undocumented fill and loose sand deposits beneath the site are highly erodable and are not suited for foundation support, but are underlain at a shallow depth by sound sedimentary strata that will serve well for foundation support. The bedrock surface is very irregular and as a result, depths to the top of bedrock vary significantly across the property.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090, CZLUO Sec. 23.05.036) 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. As proposed, the project will result in the disturbance of approximately 3000 square feet (total including driveway, fencing, side yard landscaping, any front setback landscaping and building footprint). The area proposed for development is in part below the elevation potentially reached by a tsunami runup level at an elevation 9.5 feet above mean sea level. The more constraining runup level is the storm surge level of 14.76 feet (4.5 meters) above mean sea level.

The project site is partially bounded by a fluvial bluff line along Old Creek, whereas the coastal bluff line appears to terminate approximately 150 feet southeast of the southern corner of the subject property. The property does not contain a bluff as defined in Title 14 section 13577 (h) (2) of the California Coastal Commission Administrative Regulations (Cleath and Associates, May 2, 2006). The project site slopes down steeply at Studio Drive (mainly because of fill brought in for Studio Drive) and gradually flattens as the site turns into dry sandy beach. The site does not contain a typical bluff edge, rock edge, or line that separates the property from the dry sandy beach other than the existence of ice plant and a short steep slope created by the road. Generally this entire property is located within the sandy beach area, and the neighboring property to the south contains a bluff edge, therefore the neighboring residence to the south is on top of the bluff and contains a much higher elevation than the subject property.

Because of the unique geologic conditions that exist on site, the geologic evaluation and soils report submitted for the proposed project included site specific construction recommendations for the project. These construction recommendations include foundation design, grading/earthmoving requirements, site clearing requirements and drainage recommendations.

Conclusion.

Drainage, Erosion, and Sedimentation. A registered engineer with a specialty in coastal bluff issues, wave run-up, coastal bluff erosion, tsunami hazard and flood hazards must evaluate potentially significant drainage, erosion, and sedimentation impacts. The analysis should include, but not be limited to, the following:

1. Determine location of coastal bluff and recommend any bluff setbacks for development if applicable
2. Determine datum elevations for purposes of determining mean high tide and wave run-up
3. Consultation with the County Public Works Department, the United States Natural Resource Conservation Service, and the Resource Conservation District.
4. Identification and mapping of significant drainage courses and watersheds.
5. Identification and mapping of all areas within the project boundaries that currently experience drainage and/or flooding conditions.
6. Identification and mapping of all areas that could potentially be adversely affected by drainage, erosion, or sedimentation impacts resulting from the development the proposed project.
7. Identification of cumulative impacts on the area's ecosystem, which could result from the project.
8. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential adverse drainage, erosion, and sedimentation impacts.

Geologic Hazards/Site Alteration. A (Registered Engineering) geologist with specialization in coastal issues will be needed to consider the following when evaluating the project's potentially significant impacts to or from geological resources:

1. Consultation with the County Public Works Department, the County Department of Planning and Building, reference to the San Luis Obispo County Land Use Ordinance (including the Safety Element) and County GIS mapping.
2. Incorporate at a minimum the following project setting components:
 - a. Underlying formations
 - b. Faulting
 - c. Potential liquefaction hazards
3. Mapping of significant areas that pose geologic hazards.
4. Evaluation and discussion of the geologic features of the site and surrounding area that may have a significant adverse impact on the development of the project.
5. Evaluation and discussion of impacts associated with topographical alteration (or saturation of soil, as applicable) including stability of driveways, cut slopes, fill slopes, drainage structures, and other improvements.
6. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential impacts related to geologic hazards or topographic alteration.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area. Based on maps and County documents, the following hazards were identified:

- a. Whale Rock: The site is within the Whale Rock inundation area as are other residences in the community of Cayucos (see attached exhibit showing most structures in this area to be within this zone). The County has adopted the "Dam and Levee Failure Evacuation Plan" (revised July 2008) in the event of a facility failure. "The primary purpose of this plan is to establish and define emergency management procedures and organizational response for overall coordination of public protective public actions that may be needed in the event of [dam] failure." In the very unlikely event of a catastrophic failure, the County is equipped with the resources and plan to best save life and any necessary resources outlined in the "Dam and Levee Failure Evacuation Plan" (adopted as a part of the San Luis Obispo County Emergency Operations Plan).
- b. Old Creek: Per County Public Works and the County's flood maps, this property is not located within a flood hazard area (see Public Works referral in file). Due to the construction of the Whale Rock Dam, the potential for damage from 100-year storm events are substantially reduced due to the dam's capacity to absorb substantial runoff before reaching the top of the dam. A drainage plan is required prior to any construction permits for review and approval by County Public Works. To further reduce potential flooding conflicts, as applicable, all finished floors must be located above/outside any such 100-year flood hazard elevation.
- c. Diablo Canyon: The property is located within the Diablo Canyon Emergency Planning zone, specifically within Protective Active Zone 9 (see attached exhibit showing most structures in this area to be within this zone). The County has adopted the Cities Nuclear Power Plant Emergency Response Plan (revised October 2006). The County-Cities Nuclear Power Plant Emergency Response Plan is made up of three parts: Part 1 is the Administrative Plan, which provides a good overview of all three parts of the plan. Part 2 contains reference material such as maps and charts, although primary maps and related information are also in Part 1 and throughout Part 3. Part 3 is made up of 53 separate Standard Operating Procedures (SOPs) which provide emergency response guidelines for individual agencies, jurisdictions, or specific roles related to nuclear power plant emergency response. The SOPs that make up Part 3 are stand alone response guides for separate agencies. There are SOPs for CHP, County Fire, Caltrans, Sheriff's Department, Emergency Services Director, procedures for emergency public information, emergency worker monitoring, etc. This plan

recognizes the need for emergency response for urban and non-urban developed areas within the Diablo Canyon Emergency Planning Zone and mitigates the potential for loss of life during a catastrophic event.

- d. Tsunami hazard: Also a part of the County Emergency Operations Plan, the Tsunami Response Plan (October 2005) is in place to ensure preparedness for protection of life in the event of a tsunami. The primary purpose of the plan is to establish and define emergency management procedures, organizational response and coordination related to receipt of a tsunami watch, warning, or the occurrence of an actual tsunami along the San Luis Obispo County coastline. The first priority of emergency management response will be the protection of life and property. The County Office of Emergency Services prepares for catastrophic (highly improbable) "worst case scenario" type of events which would include a 50' wave run-up. However, based on review by the County Geologist (see attached memo dated October 10, 2008, Landset Engineers) including review by the project consultant geologist suggest a more appropriate 9.5' wave run-up above mean sea level for a 100-year tsunami event. The project is designed and conditioned to avoid impacts from a 100-year tsunami event. (see attached exhibit showing most structures in this area to be within this zone).

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Conclusion. A coastal hazards expert is expected to be retained to evaluate the impact of wave run-up and potential tsunami hazards for the proposed development. This information shall be taken into account through the foundation design and finished floor elevation of the proposed residence. This information also needs to be coordinated with the geologic information listed above as it pertains to datum flood elevation and site specific geologic conditions.

8. NOISE - Will the project:	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 increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</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. The site is approximately 153 feet west of Highway 1 in the 60 dbA range (buffer distance = 209 feet). The topography between the (highway) and the site consists of generally flat areas to Studio Drive, and then the property slopes down several feet (approx 5-8 feet) from Studio Drive to the beach. Because the topography of the subject lot is below the street elevation the ground will buffer most of the noise from Highway 1. In reviewing the County's Noise Element, the noise contour maps indicated that the (eastern half of the site could be in the range of 60 to 65 dbA).

Impacts. The house plans show a design that allows for a maximum amount of noise buffer from

Highway 1 through design. As proposed, the new home will have a garage between the living area and Highway 1, and the living area is below the grade of the highway by approximately 8- 10 feet thus allowing for a minimal impact from noise to the livable areas of the home.

Mitigation/Conclusion. Because of the unique design of the proposed residence, no significant noise impacts are anticipated, and no mitigation measures are necessary.

Construction Noise: Per the County's Land Use Ordinance (Sec. 23.06.042d.) construction noise (between 7 am and 9 pm Monday through Friday and 8 am to 5 pm Saturday and Sunday) is exempt from control or mitigation. This type of noise is considered a short term impact and not significant.

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 or indirectly (e.g., through projects in an undeveloped area or 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 checked="" type="checkbox"/>	<input 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>Use substantial amount of fuel or energy?</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 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.

Impact. 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, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and Cayucos Fire Department as the primary emergency responders. The closest CAL FIRE fire station (#11 Cayucos) is approximately 1 mile to the south. The closest Sheriff substation is in Los Osos, which is approximately 12 miles south from the proposed project. The project is located in the Cayucos Elementary School District.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. 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. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels. Impacts to the areawide school, road, and service systems are mitigated through the payment of appropriate fees prior to issuance of a building permit for the proposed project.

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

Setting. The County Trails Plan does show that the California Coastal Trail is within the vicinity of the proposed project. The property is adjacent to State Parks property, and a parking area for the public to gain vertical access to the beach, therefore only lateral access is necessary (not vertical access).

Impact. The project is not proposed to affect any trail, park or other recreation resource, and will not create a significant need for additional parks or recreational resources. The project's standard conditions of approval associated with the Minor Use Permit / Coastal Development Permit will require

recordation of a lateral access agreement (Section 23.04.420) for public access to the beach and potentially the California Coastal Trail. There currently also is vertical and surrounding off-site lateral access adjacent to the property and outside the property boundaries which is State Parks property, therefore ample public access is available both vertically and laterally adjacent to the project.

Mitigation/Conclusion. No requirements other than ordinance requirements for public access is required.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels 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>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</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 type="checkbox"/>

Setting. Future development will access onto the following public road(s): Studio Drive. The identified roadway is operating at acceptable levels. The small amount of additional traffic associated with this project will not result in a significant change to the existing road service levels or traffic safety.

A referral was sent to County Public Works. Public Works had no comments related to traffic concerns other than encroachment permits being required for the new driveway.

Mitigation/Conclusion - Since no significant impacts were identified, no specific traffic-related mitigation measures are necessary for the proposed project.

13. WASTEWATER - Will the project:	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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will be served by the Cayucos Sanitary District for wastewater disposal. This system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project.

Impact. The project proposes to use community system as its means to dispose of wastewater. Based on the proposed project, the proposed community system has the capacity to handle the project's additional effluent.

Mitigation/Conclusion. Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no mitigation measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</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 type="checkbox"/>

Setting. The project proposes to use a community system as its water source.

The topography of the project is gently sloping. The closest creek from the proposed development (Old Creek) is approximately 0.2 mile to the north of the subject property. As described in the NRCS Soil Survey, the soil surface is considered to have moderate 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 Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

Impact. On water use, based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 0.270 acre feet/year (AFY) Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 3,000 square feet. This includes all areas covered with either landscaping, roof area, walkways, driveways and other structures associated with the proposed residence. The project is required to submit a drainage plan with the construction permit application for review and approval.

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the 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., Cayucos 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).

Included in the County's review of the subject project was an evaluation relative to the Cayucos Small Scale Neighborhood design standards of the Estero Area Plan and other communitywide standards applicable to this property. These requirements include but are not limited to special size requirements, scale, and massing requirements of new residences within this specific area. This proposed home is small in scale with a maximum approximate width of 19 feet and length of approximately 95 feet, and a height of 15 feet from the Studio Dr. center line elevation. The project is considered a single story development as the lower level is buried below the road grade and is considered a "basement" under the building code. Staff interprets this as single story development and has been evaluated as such in the Small Scale Neighborhood Design Standards. The project complies with all the Cayucos Small Scale Neighborhood Design Standards, and is located within an existing developed residential neighborhood there are no significant visual impacts associated with this project.

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.

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

- | 16. MANDATORY FINDINGS OF SIGNIFICANCE - <i>Will the project:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>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 prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>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)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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://www.ceres.ca.gov/topic/env_law/ceqa/guidelines for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

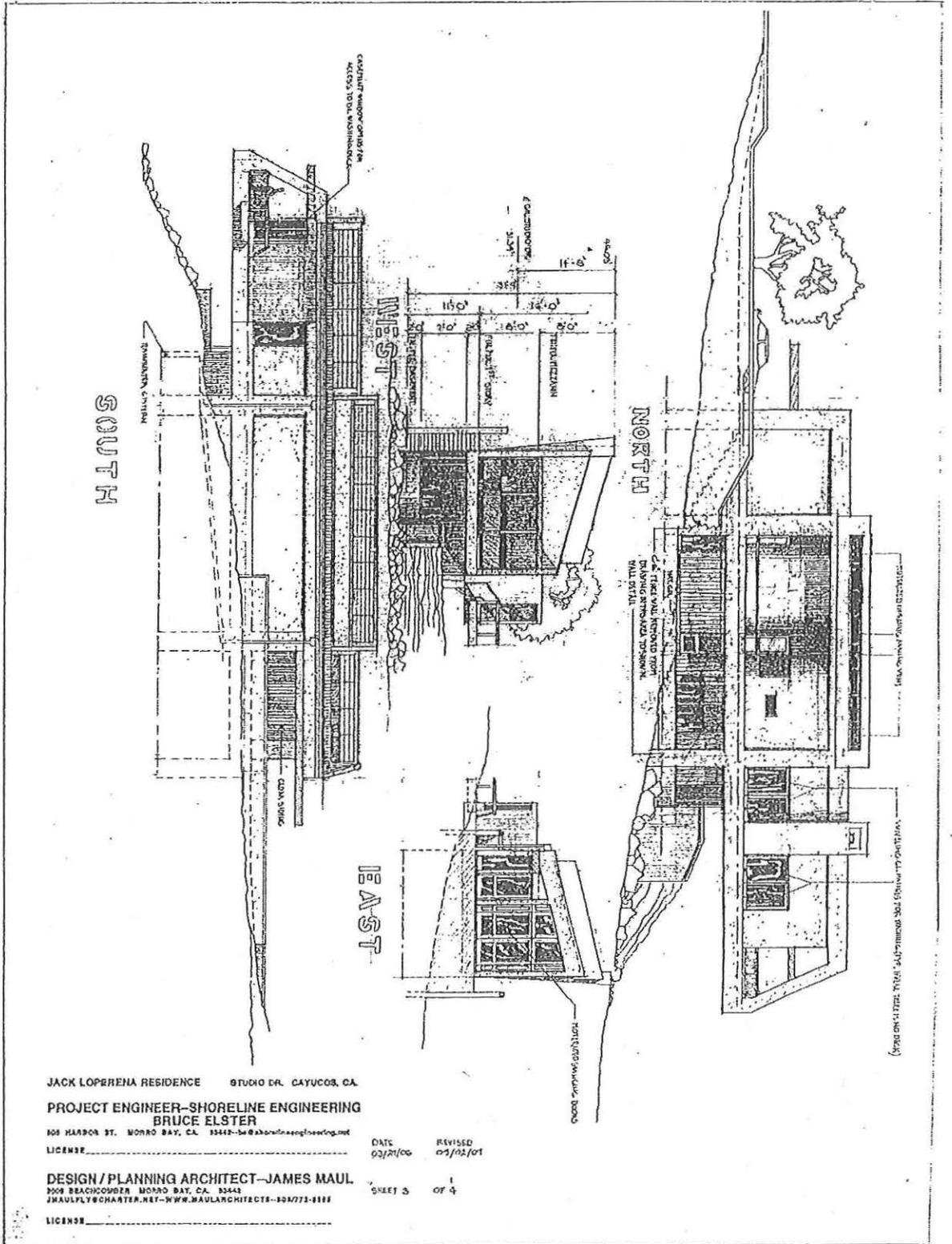
The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<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 checked="" type="checkbox"/>	Regional Water Quality Control Board	In File**
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	No Response
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Cayucos Sanitary</u>	In File**
<input checked="" type="checkbox"/>	Other <u>County Service Area 10 (water)</u>	In File**

** "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.

- | | |
|--|---|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Project File for the Subject Application <u>County documents</u> <input type="checkbox"/> Airport Land Use Plans <input checked="" type="checkbox"/> Annual Resource Summary Report <input checked="" type="checkbox"/> Building and Construction Ordinance <input checked="" type="checkbox"/> Coastal Policies <input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland) <input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agriculture & Open Space Element <input checked="" type="checkbox"/> Energy Element <input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements) <input checked="" type="checkbox"/> Housing Element <input checked="" type="checkbox"/> Noise Element <input checked="" type="checkbox"/> Parks & Recreation Element <input checked="" type="checkbox"/> Safety Element <input checked="" type="checkbox"/> Land Use Ordinance <input type="checkbox"/> Real Property Division Ordinance <input checked="" type="checkbox"/> Trails Plan <input type="checkbox"/> Solid Waste Management Plan | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Estero Area Plan and Update EIR <input type="checkbox"/> Circulation Study <u>Other documents</u> <input checked="" type="checkbox"/> Archaeological Resources Map <input checked="" type="checkbox"/> Area of Critical Concerns Map <input checked="" type="checkbox"/> Areas of Special Biological Importance Map <input checked="" type="checkbox"/> California Natural Species Diversity Database <input checked="" type="checkbox"/> Clean Air Plan <input checked="" type="checkbox"/> Fire Hazard Severity Map <input checked="" type="checkbox"/> Flood Hazard Maps <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County <input checked="" type="checkbox"/> Regional Transportation Plan <input checked="" type="checkbox"/> Uniform Fire Code <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) <input checked="" type="checkbox"/> Other <u>County Operations Plan</u> |
|--|---|



JACK LOPRENA RESIDENCE STUDIO DR. CAYUCOS, CA.
 PROJECT ENGINEER—SHORELINE ENGINEERING
 BRUCE ELSTER
 108 HARBOR ST. MONROE BAY, CA. 93442-b@shorelineeng.com
 LICENSE# _____

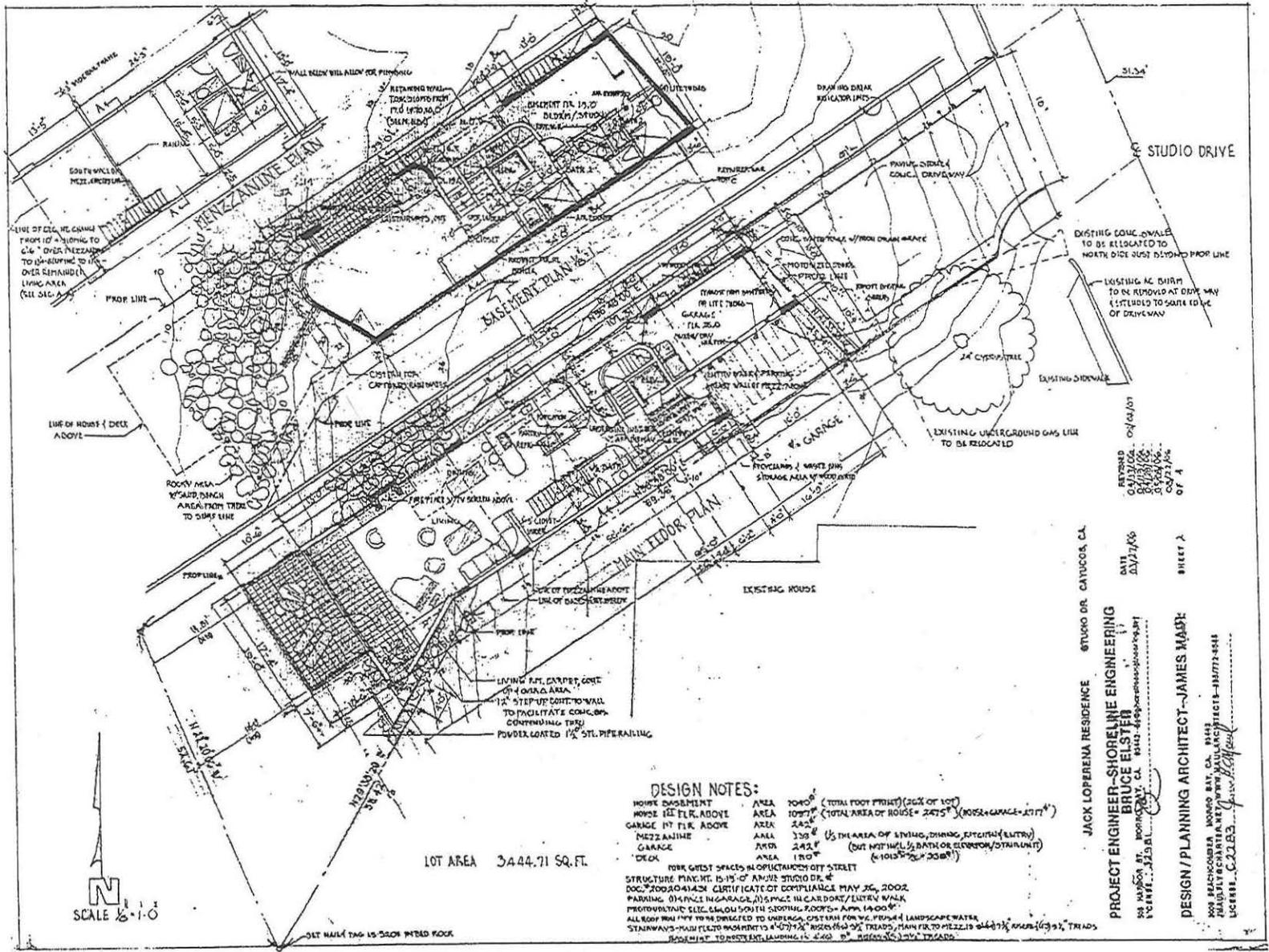
DATE 02/21/00 REVISED 02/02/01
 SHEET 3 OF 4

DESIGN / PLANNING ARCHITECT—JAMES MAUL
 3008 BEACHCROWDER MONROE BAY, CA. 93443
 JMAULPLY@CHARTER.NET—WWW.MAULARCHITECTS—3047723-8188
 LICENSE# _____

PROJECT
 Minor Use Permit / Coastal Development Permit
 Lopereña DRC2005-0216



EXHIBIT
 Elevations



DESIGN NOTES:

HOME BASEMENT	AREA	2040'	(TOTAL FOOT PRINT) (20% OF LOT)
HOUSE 1ST FLR ABOVE	AREA	1077'	(TOTAL AREA OF HOUSE = 2415') (HOUSE + GARAGE = 2177')
GARAGE 1ST FLR ABOVE	AREA	242'	
MEZZANINE	AREA	330'	(IS THE AREA OF LIVING, DINING, EATING & ENTRY)
GARAGE	AREA	242'	(OUT WITH 1/2 BATH OR ELECTRON/STAIN UNIT)
DECK	AREA	180'	(= 1015' x 200')

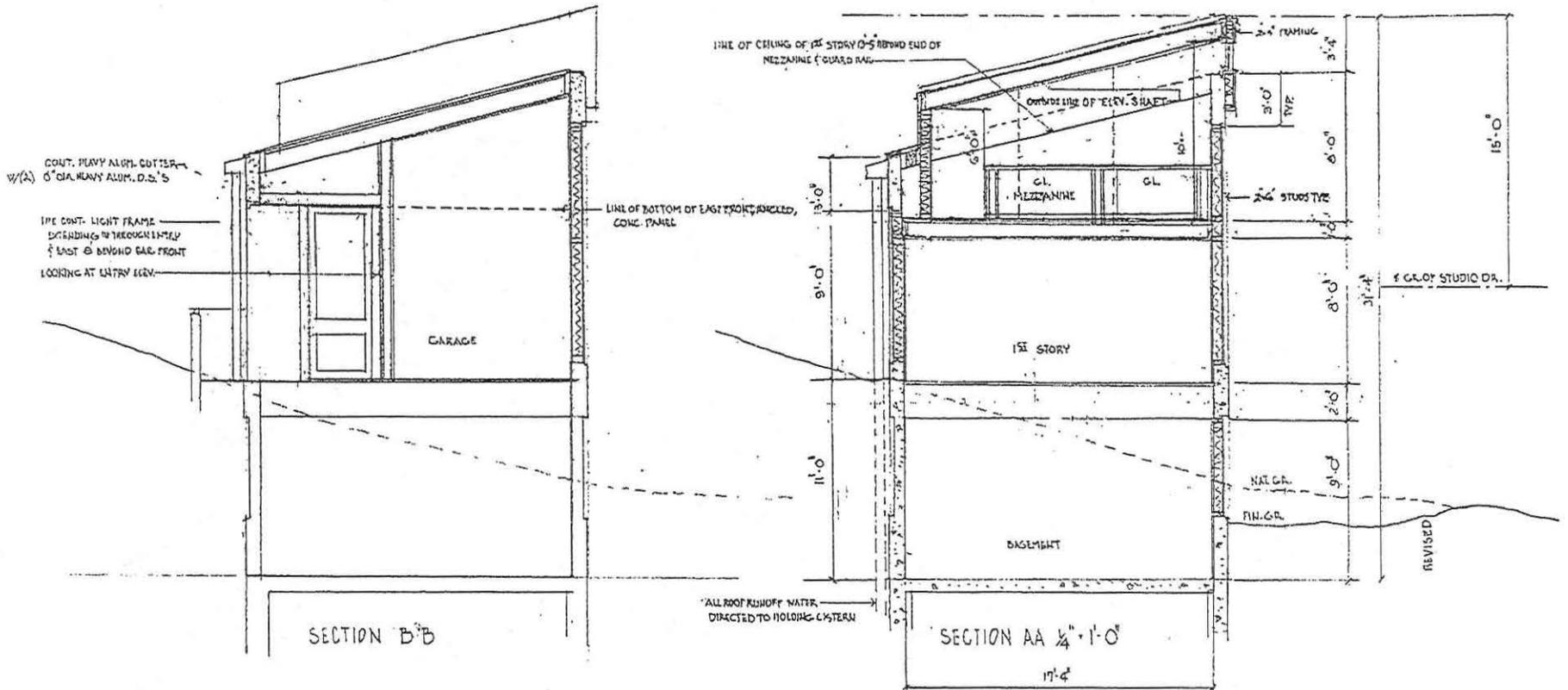
FOR GUEST SPACE IN RESTROOM OFF STREET
 STRUCTURE MAX. HT. IS 15' OF ANJUE STUDIO DR. #
 DOC. 20050412X CERTIFICATE OF COMPLIANCE MAY 26, 2002
 PARKING: 0 1/4 INCH IN GARAGE, 1) SPACE IN CARPORT/ENTRY WALK
 PROHIBITING ELEC. CABLES WITH SPOILING ROOFS - APPROX. 14000'
 ALL ROOF RUN OFF TO BE DIRECTED TO UNDERG. CISTERN FOR USE FROM 4 LANDSCAPE WATER
 STAINWAYS - MAIN FLOOR MAXIMUM IS 4'-0" x 2" RISER 6-0" x 2" TREADS, MAIN FLOOR TO MEZZ. IS 2'-0" x 2" RISER 6-0" x 2" TREADS
 ROOMS MUST BE TO BE INST. LAUNDRY IS 2'-0" x 2" RISER 6-0" x 2" TREADS

JACK LOPERENA RESIDENCE 67000 DR. CAYUCOA, CA
 PROJECT ENGINEER - SHORELINE ENGINEERING
 BRUCE ELSTEN
 108 MADISON ST. MONROVIE, CA 95110-4858
 TEL: 415.223.8111
 DESIGN / PLANNING ARCHITECT - JAMES MADE
 108 BACHSOMBER MONROE BAY, CA 94428
 MAIL: JCHART@AOL.COM WWW.JCHART.COM
 LICENSE: C-22183

PROJECT
 Minor Use Permit / Coastal Development Permit
 Loperena DRC2005-0216



EXHIBIT
 Floor Plans



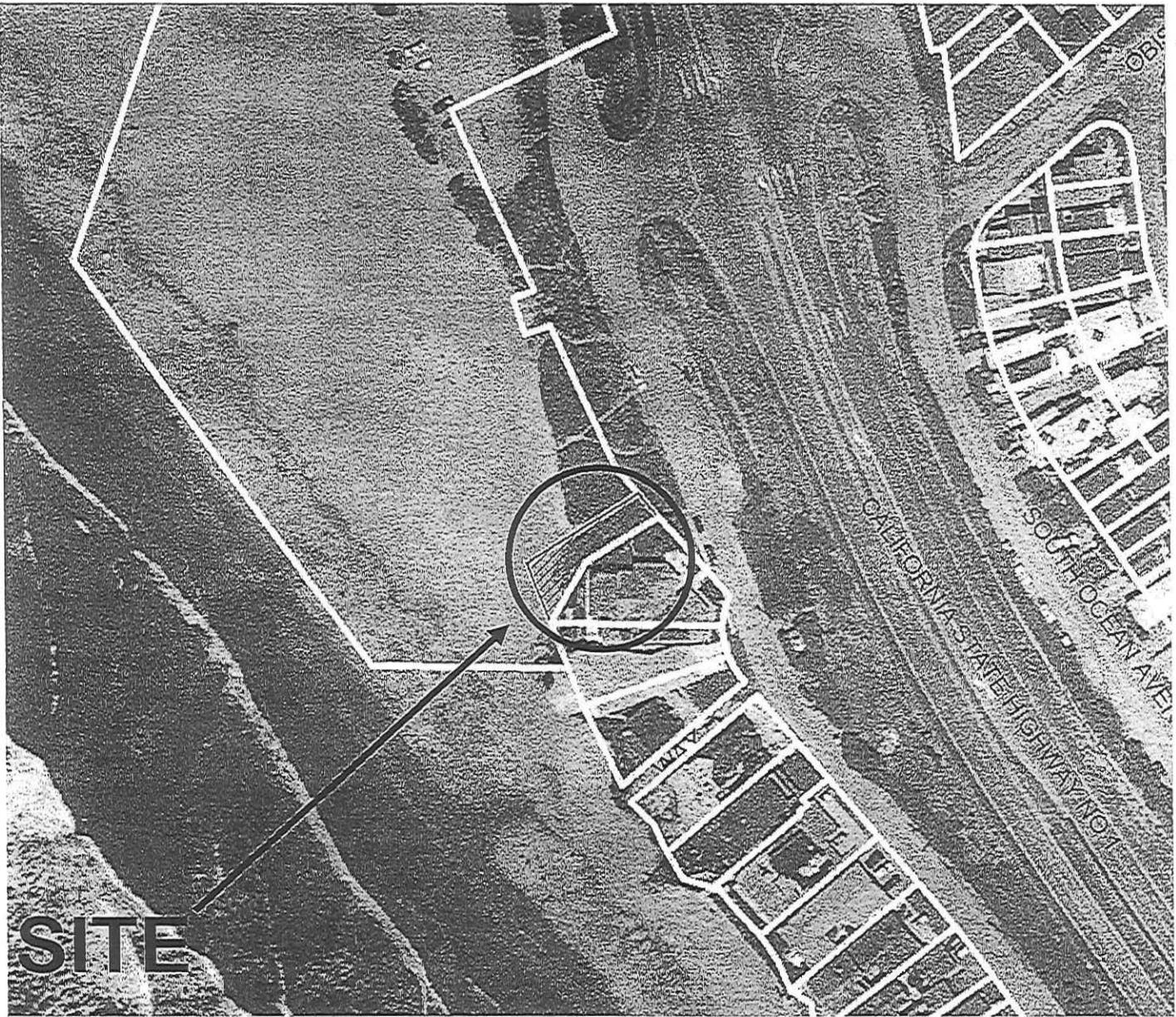
PROJECT

Minor Use Permit / Coastal Development Permit
Loperena DRC2005-0216



EXHIBIT

Sections



SITE

PROJECT

Minor Use Permit / Coastal Development Permit
Loperena DRC2005-0216



EXHIBIT

Aerial Photograph







TITLE 8 DISCHARGES (SD)
Cm



NOTICE OF PREPARATION – DRAFT ENVIRONMENTAL IMPACT REPORT

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
Promoting the Wise Use of Land • Helping to Build Great Communities

DATE: August 7, 2009

TO: Interested Parties

FROM: Department of Planning and Building
976 Osos St., Rm 300
San Luis Obispo, CA 93408-2040

PROJECT TITLE: Loperena Minor Use Permit / Coastal Development Permit DRC2005-00216; ED06-317

064-253-007

RECEIVED

PROJECT APPLICANT: Jack Loperena (James Maul Architect)

AUG - 7 2009

RESPONSES DUE BY: September 14, 2009

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PUBLIC WORKS

The County of San Luis Obispo will be the Lead Agency and will prepare an Environmental Impact Report for the above-referenced project. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the Environmental Impact Report prepared by our agency when considering your permit or other approval for the project.

PLEASE provide us the following information at your earliest convenience, but not later than the 30-day comment period, which began with your agency's receipt of the Notice of Preparation (NOP).

1. NAME OF CONTACT PERSON. (Address, e-mail and telephone number)
2. PERMIT(S) or APPROVAL(S) AUTHORITY. Please provide a summary description of these and send a copy of the relevant sections of legislation, regulatory guidance, etc.
3. ENVIRONMENTAL INFORMATION. What environmental information must be addressed in the Environmental Impact Report to enable your agency to use this documentation as a basis for your permit issuance or approval?
4. PERMIT STIPULATIONS/CONDITIONS. Please provide a list and description of standard stipulations (conditions) that your agency will apply to features of this project. Are there others that have a high likelihood of application to a permit or approval for this project? If so, please list and describe.
5. ALTERNATIVES. What alternatives does your agency recommend be analyzed in equivalent level of detail with those listed above?
6. REASONABLY FORESEEABLE PROJECTS, PROGRAMS or PLANS. Please name any future project, programs or plans that you think may have an overlapping influence with the project as proposed.

7. RELEVANT INFORMATION. Please provide references for any available, appropriate documentation you believe may be useful to the county in preparing the Environmental Impact Report. Reference to and/or inclusion of such documents in an electronic format would be appreciated.
8. FURTHER COMMENTS. Please provide any further comments or information that will help the county to scope the document and determine the appropriate level of environmental assessment.

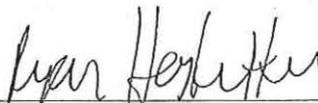
The project description, location, and the probable environmental effects are contained in the attached materials.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to **Ryan Hostetter** at the address shown above. As requested above, we will need the name for a contact person in your agency.

OFFICE OF THE COUNTY CLERK
SAN LUIS OBISPO COUNTY

Signature



Project Manager

Telephone: (805) 788-2351

Reference: California Administrative Code, Title 14, Section 15082



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

(ver 2.1) Using Form

Project Title & No. Loperena Minor Use Permit ED06-317.DRC2005-00216

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 checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" 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.

Ryan Hostetter (i. Doug Wood) Ryan Hostetter 9/5/09
Prepared by (Print) Signature Date

John Nall John Nall Ellen Carroll, 9/5/09
Reviewed by (Print) Signature (for) Environmental Coordinator 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 Environmental Division 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 Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Jack Loperena for a Minor Use Permit/Coastal Development Permit to allow for the construction of a 2,396 square foot single family residence with a 217 square foot upper floor deck on the west side of the house. The proposed home is a single story (with basement) and a proposed maximum height of 15' above the centerline elevation of Studio Drive. The project will result in the disturbance of approximately 3,000 square feet of a 3,445 square foot parcel. The proposed project is within the Residential Single Family land use category and is located on the west side of Studio Drive, adjacent to the State Parks property on the northern end of Studio Drive, approximately 250 feet south of the intersection of Studio Drive and Highway 1. The site is in the Estero planning area.

The elevation of the project site itself is located below the grade of Studio Drive by approximately six to ten feet and is directly adjacent to an existing residential neighborhood which has been mostly built out (except for the subject property). The unique cantilevered design of the proposed residence minimizes site disturbance by allowing for minimal footprint of the structure (1,040 square feet or 26% of the lot), and pulling the structure as close to the road as possible as to not extend the footprint on the dry sandy beach. This design also allows for the lower level to be buried below the road elevation and the upper floor and cantilevered portions are only visible from Highway 1 which reduces massing of the structure and the building appears to be single story from Highway 1. The proposed residence complies with the Cayucos Small Scale Neighborhood Design Standards.

The project permit application was applied for in May of 2006 and was scheduled for Planning Department Hearing on August 17, 2007 and was continued from that hearing until September 21, 2007. Staff received a Request for Review on August 23, 2007 of the proposed Mitigated Negative Declaration which was issued on August 9, 2007. In order to address issues raised in the Request for Review, staff requested that the project be continued again off calendar from the September 21, 2007 Planning Department Hearing. During this time staff has consulted with County experts in geology, cultural resources, emergency services, air quality and public works/drainage. Comments from the County experts have been incorporated into an amended Mitigated Negative Declaration which was re circulated for review and the project was again scheduled for a Planning Department Hearing on May 15, 2009. Staff again received a second Request for Review on April 16, 2009. Based on this second request for review staff again continued the item off calendar from the May 15, 2009 Planning Department Hearing. Because of the issues raised in the second request for review, and in consultation with County Environmental Coordinator's office, the applicant has elected to prepare an Environmental Impact Report for the proposed project.

ASSESSOR PARCEL NUMBER(S): 064-253-007

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: Estero, Cayucos

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATION(S): Geologic Study, Local Coastal Plan/Program

EXISTING USES: Undeveloped

TOPOGRAPHY: Moderately sloping from the road to nearly level

VEGETATION: Grasses ice plant

PARCEL SIZE: +/- 3444.71 square feet

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Recreation; undeveloped	<i>East:</i> Residential Rural; undeveloped
<i>South:</i> Residential Single Family; undeveloped	<i>West:</i> Recreation; undeveloped Pacific Ocean

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having 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 - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>

Setting. The project site is located adjacent to the beach approximately 140 feet directly west of

Highway 1 and approximately 250 feet south of the intersection of Highway 1 and Studio Drive. The site is visible from Highway 1 when traveling south and somewhat visible when traveling north. The property is a legal lot that is approximately 25 feet in width adjacent to existing bluff top development within the Studio Drive residential neighborhood. The subject property however does not contain a bluff, and is lower than the adjacent developed properties.

Impact. The proposed project is a two level home (single story with a basement) with a maximum height of 15 feet as measured from the centerline of Studio Drive. The home is low profile with an almost flat roof as viewed from the street and it contains a photovoltaic system to support the electricity for the entire house. The most visible location is the northern elevation as there is no existing development on this side near the property. The applicant has included a fence along this elevation with proposed vines to crawl along the fence which will hide the view of the basement from Studio Drive and the parking area for the adjacent beach access to the north.

The proposed home has a footprint of 1,040 square feet and the property is 3,444 square feet in size. A portion of the home is cantilevered which includes some living space and covered deck area. This portion is cantilevered because the home is not proposed to touch the dry sandy beach below. This concept is similar to a neighboring home two doors down to the south which has a large portion of living area and deck area cantilevered over the flat dry sandy portions of the property.

The design of the proposed residence is unique, and modern. Currently there is no ordinance that limits modern design within this area. There is however, the Small Scale Neighborhood design standards and guidelines for new construction for which this project is subject to. This proposed project has been reviewed with regards to the small scale neighborhood standards, and complies with all the requirements. These requirements include but are not limited to special size requirements, scale, and massing requirements of new residences within this specific area. This proposed home is small in scale (maximum approximate width of 19 feet and length of approximately 95 feet, and a height of 15 feet from the Studio Dr. center line elevation), complies with all the Cayucos Small Scale Neighborhood Design Standards, and is located within an existing developed residential neighborhood. The most significant public view is from Highway 1 motorists traveling south, and from the public beach area. The proposed development will appear as an extension of the residential neighborhood consistent with the land use category. The scale and massing of the proposed house is consistent with that of neighboring residences, however the style and design with the cantilevered deck area is different than neighboring residences as it proposes a much more modern design.

Mitigation/Action Required. Due to the potentially significant impacts to public views, a viewshed analysis from public highways and major roads shall be prepared by qualified persons and shall include, but not be limited to, the following:

1. Development of ratings and recommendations for the assignment of aesthetic values to protect views from Highway 1, and to identify other, if any, potentially significant key viewing areas. Other potentially significant key viewing areas may include the public beaches, and Studio Drive.
2. Recommendation and discussion of adequate and feasible mitigation measures, if any, to ensure that visual resources are adequately protected.

2. AGRICULTURAL RESOURCES
- Will the project:

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

Setting. The soil types are as follows:

Cropley clay (2 - 9 % slope). This gently sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class II when irrigated.

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. Because there are no impacts to 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) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the 2003 CEQA Air Quality Handbook 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).

Impact. As proposed, the project will result in the disturbance of approximately 3,000 square feet (includes driveways, walkways, home coverage and landscaping). This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

AB 32: The proposed development will result in an increase of human activity, including increased use of vehicles and electricity, which will generate small increased amounts of carbon dioxide, nitrous oxides, and hydrofluorocarbons. At this time, CEQA does not provide any regulatory guidance on how to address potential impacts of global climate change, and AB32 defers CEQA consideration of GHG as a subsequent phase of this legislation. AB32 also directs the California Air Resources Board as the agency to determine appropriate measures to mitigate for greenhouse gas (GHG) emissions, which may or may not include measures directed at new land use development subject to CEQA. However, due to recent pending EIR lawsuits initiated by the State Attorney General's Office, CEQA documents may include reasonable discussions of greenhouse gas emissions.

The issue of GHG is one of cumulative impacts, however, one proposed single family residence in a residential zoned area is not going to contribute significantly to the generation of GHG. While project impacts on global climate change are not considered significant, project elements that are proposed, which will reduce GHG impacts include: compliance with current Title 24 Energy requirements (electricity reduction for cooling/heating); solar panels are proposed to reduce demand from GHG-emitting power plants; project is within garbage service area, which is recycling over 50% of the wastes (electricity reduction); the project is required to recycle at least 50% of its construction wastes.

Mitigation/Conclusion. No mitigation measures are necessary.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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>Introduce barriers to 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"/>

4. **BIOLOGICAL RESOURCES -**
Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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e) *Other:* _____

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Setting. The following habitats were observed on the proposed project: Ice Plant & Grasses

The project site contains mostly all ice plant with some grasses and ornamental vegetation along the southern property line and on the neighbors property to the south. The soils are sandy and do not contain ponding water or any wetland habitat.

Based on the latest California Diversity database, and other biological references, the following is a list of sensitive vegetation, wildlife and/or habitat that have been identified as potentially being within the vicinity of the proposed project:

Plants- San Luis serpentine dudleya (*Dudleya abramsii ssp. bettinae*) has been found about 0.4 mile to the north. This perennial herb is found on serpentinite soils in chaparral; coastal scrub; valley and foothill grassland areas between the 20 and 180-meter elevations. The typical blooming period is May-July. San Luis serpentine dudleya is considered rare by CNPS (List 1B, RED 3-2-3).

California seablite (*Suaeda californica*) has been found about 0.2 mile to the north. This evergreen shrub is generally found growing along margins of marsh and swamp (coastal salt) areas at elevations up to 5 meters. It is a California endemic which has a blooming period of July-October. California seablite is considered federally endangered and extremely rare by the CNPS (List 1B, RED 3-3-3).

Jones's layia (*Layia jonesii*) has been found about 0.8 mile to the south. This annual herb is found on serpentine or clay soils in chaparral and valley grassland habitats at elevations between 5 and 400 meters. Within San Luis Obispo County, this species is known to range primarily from the Cayucos area south to San Luis Obispo. It is a California endemic, with blooming generally occurring in March to May. Jones's layia is federally listed as a Species of Concern, and CNPS considers this species rare (List 1B, RED 3-2-3). The Cal Flora Occurrence Database catalogs 31 historical occurrences of this species within San Luis Obispo County.

Wildlife- Sandy beach tiger beetle (*Cincindela hirticollis gravida*) has been found on-site.

Tidewater goby (*Eucyclogobius newberryi*) has been found about 0.1 mile to the north. This species is found in brackish water habitats along the California coast. Microhabitats include shallow lagoons and lower stream reaches. The goby needs fairly still but not stagnant water with high oxygen levels. Suitable habitat within these streams range from the mouths to approximately 1.5 to 2.0 miles upstream. Tidewater goby is threatened by various factors including water quality degradation and low instream flows caused by water diversions and periodic drought. They are considered federally endangered and a California species of Special Concern.

Southwestern pond turtle (*Emys (or Clemmys) marmorata pallida*) has been found about 0.2 mile and about 0.5 mile to the north, about 0.3 mile to the south, and about 0.4 mile to the southeast. The species prefers slow-water aquatic habitat with available basking sites nearby. Hatchlings require shallow water habitat with relatively dense submergent vegetation for foraging. Southwestern pond turtle is a federal and California Species of Special Concern.

Habitat- California red-legged frog (*Rana aurora draytonii*) FT habitat has been found about 0.2 mile to the north.

Impact. The project site is just about covered with ice plant and some grasses, and has been impacted by pedestrians accessing the beach next door to the state park beach area. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic 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>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Impact. A Phase I (surface) survey was conducted (Central Coast Archaeology, July 10, 2006). No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

In a geologic investigation prepared for the project "shell fragments" were identified within fill material in site borings (Cleath May 2, 2006).

Mitigation/Conclusion. Cleath's report which describes encountering "shell fragments" among loose medium brown sand with silt and clay does not in itself describe a significant cultural resource as established in the California Environmental Quality Act (CEQA). The materials were encountered in fill material, and the soils were not dark or black which would be indicative of a midden. CEQA finds cultural sites significant if one can find value in the ability to learn or gain information from the resource with regards to its origination and connection to the cultural heritage. Encountering shell fragments within fill deposits on the beach is not enough to establish that this is a significant cultural resource under CEQA, but if the fill contains disturbed cultural material, it may contain scattered artifacts that could be considered significant. Standard mitigation for impacting disturbed cultural material typically involves retention of an archaeological monitor to observe and record any discoveries while construction occurs. To ensure significant resources are protected if encountered, (assuming there will be a discovery of materials) a monitoring plan is required as a mitigation measure which will ensure a qualified cultural resources specialist on site during ground disturbing activities which will reduce potential impacts to cultural resources to a level of insignificance.

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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6. GEOLOGY AND SOILS - <i>Will the project:</i>	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <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"/>
i) <i>Preclude the future extraction of valuable mineral resources?</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 type="checkbox"/>

Setting. GEOLOGY - The topography of the project is gently sloping. The area proposed for development is within the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate to high. Active faulting is known to exist app. 0.5 mile south of the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance [LUO section 22.14.070 (c), or CZLUO section 23.07.084(c)] to evaluate the area's geological stability relating to the proposed use. A geological report was conducted for the project (Cleath and Associates May 2, 2006, and

March 30, 2007), and a geotechnical investigation was conducted for the project (GSI Soils Inc., January 12, 2007).

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek from the proposed development (unnamed creek) is approximately 0.2 mile to the north. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered very poorly drained. For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080 or CZLUO Sec. 23.05.042) 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 – The soil types and descriptions are listed in the previous Agriculture section under “Setting”. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodability and high shrink-swell characteristics. In addition, undocumented fill and loose sand deposits beneath the site are highly erodable and are not suited for foundation support, but are underlain at a shallow depth by sound sedimentary strata that will serve well for foundation support. The bedrock surface is very irregular and as a result, depths to the top of bedrock vary significantly across the property.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090, CZLUO Sec. 23.05.036) 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. As proposed, the project will result in the disturbance of approximately 3000 square feet (total including driveway, fencing, side yard landscaping, any front setback landscaping and building footprint). The area proposed for development is in part below the elevation potentially reached by a tsunami runup level at an elevation 9.5 feet above mean sea level. The more constraining runup level is the storm surge level of 14.76 feet (4.5 meters) above mean sea level.

The project site is partially bounded by a fluvial bluff line along Old Creek, whereas the coastal bluff line appears to terminate approximately 150 feet southeast of the southern corner of the subject property. The property does not contain a bluff as defined in Title 14 section 13577 (h) (2) of the California Coastal Commission Administrative Regulations (Cleath and Associates, May 2, 2006). The project site slopes down steeply at Studio Drive (mainly because of fill brought in for Studio Drive) and gradually flattens as the site turns into dry sandy beach. The site does not contain a typical bluff edge, rock edge, or line that separates the property from the dry sandy beach other than the existence of ice plant and a short steep slope created by the road. Generally this entire property is located within the sandy beach area, and the neighboring property to the south contains a bluff edge, therefore the neighboring residence to the south is on top of the bluff and contains a much higher elevation than the subject property.

Because of the unique geologic conditions that exist on site, the geologic evaluation and soils report submitted for the proposed project included site specific construction recommendations for the project. These construction recommendations include foundation design, grading/earthmoving requirements, site clearing requirements and drainage recommendations.

Conclusion.

Drainage, Erosion, and Sedimentation. A registered engineer with a specialty in coastal bluff issues, wave run-up, coastal bluff erosion, tsunami hazard and flood hazards must evaluate potentially significant drainage, erosion, and sedimentation impacts. The analysis should include, but not be limited to, the following:

1. Determine location of coastal bluff and recommend any bluff setbacks for development if applicable
2. Determine datum elevations for purposes of determining mean high tide and wave run-up
3. Consultation with the County Public Works Department, the United States Natural Resource Conservation Service, and the Resource Conservation District.
4. Identification and mapping of significant drainage courses and watersheds.
5. Identification and mapping of all areas within the project boundaries that currently experience drainage and/or flooding conditions.
6. Identification and mapping of all areas that could potentially be adversely affected by drainage, erosion, or sedimentation impacts resulting from the development the proposed project.
7. Identification of cumulative impacts on the area's ecosystem, which could result from the project.
8. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential adverse drainage, erosion, and sedimentation impacts.

Geologic Hazards/Site Alteration. A (Registered Engineering) geologist with specialization in coastal issues will be needed to consider the following when evaluating the project's potentially significant impacts to or from geological resources:

1. Consultation with the County Public Works Department, the County Department of Planning and Building, reference to the San Luis Obispo County Land Use Ordinance (including the Safety Element) and County GIS mapping.
2. Incorporate at a minimum the following project setting components:
 - a. Underlying formations
 - b. Faulting
 - c. Potential liquefaction hazards
3. Mapping of significant areas that pose geologic hazards.
4. Evaluation and discussion of the geologic features of the site and surrounding area that may have a significant adverse impact on the development of the project.
5. Evaluation and discussion of impacts associated with topographical alteration (or saturation of soil, as applicable) including stability of driveways, cut slopes, fill slopes, drainage structures, and other improvements.
6. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential impacts related to geologic hazards or topographic alteration.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area. Based on maps and County documents, the following hazards were identified:

- a. Whale Rock: The site is within the Whale Rock inundation area as are other residences in the community of Cayucos (see attached exhibit showing most structures in this area to be within this zone). The County has adopted the "Dam and Levee Failure Evacuation Plan" (revised July 2008) in the event of a facility failure. "The primary purpose of this plan is to establish and define emergency management procedures and organizational response for overall coordination of public protective public actions that may be needed in the event of [dam] failure." In the very unlikely event of a catastrophic failure, the County is equipped with the resources and plan to best save life and any necessary resources outlined in the "Dam and Levee Failure Evacuation Plan" (adopted as a part of the San Luis Obispo County Emergency Operations Plan).
- b. Old Creek: Per County Public Works and the County's flood maps, this property is not located within a flood hazard area (see Public Works referral in file). Due to the construction of the Whale Rock Dam, the potential for damage from 100-year storm events are substantially reduced due to the dam's capacity to absorb substantial runoff before reaching the top of the dam. A drainage plan is required prior to any construction permits for review and approval by County Public Works. To further reduce potential flooding conflicts, as applicable, all finished floors must be located above/outside any such 100-year flood hazard elevation.
- c. Diablo Canyon: The property is located within the Diablo Canyon Emergency Planning zone, specifically within Protective Active Zone 9 (see attached exhibit showing most structures in this area to be within this zone). The County has adopted the Cities Nuclear Power Plant Emergency Response Plan (revised October 2006). The County-Cities Nuclear Power Plant Emergency Response Plan is made up of three parts: Part 1 is the Administrative Plan, which provides a good overview of all three parts of the plan. Part 2 contains reference material such as maps and charts, although primary maps and related information are also in Part 1 and throughout Part 3. Part 3 is made up of 53 separate Standard Operating Procedures (SOPs) which provide emergency response guidelines for individual agencies, jurisdictions, or specific roles related to nuclear power plant emergency response. The SOPs that make up Part 3 are stand alone response guides for separate agencies. There are SOPs for CHP, County Fire, Caltrans, Sheriff's Department, Emergency Services Director, procedures for emergency public information, emergency worker monitoring, etc. This plan

recognizes the need for emergency response for urban and non-urban developed areas within the Diablo Canyon Emergency Planning Zone and mitigates the potential for loss of life during a catastrophic event.

- d. Tsunami hazard: Also a part of the County Emergency Operations Plan, the Tsunami Response Plan (October 2005) is in place to ensure preparedness for protection of life in the event of a tsunami. The primary purpose of the plan is to establish and define emergency management procedures, organizational response and coordination related to receipt of a tsunami watch, warning, or the occurrence of an actual tsunami along the San Luis Obispo County coastline. The first priority of emergency management response will be the protection of life and property. The County Office of Emergency Services prepares for catastrophic (highly improbable) "worst case scenario" type of events which would include a 50' wave run-up. However, based on review by the County Geologist (see attached memo dated October 10, 2008, Landset Engineers) including review by the project consultant geologist suggest a more appropriate 9.5' wave run-up above mean sea level for a 100-year tsunami event. The project is designed and conditioned to avoid impacts from a 100-year tsunami event. (see attached exhibit showing most structures in this area to be within this zone).

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Conclusion. A coastal hazards expert is expected to be retained to evaluate the impact of wave run-up and potential tsunami hazards for the proposed development. This information shall be taken into account through the foundation design and finished floor elevation of the proposed residence. This information also needs to be coordinated with the geologic information listed above as it pertains to datum flood elevation and site specific geologic conditions.

8. NOISE - Will the project:	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 increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</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. The site is approximately 153 feet west of Highway 1 in the 60 dbA range (buffer distance = 209 feet). The topography between the (highway) and the site consists of generally flat areas to Studio Drive, and then the property slopes down several feet (approx 5-8 feet) from Studio Drive to the beach. Because the topography of the subject lot is below the street elevation the ground will buffer most of the noise from Highway 1. In reviewing the County's Noise Element, the noise contour maps indicated that the (eastern half of the site could be in the range of 60 to 65 dbA).

Impacts. The house plans show a design that allows for a maximum amount of noise buffer from

Highway 1 through design. As proposed, the new home will have a garage between the living area and Highway 1, and the living area is below the grade of the highway by approximately 8- 10 feet thus allowing for a minimal impact from noise to the livable areas of the home.

Mitigation/Conclusion. Because of the unique design of the proposed residence, no significant noise impacts are anticipated, and no mitigation measures are necessary.

Construction Noise: Per the County's Land Use Ordinance (Sec. 23.06.042d.) construction noise (between 7 am and 9 pm Monday through Friday and 8 am to 5 pm Saturday and Sunday) is exempt from control or mitigation. This type of noise is considered a short term impact and not significant.

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 or indirectly (e.g., through projects in an undeveloped area or 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 checked="" type="checkbox"/>	<input 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>Use substantial amount of fuel or energy?</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 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.

Impact. 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, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and Cayucos Fire Department as the primary emergency responders. The closest CAL FIRE fire station (#11 Cayucos) is approximately 1 mile to the south. The closest Sheriff substation is in Los Osos, which is approximately 12 miles south from the proposed project. The project is located in the Cayucos Elementary School District.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. 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. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels. Impacts to the areawide school, road, and service systems are mitigated through the payment of appropriate fees prior to issuance of a building permit for the proposed project.

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

Setting. The County Trails Plan does show that the California Coastal Trail is within the vicinity of the proposed project. The property is adjacent to State Parks property, and a parking area for the public to gain vertical access to the beach, therefore only lateral access is necessary (not vertical access).

Impact. The project is not proposed to affect any trail, park or other recreation resource, and will not create a significant need for additional parks or recreational resources. The project's standard conditions of approval associated with the Minor Use Permit / Coastal Development Permit will require

recordation of a lateral access agreement (Section 23.04.420) for public access to the beach and potentially the California Coastal Trail. There currently also is vertical and surrounding off-site lateral access adjacent to the property and outside the property boundaries which is State Parks property, therefore ample public access is available both vertically and laterally adjacent to the project.

Mitigation/Conclusion. No requirements other than ordinance requirements for public access is required.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels 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>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</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 type="checkbox"/>

Setting. Future development will access onto the following public road(s): Studio Drive. The identified roadway is operating at acceptable levels. The small amount of additional traffic associated with this project will not result in a significant change to the existing road service levels or traffic safety.

A referral was sent to County Public Works. Public Works had no comments related to traffic concerns other than encroachment permits being required for the new driveway.

Mitigation/Conclusion - Since no significant impacts were identified, no specific traffic-related mitigation measures are necessary for the proposed project.

13. WASTEWATER - Will the project:

	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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will be served by the Cayucos Sanitary District for wastewater disposal. This system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project.

Impact. The project proposes to use community system as its means to dispose of wastewater. Based on the proposed project, the proposed community system has the capacity to handle the project's additional effluent.

Mitigation/Conclusion. Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no mitigation measures are necessary.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</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 type="checkbox"/>

Setting. The project proposes to use a community system as its water source.

The topography of the project is gently sloping. The closest creek from the proposed development (Old Creek) is approximately 0.2 mile to the north of the subject property. As described in the NRCS Soil Survey, the soil surface is considered to have moderate 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 Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

Impact. On water use, based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 0.270 acre feet/year (AFY) Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 3,000 square feet. This includes all areas covered with either landscaping, roof area, walkways, driveways and other structures associated with the proposed residence. The project is required to submit a drainage plan with the construction permit application for review and approval.

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the 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., Cayucos 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).

Included in the County's review of the subject project was an evaluation relative to the Cayucos Small Scale Neighborhood design standards of the Estero Area Plan and other communitywide standards applicable to this property. These requirements include but are not limited to special size requirements, scale, and massing requirements of new residences within this specific area. This proposed home is small in scale with a maximum approximate width of 19 feet and length of approximately 95 feet, and a height of 15 feet from the Studio Dr. center line elevation. The project is considered a single story development as the lower level is buried below the road grade and is considered a "basement" under the building code. Staff interprets this as single story development and has been evaluated as such in the Small Scale Neighborhood Design Standards. The project complies with all the Cayucos Small Scale Neighborhood Design Standards, and is located within an existing developed residential neighborhood there are no significant visual impacts associated with this project.

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.

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

- | 16. MANDATORY FINDINGS OF SIGNIFICANCE - <i>Will the project:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>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 prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>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)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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://www.ceres.ca.gov/topic/env_law/ceqa/guidelines for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have 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 type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<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 checked="" type="checkbox"/>	Regional Water Quality Control Board	In File**
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	No Response
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Cayucos Sanitary</u>	In File**
<input checked="" type="checkbox"/>	Other <u>County Service Area 10 (water)</u>	In File**

** "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.

- | | |
|--|---|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Project File for the Subject Application <u>County documents</u> <input type="checkbox"/> Airport Land Use Plans <input checked="" type="checkbox"/> Annual Resource Summary Report <input checked="" type="checkbox"/> Building and Construction Ordinance <input checked="" type="checkbox"/> Coastal Policies <input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland) <input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agriculture & Open Space Element <input checked="" type="checkbox"/> Energy Element <input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements) <input checked="" type="checkbox"/> Housing Element <input checked="" type="checkbox"/> Noise Element <input checked="" type="checkbox"/> Parks & Recreation Element <input checked="" type="checkbox"/> Safety Element <input checked="" type="checkbox"/> Land Use Ordinance <input type="checkbox"/> Real Property Division Ordinance <input checked="" type="checkbox"/> Trails Plan <input type="checkbox"/> Solid Waste Management Plan | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Estero Area Plan and Update EIR <input type="checkbox"/> Circulation Study <u>Other documents</u> <input checked="" type="checkbox"/> Archaeological Resources Map <input checked="" type="checkbox"/> Area of Critical Concerns Map <input checked="" type="checkbox"/> Areas of Special Biological Importance Map <input checked="" type="checkbox"/> California Natural Species Diversity Database <input checked="" type="checkbox"/> Clean Air Plan <input checked="" type="checkbox"/> Fire Hazard Severity Map <input checked="" type="checkbox"/> Flood Hazard Maps <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County <input checked="" type="checkbox"/> Regional Transportation Plan <input checked="" type="checkbox"/> Uniform Fire Code <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) <input checked="" type="checkbox"/> Other <u>County Operations Plan</u> |
|--|---|

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

Archaeological resources survey and impact assessment for the Loperena property, Central Coast Archaeology, Sean Lee, July 10, 2006

Geologic Conditions at the Loperena Property, Cleath and Associates, May 2, 2006

Summary of conclusions and Recommendations of Cleath and Associates' study of geologic conditions at the Loperena property, Cleath and Associates, March 30, 2007

Geotechnical investigation, GSI Soils Inc., January 12, 2007

San Luis Obispo County Dam Failure Evacuation Plan, San Luis Obispo County, Office of Emergency Services, Revised September 2002

Response to Review of Revised Mitigated Negative Declaration, Landset Engineers, October 10, 2008

Response to Comments prepared by Mr. Michael R. Jencks on Loperena Engineering Geology Report, Cleath and Associates, September 26, 2007

Memorandum from the County of San Luis Obispo Office of Emergency Services, December 2, 2008

Letter from County Public Works Department staff Tim Tomlinson titled "Rebuttals to statements in the Appeal" regarding Flood Hazard and Hazards

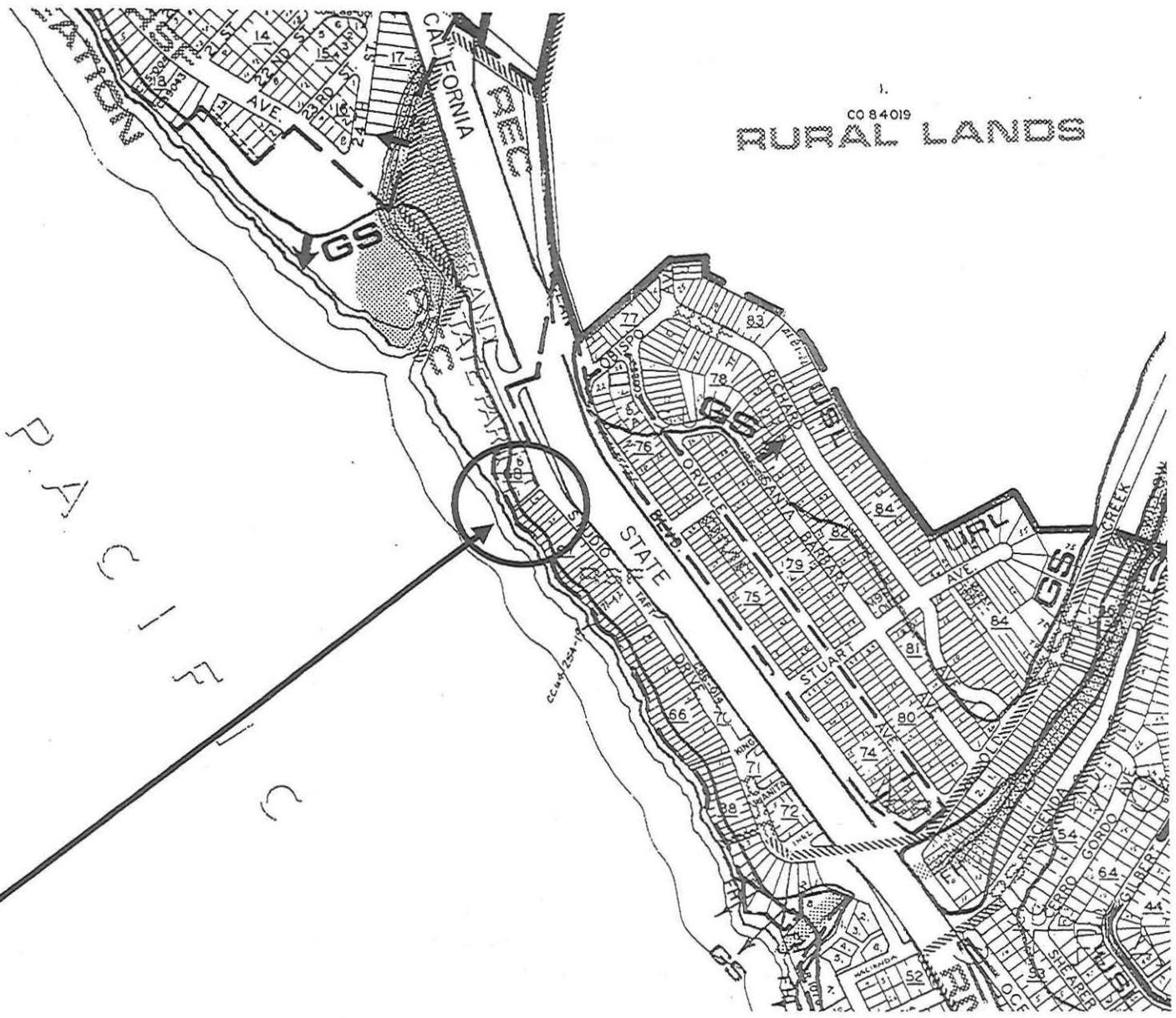
Central Coast Archaeology, Response to the Request for Review of the Environmental Document – Loperena Project MUP/CDP DRC2005-00216, September 26, 2007

Air Pollution Control District, Loperena Single Dwelling Unit Development (DRC2005-00216), December 22, 2008

Memo dated April 13, 2007, Brian Papurello Reviewing Geologist

Memorandum, Cleath and Associates, March 30, 2007, Summary of Conclusions and Recommendations of Cleath & Associates' Study of Geologic Conditions at the Loperena Property, Studio Drive, Cayucos CA, APN 064-253-007, May 2, 2006

CO 84019
RURAL LANDS



SITE

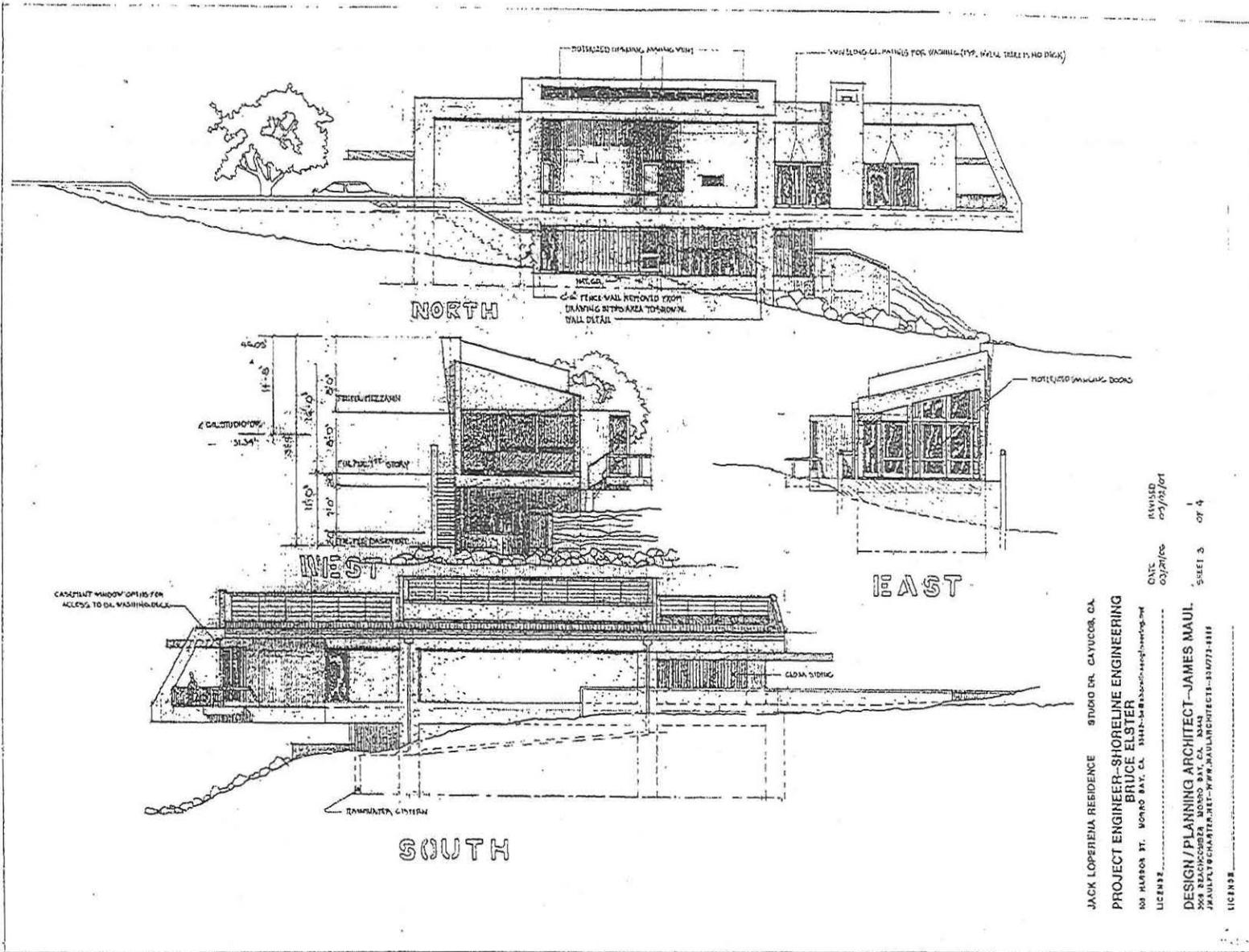
PROJECT

Minor Use Permit / Coastal Development Permit
Loperena DRC2005-0216



EXHIBIT

Land Use Category Map



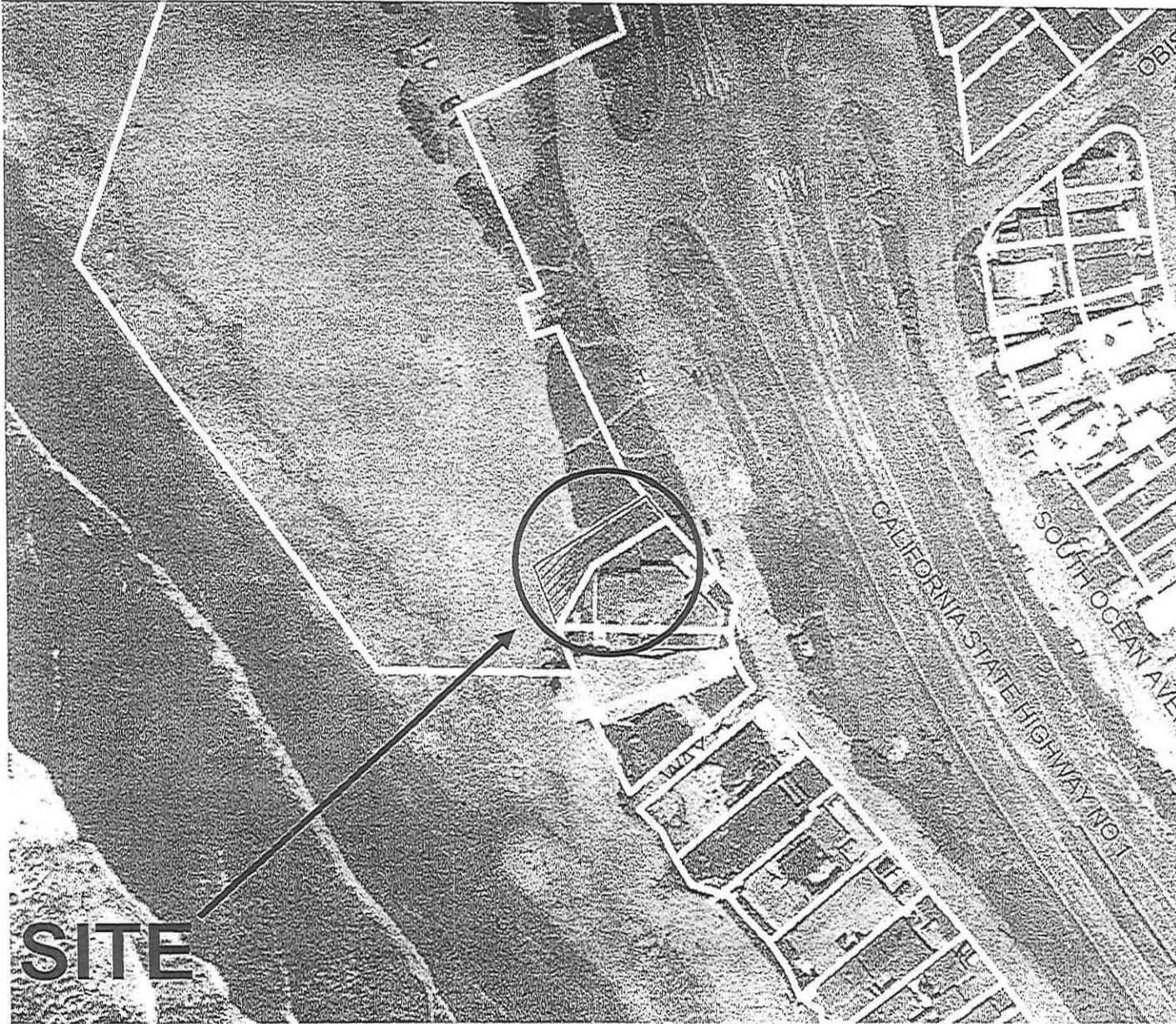
PROJECT

Minor Use Permit / Coastal Development Permit
Loperena DRC2005-0216



EXHIBIT

Elevations



PROJECT

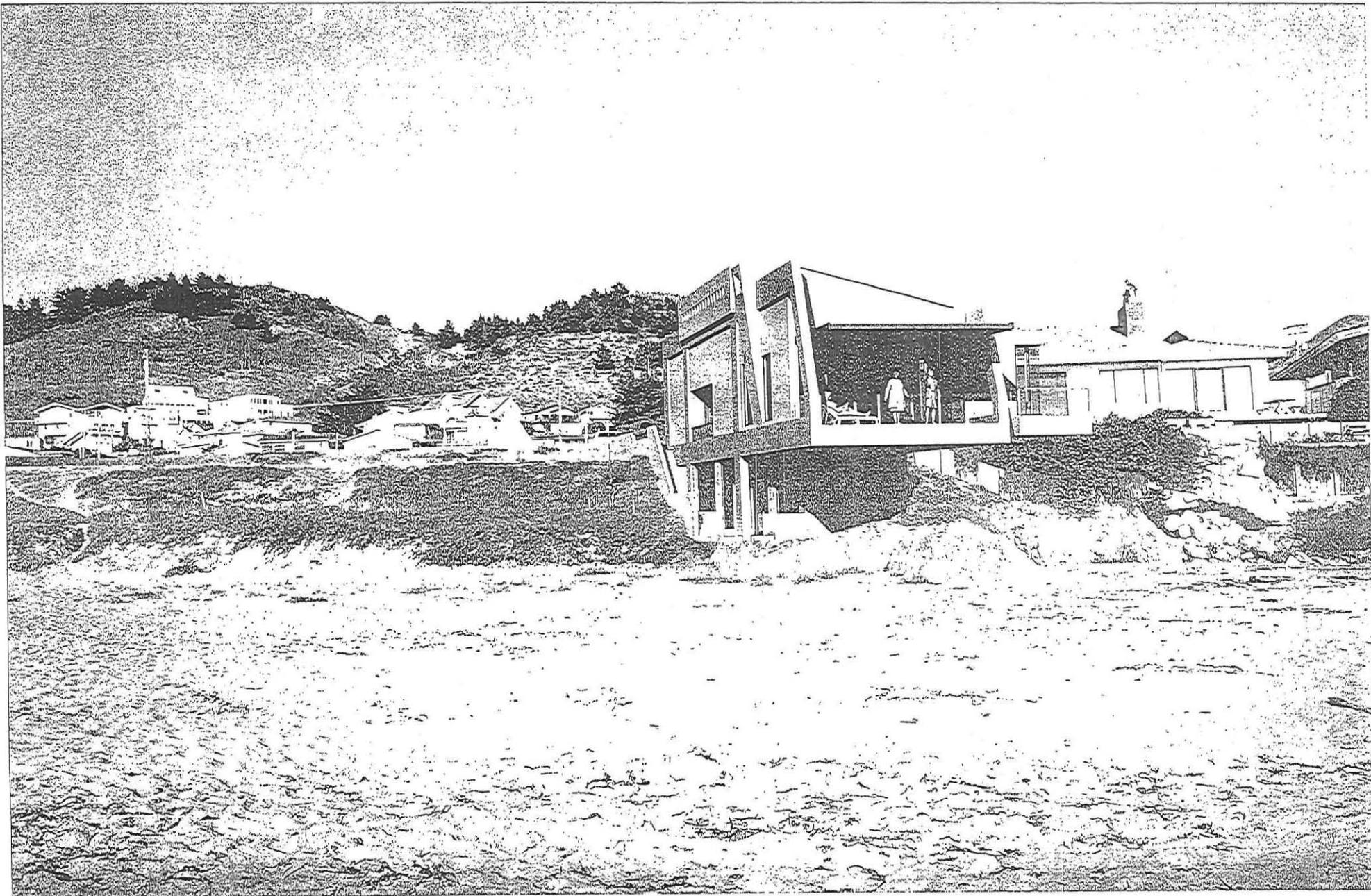
Minor Use Permit / Coastal Development Permit
Loperena DRC2005-0216

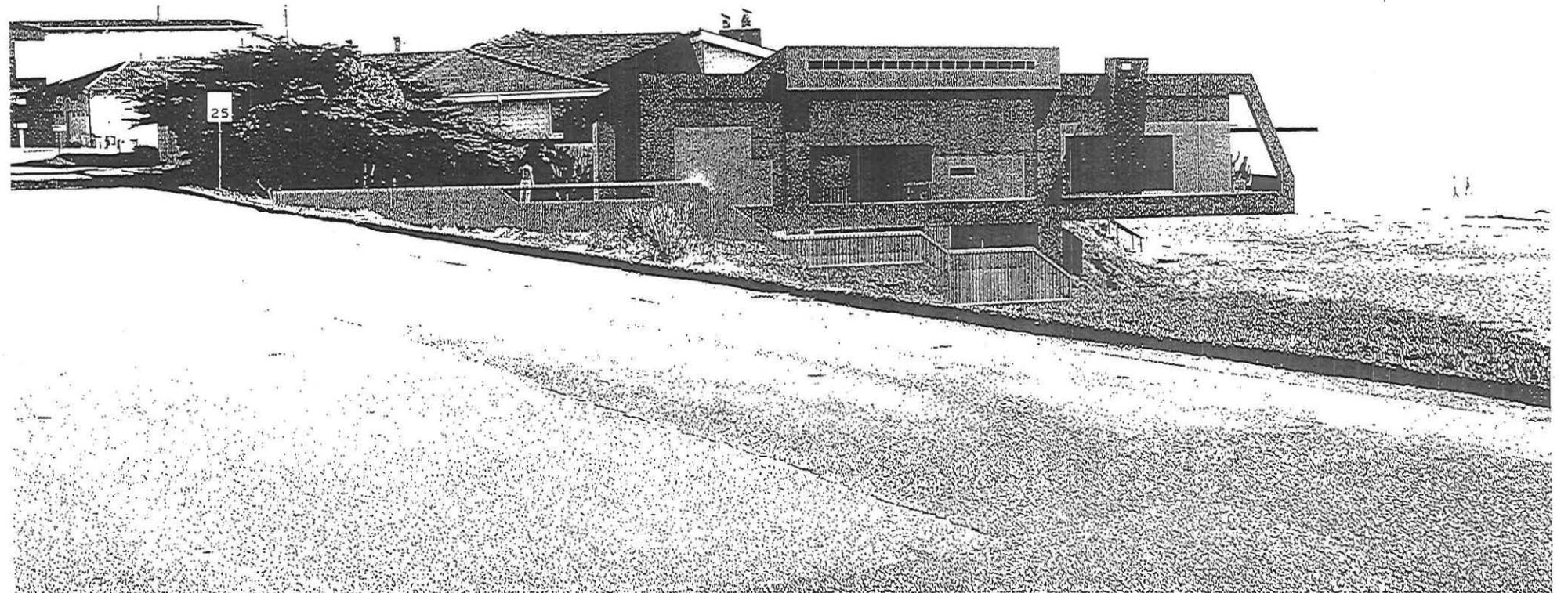


EXHIBIT

Aerial Photograph









OPR Home > CEQAnet Home > CEQAnet Query > Search Results > Document Description

Loperena Minor Use Permit / Coastal Development Permit DRC2005-00216; ED06-317

SCH Number: 2007081044

Document Type: NOP - Notice of Preparation

Alternate Title: Loperena Minor Use Permit DRC2005-00216

Project Lead Agency: San Luis Obispo County

Project Description

Request by Jack Loperena for a Minor Use Permit/Coastal Development Permit to allow for the construction of a 2,396 square foot single family residence with a 217 square foot upper floor deck on the west side of the house. The proposed home is a single story (with basement) and a proposed maximum height of 15 feet above the centerline elevation of Studio Drive. The project will result in the disturbance of approximately 3,000 square feet of a 3,445 square foot parcel. The proposed project is within the Residential Single Family land use category and is located on the west side of Studio Drive, adjacent to the State Parks property on the northern end of Studio Drive, approximately 250 feet south of the intersection of Studio Drive and Highway 1. The site is in the Estero planning area.

Contact Information

Primary Contact:

Ryan Hostetter
San Luis Obispo County
(805) 788-2351
County Government Center, Room 200
San Luis Obispo, CA 93408-2040

Project Location

County: San Luis Obispo
City:
Region:
Cross Streets: South of the intersection of Studio Drive and Highway 1
Latitude/Longitude:
Parcel No: 064-253-007
Township:
Range:
Section:
Base:
Other Location Info: City/Nearest Community: Cayucos

Proximity To

Highways: 1
Airports:
Railways:
Waterways: Pacific Ocean, Old Creek
Schools:
Land Use: Residential Single Family

Development Type

Residential

Local Action

Use Permit, Local Coastal Permit

Project Issues

Aesthetic/Visual, Archaeologic-Historic, Geologic/Seismic, Soil Erosion/Compaction/Grading, Toxic/Hazardous, Public Services, Other Issues
(Mandatory Findings of Significance)

Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; California Coastal Commission; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 4; Office of Emergency Management Agency, California; **Native American Heritage Commission**; State Lands Commission; California Highway Patrol; Caltrans, District 5; Regional Water Quality Control Board, Region 3

Date Received: 8/10/2009 **Start of Review:** 8/10/2009 **End of Review:** 9/8/2009

[CEQAnet HOME](#) | [NEW SEARCH](#)

NOP Distribution List

SL County: San Luis Obispo

SCH#

2007
Regional Water Board (RWQCB)

Resources Agency

- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
Mike Sotelo
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Rebecca Salazar
- California Energy Commission
Dale Edwards
- Cal Fire
Allen Robertson
- Office of Historic Preservation
Wayne Donaldson
- Dept of Parks & Recreation
Environmental Stewardship Section
- Central Valley Flood Protection Board
Jon Yego
- S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
- Dept. of Water Resources
Resources Agency
Nadell Gayou

- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Robert Floerke
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Brad Henderson
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Anna Garbeff
Environmental Services Section
- Dept. of Public Health
Bridgette Binning
Dept. of Health/Drinking Water

Independent Commissions, Boards

- Delta Protection Commission
Linda Flack
- Office of Emergency Services
Dennis Castrillo
- Governor's Office of Planning & Research
State Clearinghouse
- Native American Heritage Comm.
Debbie Treadway

Fish and Game

- Depart. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch
- Fish & Game Region 1E
Laurie Harnsberger

- Public Utilities Commission
Leo Wong
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Marina Brand
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Sandy Hesnard
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
Scott Loetscher
Office of Special Projects
- Housing & Community Development
CEQA Coordinator
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Bruce de Terra
- Caltrans, District 4
Lisa Carboni
- Caltrans, District 5
David Murray
- Caltrans, District 6
Michael Navarro
- Caltrans, District 7
Elmer Alvarez

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Chris Herre

Cal EPA

- Air Resources Board
- Airport Projects
Jim Lerner
- Transportation Projects
Douglas Ito
- Industrial Projects
Mike Tollstrup

- California Integrated Waste Management Board
Sue O'Leary

- State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

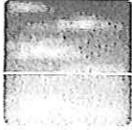
- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

- State Water Resources Control Board
Steven Herrera
Division of Water Rights

- Dept. of Toxic Substances Control
CEQA Tracking Center

- Department of Pesticide Regulation
CEQA Coordinator

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Lahontan Region (6)
- RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)
- Other _____



Loperena Minor Use Permit/Coastal Development Permit
DRC2005-00216;ED06-317
Leslie Terry to: Ryan Hostetter

08/14/2009 03:23 PM

Dear Ryan,

I reviewed the NOP for the above mentioned project. As the areas which we typically review have "Insignificant Impacts" and we had no concerns with this project at referral, I have no comments or input at this time. Of course if you need anything specific, please don't hesitate to call or write.

Best regards,
Leslie



Leslie A. Terry, R.E.H.S.
Environmental Health Specialist
Land Use Section
phone (805) 781-5551
fax (805) 781-4211



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

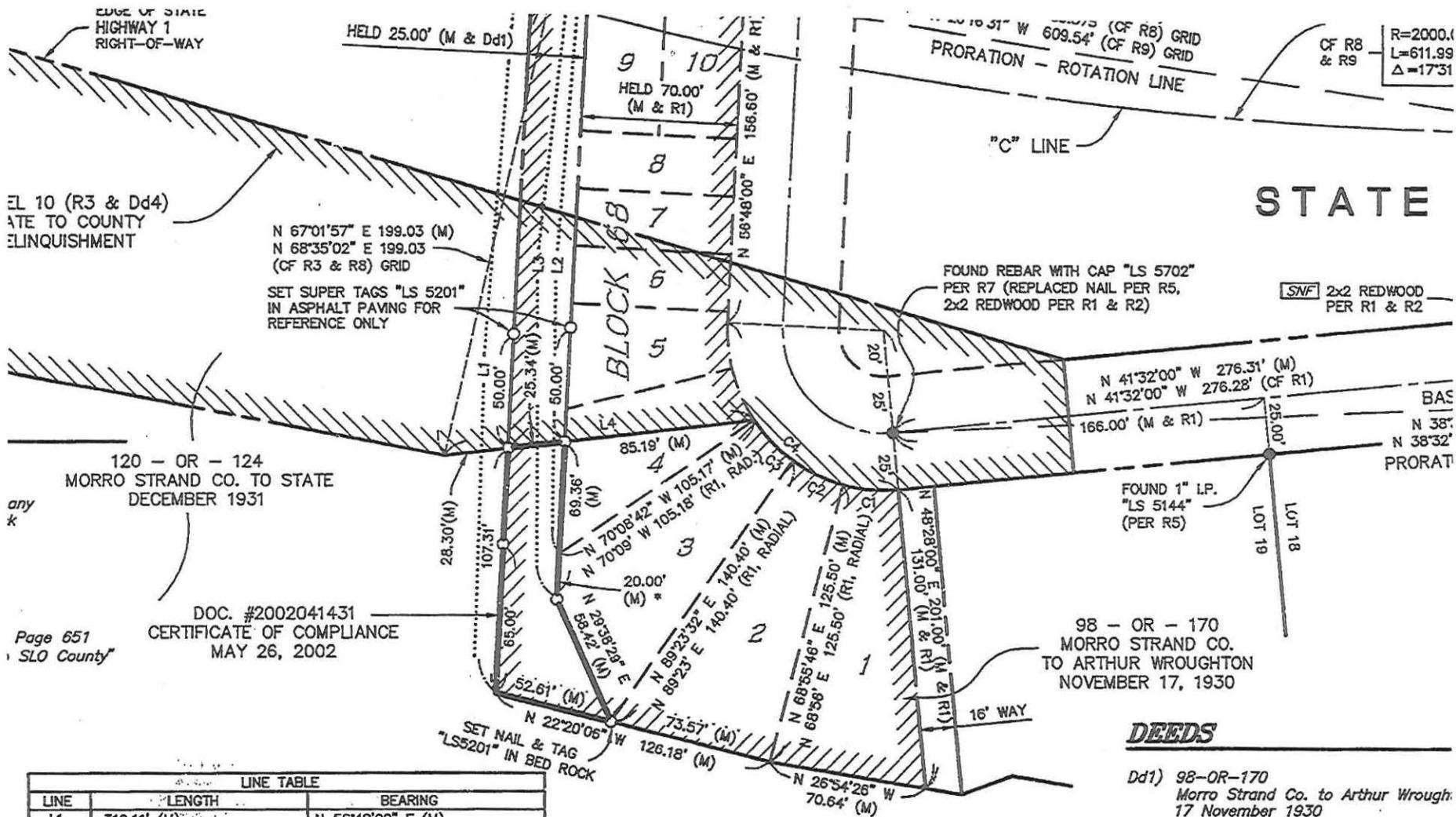
MEMORANDUM

Date: August 11, 2009
TO: Ryan Hosteter, Planner
FROM: Tim Tomlinson, Development Services
SUBJECT: Notice of Preparation – Environmental Impact Report for the Loperena Minor Use Permit/Coastal Development Permit DRC2005-00216, ED06-317

Thank you for the opportunity to provide information on the Notice of Preparation of an Environmental Impact Report on the subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

1. Contact person: Tim Tomlinson, County Government Center Room 207, San Luis Obispo CA 93408. (805) 781-5271, ttomlinson@co.slo.ca.us.
2. County Public Works will review required public improvements including streets and utilities, as well as drainage and flood hazard, under the provisions of the Real Property Division Ordinance and the Land Use Ordinance.
3. For our use, the report must address impacts on traffic and circulation, drainage and flood hazard. The Initial Study Checklist, and its Comments section, appear to cover these topics adequately.
4. A list of "Standard Conditions" is available from our office if you need it.
5. I do not have any alternative projects to suggest for evaluation.
6. This department does not have any reasonably foreseeable projects, programs or plans in the area of this proposed development.
7. I do not have any other relevant information to suggest for use in preparation of the EIR.
8. I have no further comments on the Notice of Preparation.
9. Please provide me notification that the Draft EIR is available for review via the web and the related web address where the document may be viewed.

Please contact me at your convenience if I may be of further assistance.



EL 10 (R3 & Dd4)
STATE TO COUNTY
RELINQUISHMENT

N 67°01'57" E 199.03 (M)
N 68°35'02" E 199.03
(CF R3 & R8) GRID
SET SUPER TAGS "LS 5201"
IN ASPHALT PAVING FOR
REFERENCE ONLY

120 - OR - 124
MORRO STRAND CO. TO STATE
DECEMBER 1931

DOC. #2002041431
CERTIFICATE OF COMPLIANCE
MAY 26, 2002

Page 651
SLO County

FOUND REBAR WITH CAP "LS 5702"
PER R7 (REPLACED NAIL PER R5,
2x2 REDWOOD PER R1 & R2)

SNV 2x2 REDWOOD
PER R1 & R2

98 - OR - 170
MORRO STRAND CO.
TO ARTHUR WROUGHTON
NOVEMBER 17, 1930

DEEDS

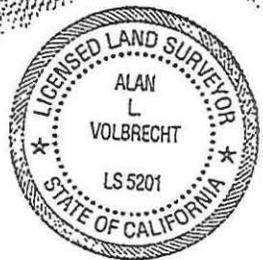
- Dd1) 98-OR-170
Morro Strand Co. to Arthur Wroughton
17 November 1930
- Dd2) 120-OR-124
Morro Strand Co. to State of Calif.
22 December 1931
- Dd3) 766-OR-452
Charles Robillard Estate to Albert G
19 May 1954
- Dd4) 1267-OR-230
State of California to SLO County
21 August 1963
- Dd5) 1431-OR-262
Albert Green to Joe Warnagieris
04 April 1967
- Dd6) Doc. # 2002-041431
Certificate of Compliance
26 May 2002

LINE TABLE		
LINE	LENGTH	BEARING
L1	319.11' (M)	N 56°48'00" E (M)
L2	258.32' (M), 258.35' (R1)	N 56°48'00" E (M & R1)
L3	278.32' (M), NO RECORD DISTANCE (R1)	N 56°48'00" E (M & R1)
L4	138.83' (M), 138.55' (R3 & R8); GRID	N 42°33'28" W (M) N 40°59'05" W (R3 & R8) GRID
L5	25.03' (M & Dd1)	N 36°07'00" W (M & Dd1)
L6	70.09' (M), 70.10 (R1)	N 36°07'00" W (M & R1)
L7	95.12' (M), 95.13 (CF Dd1)	N 36°07'00" W (CF Dd1)

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1 (M & R1)	70.00'	25.00'	20°27'46"
C2 (M & R1)	70.00'	25.00'	20°27'46"
C3 (M & R1)	70.00'	25.00'	20°27'46"
C4 (M & R1)	70.00'	120.14'	98°20'00"

BASIS OF BEARINGS

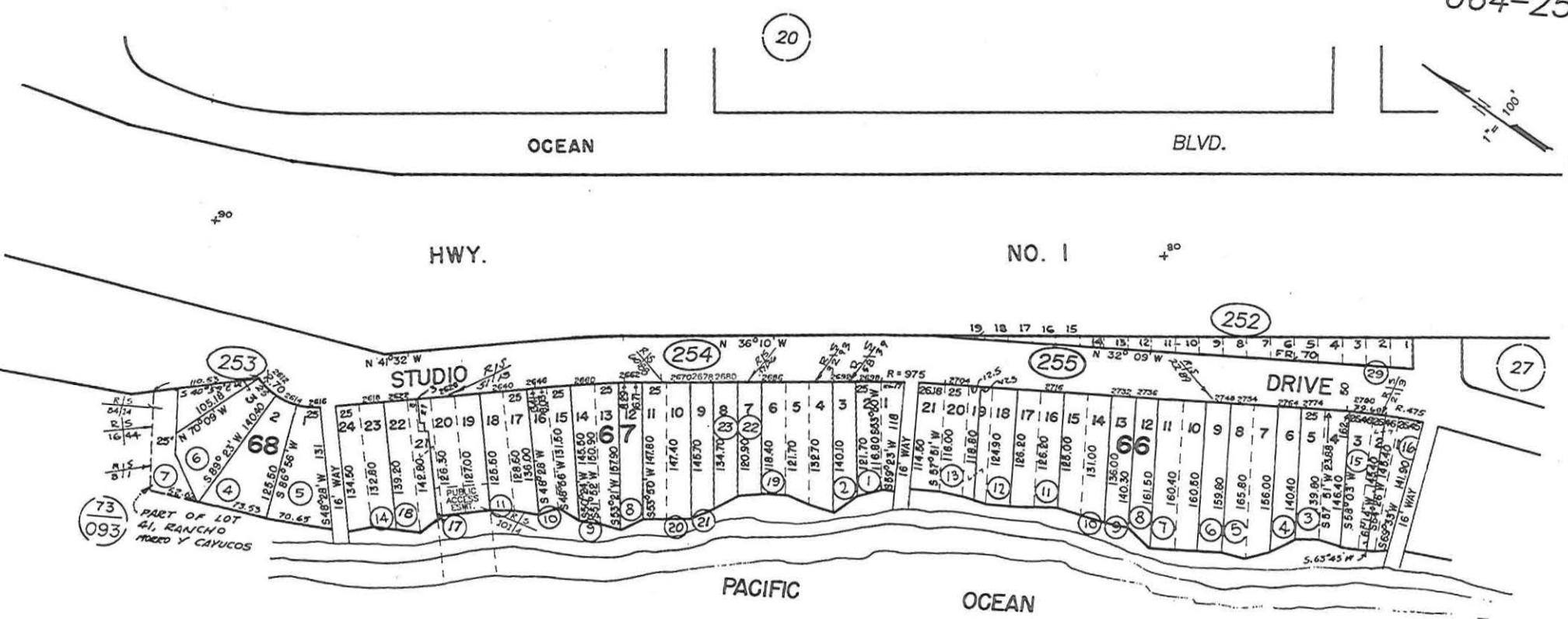
The basis of bearings for this survey is the centerline of Studio Drive and bears N 38°32'21" W (calculated from R1) between found monuments as shown hereon.



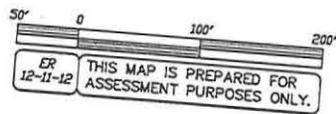
'S STATEMENT

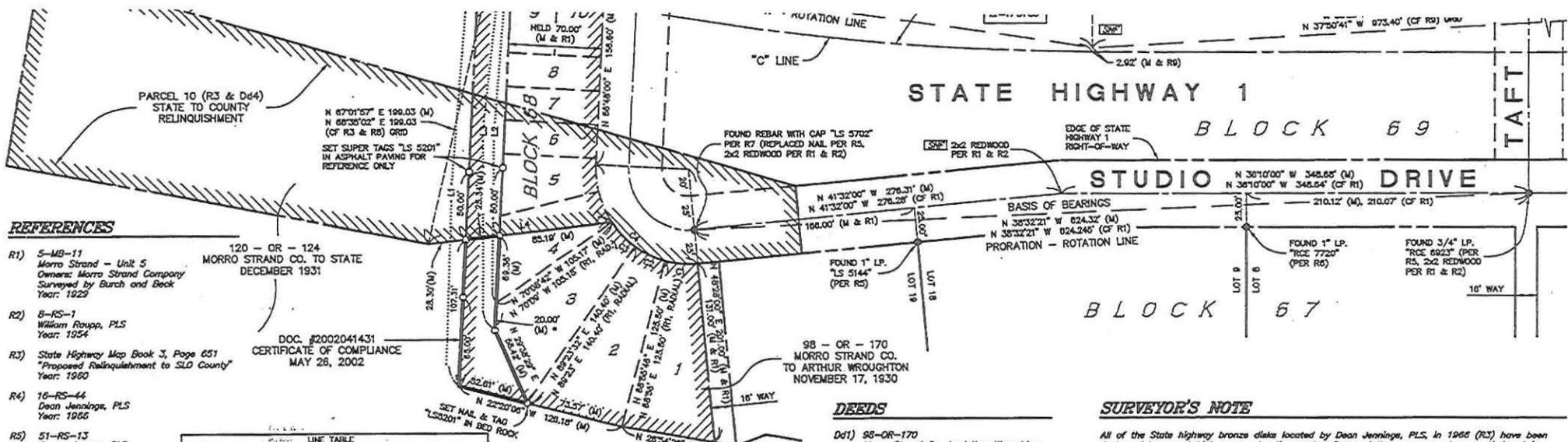
2002

PREPARED BY



REVISIONS	
I.S.	DATE
NA	10-07-03
NA	01-29-04
NA	04-22-04





REFERENCES

- R1) 5-MB-11 Morro Strand - Unit 5 Owners: Morro Strand Company Surveyed by Burch and Beck Year: 1929
- R2) 8-RS-1 William Roupp, PLS Year: 1954
- R3) State Highway Map Book J, Page 651 "Proposed Relinquishment to SLD County" Year: 1960
- R4) 16-RS-44 Dean Jennings, PLS Year: 1966
- R5) 51-RS-13 Susan Jensen, PLS Year: 1985
- R6) 60-RS-88 Thomas Baumberger, RCE Year: 1989
- R7) 16-CR-193 Mike Stanton, PLS Year: 2001
- R8) Caltrans R/W map 05-SLO-01 Post mile 34.2 Current
- R9) Caltrans Control List SLD Route 1 Current

LINE	LENGTH	BEARING
L1	310.11' (M)	N 56°48'00" E (M)
L2	256.32' (M), 256.30' (R1)	N 56°48'00" E (M & R1)
L3	276.32' (M), NO RECORD DISTANCE (R1)	N 56°48'00" E (M & R1)
L4	138.03' (M), 138.56' (R3 & R5) GRD	N 42°32'21" W (M)
L5	25.03' (M & Dd1)	N 36°32'21" W (M & Dd1)
L6	70.09' (M), 70.10' (R1)	N 36°32'21" W (M & R1)
L7	95.12' (M), 95.13' (Cf Dd1)	N 36°32'21" W (Cf Dd1)

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1 (M & R1)	70.00'	25.00'	20°27'46"
C2 (M & R1)	70.00'	25.00'	20°27'46"
C3 (M & R1)	70.00'	25.00'	20°27'46"
C4 (M & R1)	70.00'	120.14'	95°20'00"

BASIS OF BEARINGS

The basis of bearings for this survey is the centerline of Studio Drive and bears N 36°32'21" W (calculated from R1) between found monuments as shown hereon.

COUNTY RECORDER'S STATEMENT

Filed this 30th day of October 2002, at 3:27 PM, in Book 84 of Licensed Surveys of page 14 at the request of Alan L. Volbrecht.
 Document No. 2002-092966
 Fee \$8.00
 Julie K. Roseman, County Recorder

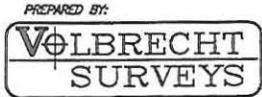
COUNTY SURVEYOR'S STATEMENT

This map has been examined in accordance with Section 8766 of the Land Surveyors Act this 11th day of October 2002.
 Alan L. Volbrecht, County Surveyor LS 5171 exp. 6-30-2003



SURVEYOR'S STATEMENT

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Land Surveyors Act at the request of Jack Lopez on July 2002.
 Alan L. Volbrecht LS 5201 exp. 6-30-2003



PREPARED BY:
 VOLBRECHT SURVEYS
 POST OFFICE BOX 239
 SAN LUIS OBISPO, CA 93406
 (805) 781-9296

RECORD OF SURVEY

A PORTION OF LOT 41 OF THE RANCHO MORRO Y CAYUCOS AS DESCRIBED IN CERTIFICATE OF COMPLIANCE #2002-041431, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

JULY, 2002 JOB NO. 653-01 SHEET 1 OF 1

84/RS/14

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



August 13, 2009

Ryan Hostetter
San Luis Obispo County
County Government Center, Room 200
San Luis Obispo, CA 93408-2040

RE: SCH#2007081044 Loperena Minor Use Permit/Coastal Development Permit DRC2005-00216; ED06-317; San Luis Obispo County.

Dear Mr. Hostetter:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

Native American Contact
San Luis Obispo County
August 12, 2009

Beverly Salazar Folkles
1931 Shadybrook Drive
Thousand Oaks , CA 91362
805 492-7255
(805) 558-1154 - cell
folkles9@msn.com

Chumash
Tataviam
Fejrnandeño

Judith Bomar Grindstaff
63161 Argyle Road
King City , CA 93930
(831) 385-3759-home

Salinan

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517
Santa Ynez , CA 93460
varmenta@santaynezchumash.org
(805) 688-7997
(805) 686-9578 Fax

Chumash

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road
Grover Beach , CA 93433
cheifmvigil@fix.net
(805) 481-2461
(805) 474-4729 - Fax

Chumash

Julie Lynn Tumamait
365 North Poli Ave
Ojai , CA 93023
jltumamait@sbcglobal.net
(805) 646-6214

Chumash

Diane Napoleone and Associates
Diane Napoleone
1433 Camino Trillado
Carpinteria , CA 93013
805-684-4213

Chumash

Lei Lynn Odom
1339 24th Street
Oceano , CA 93445
(805) 489-5390

Chumash

Salinan Tribe of Monterey, San Luis Obispo and San Benito Counties
John W. Burch, Traditional Chairperson
7070 Morro Rd, #A
Atascadero , CA 93422
salinantribe@aol.com
805-460-9202
805 235-2730 Cell
805-460-9204

Salinan

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2007081044 Loperena Minor Use Permit/Coastal Development Permit DRC2005-00216; ED06-317; San Luis Obispo County.

Native American Contact
San Luis Obispo County
August 12, 2009

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365 Chumash
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX

Salinan Nation Cultural Preservation Association
Robert Duckworth, Environmental Coordinator
Drawer 2447 Salinan
Greenfield , CA 93927
dirobduck@thegrid.net
831-578-1852

Randy Guzman - Folkes
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Tataviam
Shoshone Paiute
Yaqui

Salinan Nation Cultural Preservation Association
Jose Freeman, President Salinan
15200 County Road, 96B
Woodland , CA 95695
josefree@ccio1.com
(530) 662-5316

Xolon Salinan Tribe
Donna Haro Salinan
110 Jefferson Street
Bay Point , CA 94565

Coastal Band of the Chumash Nation
Janet Garcia, Chairperson
P.O. Box 4464 Chumash
Santa Barbara , CA 93140
805-964-3447

Salinan Nation Cultural Preservation Association
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This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2007081044 Loperena Minor Use Permit/Coastal Development Permit DRC2005-00216; ED06-317; San Luis Obispo County.

Native American Contact
San Luis Obispo County
August 12, 2009

Matthew Darian Goldman
495 Mentone
Grover Beach , CA 93433
805-748-6913

Chumash

Northern Chumash Tribal Council
Fred Collins, Spokesperson
67 South Street
San Luis Obispo , CA 93401
(805) 801-0347 (Cell)

Chumash

Santa Ynez Band of Mission Indians
Sam Cohen, Tribal Administrator
P.O. Box 517
Santa Ynez , CA 93460
(805) 688-7997
(805) 686-9578 Fax

Chumash

Frank Arredondo
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Santa Barbara , Ca 93102
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Chumash

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Gregg Castro, Administrator
5225 Roeder Road
San Jose , CA 95111
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(408) 864-4115

Salinan

Salinan-Chumash Nation
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Salinan
Chumash

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County of San Luis Obispo General Services Agency

COUNTY PARKS

Janette D. Pell, Director

Curtis Black, Deputy Director

TO: Ryan Hostetter, Department of Planning and Building

FROM: Shaun Cooper, San Luis Obispo County Parks 

DATE: September 9, 2009

RE: **NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LOPERENA MINOR USE PERMIT/ COASTAL DEVELOPMENT PERMIT DRC2005-00216; ED06-317**

This memo is regarding your NOP dated August 7, 2009.

Name of Contact Person: Shaun Cooper,
1087 Santa Rosa Street, San Luis Obispo, CA 93408
781-4388
secooper@co.slo.ca.us

Permit(s) or Approval(s) Authority: Parks, Recreation, & Trails within the County of San Luis Obispo.

Environmental Information: The San Luis Obispo County *Parks and Recreation Element* identifies park, recreation, trail, and open space opportunities within the County.

Permit Stipulations/Conditions: Improvements shall be consistent with the San Luis Obispo County *Parks and Recreation Element*, and County coastal regulations and standards.

Alternatives: None proposed at this time.

Reasonably Foreseeable Projects, Programs or Plans: San Luis Obispo County *Parks and Recreation Element* and San Luis Obispo County *Parks Coastal Access Guide*.

Relevant Information: San Luis Obispo County *Parks and Recreation Element* and San Luis Obispo County *Parks Coastal Access Guide*.



Further Comments:

Parks has concerns with the cantilever design of the structure encroaching over the lateral access.

State parks should be notified of this project.

Please provide plans showing the toe of bluff and top of bluff.

When reviewing coastal access, the Parks Division considers the following County regulations and standards.

A. Lateral Coastal Access

- 1) Access is required in new development and subdivisions between the first public road and the shore by the County Coastal Zone Land Use Ordinance (CZLUO) (see County Code, Section 23.04.420.4(c)).
- 2) Site design standards
 - a) The minimum lateral access dedication is twenty-five feet of dry sandy beach available at all times during the year or where topography limits the dry sandy beach to less than twenty-five feet, mean high tide to the toe of bluff (see County Code, Section 23.04.420.4 (c)).
 - b) Where the area between the mean high tide line (MHTL) and the toe of bluff is constrained by rocky shoreline or other limitations, evaluate the safety and other constraints and whether alternative siting of accessways is appropriate (see County Code, Section 23.04.420.4(c)).
 - c) In Cayucos, development located between the sea and the first public road is required to make an offer of dedication of lateral access extending from the toe of bluff to mean high tide or, where applicable, to the inland boundary of the public beach (see Estero Area Plan, Land Use Element/Local Coastal Plan, San Luis Obispo County General Plan, Chapter 8, p 8-11).

GENERAL APPLICATION

San Luis Obispo County Department of Planning

MINOR USE PERMIT

SINGLE FAMILY RESIDENCE ON THE BEACH
SIDE OF STUDIO DRIVE
EST/ CAYU

CA CAZ GS LCP RSF SSN

APPLICATION TYPE CHECK ALL THAT APPLY

- Emergency Permit
- Zoning Clearance
- Conditional Use Permit/Development Plan
- Surface Mining/Reclamation Plan
- Other
- Tree Permit
- Site Plan
- Curb, Gutter & Sidewalk Waiver
- Modification to approved land use permit
- Plot Plan
- Minor Use Permit
- Variance

APPLICANT INFORMATION Check box for contact person assigned to this project

Landowner Name JACK LOPERENA Daytime Phone 559-436-8219
 Mailing Address 2764 W. ATHENS, FRESNO, CA. Zip 93711
 Email Address: _____

Applicant Name JAMES H. MAUL Daytime Phone 805-772-8885
 Mailing Address 3009 BEACHCOMBER, MORRO BAY Zip CA. 93442
 Email Address: jmaulfiy@charter.net

Agent Name JAMES MAUL & BRUCE ELSTER OF SHORE LINE ENGINEERING Daytime Phone 805-772-6466
 Mailing Address 505 HARBOR ST. MORRO BAY, CA. Zip 93442
 Email Address: _____

PROPERTY INFORMATION

Total Size of Site: 3480 SQFT Assessor Parcel Number(s): 064 253 007
 Legal Description: POR. OF LOT 41 OF THE RANCHO MORRO Y CAYUCOS AS DESCRIBED IN CERTIFICATE
 Address of the project (if known): OF COMPLIANCE 2002-041431 COUNTY OF SLO, CA.
 Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: HIGHWAY ONE NORTH OR SOUTH TURN WEST TOWARD OCEAN ON STUDIO DR. AT MORRO STRAND STATE BEACH, CAYUCOS
 Describe current uses, existing structures, and other improvements and vegetation on the property: UNIMPROVED LOT W/ ONE 8" BUSH TREE, SCRUB, WEEDS, ROCKS & SAND.

PROPOSED PROJECT

Describe the proposed project (inc. sq. ft. of all buildings): ONE STORY W/ BASEMENT HOUSE OF 2200^{sq} ft + PLUS ATTACHED ONE CAR GARAGE OF 259^{sq} ft + ONE CAR CARPORT OF 200^{sq} ft AND A 190^{sq} ft DECK

LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature Jack Loperena Date 4-24-06
Jovanne M. Loperena

FOR STAFF USE ONLY

Reason for Land Use Permit: CAZ: on the beach

LAND USE PERMIT APPLICATION

San Luis Obispo County Department of Planning and Building

File No _____

Type of project: Commercial Industrial Residential
 Recreational Other

Describe any modifications/adjustments from ordinance needed and the reason for the request (if applicable): NONE

Describe existing and future access to the proposed project site: DIRECTLY FROM STUDIO DR. OR MORRO STRAID STATE BEACH

Surrounding parcel ownership: Do you own adjacent property? Yes No
If yes, what is the acreage of all property you own that surrounds the project site?: _____

Surrounding land use: What are the uses of the land surrounding your property (when applicable, please specify all agricultural uses):

North: STATE BEACH S.L.O. COUNTY LAND South: HOUSES
East: STUDIO DR. THEN STATE HIGHWAY ONE West: BEACH THEN OCEAN

For all projects answer the following:

Square footage and percentage of the total site (approximately) that will be used for the following:

(FOOTPRINT) Buildings: 1040 sq. feet 26 % Landscaping: 238 sq. feet .0599 %
Paving: 250 sq. feet .06 % Other (specify) NATURAL ROCK & SAND

Total area of all paving and structures: 3280 INCL'S CANTERLIVER sq. feet .08 acres

Total area of grading or removal of ground cover: 1290 sq. feet .03 acres

Number of parking spaces proposed: 4 Height of tallest structure: 15 ABOVE STUDIO DR. &

Number of trees to be removed: 1 Type: 8" BUSH/TREE

Setbacks: Front 0' Right 3' 3' Left 3' 3' Back 5'
CODE ACTUAL CODE ACTUAL CODE ACTUAL CODE ACTUAL

Proposed water source: On-site well Shared well Other _____

Community System - List the agency or company responsible for provision: _____ ✓

Do you have a valid will-serve letter? Yes If yes, please submit copy No

Proposed sewage disposal: Individual on-site system Other _____

Community System - List the agency or company responsible for sewage disposal: MORRO BAY/CAYUCOS

Do you have a valid will-serve letter? Yes If yes, please submit copy No WAST WATER DIST.

Fire Agency: - List the agency responsible for fire protection: S.L.O. COUNTY BRANCH OF C.D.F.

For commercial/industrial projects answer the following:

Total outdoor use area: _____ sq. feet acres

Total floor area of all structures including upper stories: _____ sq. feet

For residential projects, answer the following:

Number of residential units: ONE Number of bedrooms per unit: 2

Total floor area of all structures including upper stories, but not garages and carports: 2200 ^{sq. ft.}

Total of area of the lot(s) minus building footprint and parking spaces: 2374 ^{sq. ft.}