(ENDORSED)
FILED

DEC 2 9 1999

JULIE L. RODEWALD, COUNTY CLERK
By S. L. MILLER
DEPUTY CLERK

FOR OFFICIAL USE ONLY(WR)

COUNTY OF SAN LUIS OBISPO
NOTICE OF DETERMINATION AND NEGATIVE DECLARATION

ENVIRONMENTAL DETERMINATION NO. ED98-001 DATE: April 9, 1999

PROJECT DESCRIPTION

APPLICANT/ENTITLEMENT: Widmark Tract Map; S970128U; TR98-2262
PLANNING AREA: South County (rural)
LAND USE CATEGORY: Residential Rural
PARCEL SIZE: 162.65 acres
NUMBER AND SIZE OF PROPOSED PARCELS: 54 parcels, ranging in size from 0.5 acres to 4.0 acres, and four open space parcels, two of which have building envelopes, ranging in size from five to approximately 20 acres each
LOCATION: 951 Eucalyptus Road, immediately southeast of the intersection of Eucalyptus Road and Indiana Way, approximately 0.4 miles west of the Nipomo Urban Reserve Line
PROPOSED USES/INTENT: A request to subdivide a 162.65 acre parcel into: 54 parcels, ranging in size from 0.5 acres to 4.0 acres; two open space parcels of approximately 20 acres each , with building envelopes; and two open space parcels of approximately five acres each, without building envelopes, for sale and/or development of each proposed parcel. Twenty-four of the 56 buildable lots would result from the applicant obtaining Transferrable Development Credits (TDCs).
APPLICANT: George Widmark; Nipomo, CA

ENVIRONMENTAL SETTING

TOPOGRAPHY:	Gently to moderately sloping with steeply sloping bluff
VEGETATION:	Grasses, forbs, eucalyptus trees
SOIL TYPE:	Oceano sand
SOIL CHARACTERISTICS:	Well drained; low erodibility; low shrink-swell potential; may present some limitations to the percolation of sewage effluent due to poor filtration qualities
GEOLOGIC HAZARDS:	Negligible landslide potential; low to moderate liquefaction potential
FIRE HAZARD:	High
WATER:	On-site well
SEWAGE DISPOSAL:	On-site septic system
EXISTING USES:	Three mobile homes and accessory structures; undeveloped
SURROUNDING USES:	Irrigated row crops, open space, scattered single family residences

ADDITIONAL INFORMATION

Additional information pertaining to this environmental determination may be obtained by contacting the Environmental Coordinator, County Government Center, San Luis Obispo, CA 93408, (805) 781-5600.

STATEMENT OF FINDINGS

The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Sections 21108, 21151 & 21167) is proposed.

ACTION TAKEN

On December 9, 1999, the San Luis Obispo ~~Board of Supervisors~~/Planning Commission/~~Staff~~, having considered the Environmental Coordinator's action, approved/~~denied~~ this project.

A copy of the Negative Declaration is available for review from the San Luis Obispo County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040.

California Department of Fish and Game

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

PROJECT TITLE & NUMBER: WIDMARK TRACT MAP; 59701280
ED98-001

Project Applicant

Name: GEORGE WIDMARK
Address: 951 EUCALYPTUS ROAD
City, State, Zip Code: NIPOMO CA 93444
Phone #: 805. 929. 4489

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

( ) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.

( ) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.

(X) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.

( ) The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____

( ) Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

BM Roalman for

Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 4/9/99

(mh)dfg-exmp.frm

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & Number WIDMARK TRACT MAP ; S970128U
ED98.001

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, surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. 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. 310, County Government Center, San Luis Obispo, CA 93408-2040 or call (805) 781-5600.

Initial Study Reference and Agency Contacts: The following reference materials are used in the environmental review for each project and are hereby incorporated by reference into the Initial Study.

- Project File for the Subject Application
- County General Plan (Inland & Coastal, including all maps & elements)
- County Land Use Ordinance
- Area of Critical Concerns Map
- Fire Hazard Severity Map
- Natural Species Diversity Database
- Areas of Special Biological Importance Map
- Archaeological Resources Map
- Natural Resource Conservation Service; Soil Survey for SLO County
- Flood Hazard Maps
- Airport Land Use Plans
- Other special studies, reports and existing EIRs as appropriate

In addition to the above, the County Planning or Environmental Division has contacted responsible and trustee agencies for their comments on the proposed project. With respect to the subject application, the following agencies have been contacted (marked with an "X") or have responded (marked with "XX"):

XX County Engineering Department
XX County Environmental Health Division
___ County Planning Division
XX County Agricultural Commissioner's Office
___ County Airport Manager
___ Airport Land Use Commission
XX Air Pollution Control District
___ County Sheriff's Department
___ CA Department of Fish and Game
XX CA Department of Forestry
___ CA Department of Transportation
___ Regional Water Quality Control Board
___ CA Coastal Commission
XX NIPOMO Community Service District
XX Other PG & E

Checklist Identification of Mitigations for Potential Impacts: The checklist provides the identification and summary of the project's potential environmental impacts. Where potential impacts require mitigation, the following list of mitigations explains how the identified potential environmental impacts can and will be avoided or substantially lessened:

A. The project has been changed to avoid or substantially lessen environmental impacts. Where changes require explanation, the change(s) will be discussed in the Special Environmental Considerations section or attached material following the checklist.

B. The project is subject to standards and requirements of the Land Use Element/Land Use Ordinance and/or other County ordinances that include provisions to avoid or substantially lessen environmental impacts. These provisions are requirements that must be incorporated into the project.

C. The project is subject to state and/or federal regulations, laws and/or requirements that include provisions to avoid or substantially lessen environmental impacts. The project must incorporate the above provisions in order to be in compliance with federal or state law.

D. A special mitigation plan to avoid or lessen environmental impacts has been agreed to by the applicant. This will be noted on the checklist and, if necessary, discussed in an attachment to the checklist.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1=Potentially Significant Impact
2=Impact Can & Will be Mitigated
3=Insignificant Impact
4=Not Applicable

I. BIOLOGICAL RESOURCES	1	2	3	4
* A. Wildlife	( )	(X)	( )	( )
* B. Vegetation	( )	(X)	( )	( )
* C. Habitat Area	( )	(X)	( )	( )
D. Rare and/or Endangered Species	( )	( )	(X)	( )
* E. Unique or Fragile Biotic Community	( )	(X)	( )	( )
F. State Area of Special Biological Importance	( )	( )	(X)	( )
G. Riparian/Wetland Area	( )	( )	(X)	( )
H. Other: _____	( )	( )	( )	( )

* **Mitigation:** A ___ B ___ C ___ D X
* (X) See attached exhibit(s): (X) Developer's Statement; ( ) Agency Response _____
( ) Revised Plans; ( ) Designated Building Sites
* (X) See Special Environmental Considerations
( ) See Document in file _____

II. DRAINAGE, EROSION AND SEDIMENTATION	1	2	3	4
* A. Increased Storm Water Runoff	( )	(X)	( )	( )
* B. Erodible Soils/Erosion	( )	(X)	( )	( )
C. Poorly Drained Soils	( )	( )	( )	(X)
D. Sedimentation	( )	( )	(X)	( )
E. Contributes to Existing Drainage Problem	( )	( )	(X)	( )
F. Alters Existing Drainage Course or Waterway	( )	( )	(X)	( )
G. Other: _____	( )	( )	( )	( )

* **Mitigation:** A ___ B X [see LUO sec.22.05.036 (CZLUO 23.05.036); 22.05.040 (CZLUO 23.05.040)]
C ___ D ___
( ) See attached exhibit(s): ( ) Developer's Statement; ( ) Agency Response _____
( ) Sedimentation & Erosion Control/Drainage Plan
( ) See Special Environmental Considerations
( ) See Document in file _____

1=Potentially Significant Impact
2=Impact Can & Will be Mitigated
3=Insignificant Impact
4=Not Applicable

III. GEOLOGICAL HAZARDS/SITE ALTERATION	1	2	3	4
A. Landslide Hazard	( )	( )	(X)	( )
B. Seismic Hazard	( )	( )	(X)	( )
C. Topographic Alteration; Grading for Building X, Driveways X, Roads X, Other __	( )	( )	(X)	( )
D. Soil Expansion	( )	( )	(X)	( )
E. Steep Slopes	( )	( )	(X)	( )
F. Other: _____	( )	( )	( )	( )

Mitigation: A ___ B ___ C ___ D ___
( ) See attached exhibit(s): ( ) Developer's Statement; ( ) Agency Response _____
( ) Sed./Erosion Control Plan; ( ) Revised Plans; ( ) Designated Building Sites
( ) See Special Environmental Considerations
( ) See Document in file _____

IV. WATER RESOURCES	1	2	3	4
* A. Groundwater Quantity	( )	( )	(X)	( )
B. Groundwater Quality	( )	( )	(X)	( )
C. Surface Water Quantity	( )	( )	(X)	( )
D. Surface Water Quality	( )	( )	(X)	( )
E. Stream Flow Change	( )	( )	(X)	( )
F. Change to Estuarine Environment	( )	( )	(X)	( )
G. Other: _____	( )	( )	( )	( )

Mitigation: A ___ B ___ C ___ D ___
( ) See attached exhibit(s): ( ) Developer's Statement; ( ) Agency Response _____
( ) Hydrology Report
* (X) See Special Environmental Considerations
( ) See Document in file _____

V. POLLUTION	1	2	3	4
A. Hazardous Materials	( )	( )	(X)	( )
B. Groundwater Pollution	( )	( )	(X)	( )
C. Surface Water Pollution	( )	( )	(X)	( )
D. Increase in Existing Noise Levels	( )	( )	(X)	( )
E. Exposure of People to Severe Noise Levels	( )	( )	(X)	( )
F. Substantial Air Emissions	( )	( )	(X)	( )
* G. Deterioration of Ambient Air Quality	( )	(X)	( )	( )
H. Creation of Objectionable Odors	( )	( )	(X)	( )
I. Other: _____	( )	( )	( )	( )

* **Mitigation:** A ___ B ___ C ___ D X
* (X) See attached exhibit(s): (X) Developer's Statement; ( ) Agency Response _____
( )Hydrology/Noise Study
* (X) See Special Environmental Considerations
( ) See Document in file _____

1=Potentially Significant Impact
2=Impact Can & Will be Mitigated
3=Insignificant Impact
4=Not Applicable

VI. TRAFFIC

		1	2	3	4
* A.	Increase in Vehicle Trips	( )	(X)	( )	( )
* B.	Reduced Levels of Service on Existing Public Roadways	( )	(X)	( )	( )
C.	Limited or Unsafe Access	( )	( )	(X)	( )
D.	Creates Unsafe Conditions on Public Roadways	( )	( )	(X)	( )
* E.	Areawide Traffic Circulation	( )	(X)	( )	( )
F.	Internal Traffic Circulation	( )	( )	(X)	( )
G.	Other: _____	( )	( )	( )	( )

* **Mitigation:** A ___ B X [see Co. Code Title 13.01.010-.060; SOUTH COUNTY Circulation Fee]
C ___ D ___

( ) See attached exhibit(s): ( ) Developer's Statement; ( ) Agency Response _____
( ) Traffic Study
( ) See Special Environmental Considerations
( ) See Document in file _____

VII. PUBLIC SERVICES

		1	2	3	4
* A.	Fire Protection Services	( )	(X)	( )	( )
* B.	Police/Sheriff Services	( )	(X)	( )	( )
* C.	Schools	( )	(X)	( )	( )
D.	Community Wastewater	( )	( )	( )	(X)
E.	Community Water Supply	( )	( )	( )	(X)
F.	Solid Waste Disposal	( )	( )	(X)	( )
G.	On-site Wastewater	( )	( )	(X)	( )
* * H.	On-site Water	( )	( )	(X)	( )
I.	Other: _____	( )	( )	( )	( )

* **Mitigation:** A ___ B X (School Fee, Countywide Fee) C ___ D ___
( ) See attached exhibit(s): ( ) Developer's Statement; ( ) Agency Response _____
( ) Hydrology Report
* * (X) See Special Environmental Considerations
( ) See Document in file _____

VIII. AESTHETIC/CULTURAL RESOURCES

		1	2	3	4
A.	Visual Impact from Public Roadway	( )	( )	(X)	( )
B.	Increased Light or Glare	( )	( )	(X)	( )
C.	Alters Important Scenic Vista	( )	( )	(X)	( )
D.	Archaeological Resources	( )	( )	(X)	( )
E.	Historic Resources	( )	( )	(X)	( )
F.	Other: _____	( )	( )	( )	( )

Mitigation: A ___ B ___ C ___ D ___
( ) See attached exhibit(s): ( ) Developer's Statement; ( ) Agency Response _____
( ) Visual Analysis; ( ) Revised Plans; ( ) Landscape Plan; ( ) Designated Building Sites
( ) See Special Environmental Considerations
( ) See Document in file _____

1=Potentially Significant Impact
2=Impact Can & Will be Mitigated
3=Insignificant Impact
4=Not Applicable

		1	2	3	4
IX.	**HOUSING AND ENERGY**				
A.	Creates Substantial Demand for Housing	( )	( )	(X)	( )
B.	Uses Substantial Amount of Fuel or Energy	( )	( )	(X)	( )
C.	Encourages Growth Beyond Resource Capacities	( )	( )	(X)	( )
D.	Other: _____	( )	( )	( )	( )

Mitigation: A ___ B ___ C ___ D ___
( ) See attached exhibit(s): ( ) Developer's Statement; ( ) Agency Response _____
( ) See Special Environmental Considerations
( ) See Document in file _____

		1	2	3	4
X.	**AGRICULTURAL/MINERAL RESOURCES**				
A.	Eliminates Valuable Mineral Resources	( )	( )	(X)	( )
B.	Prime Agricultural Soils	( )	( )	( )	(X)
* C.	Conflicts with Existing Agricultural Area	( )	(X)	( )	( )
D.	Change from Agriculture to Other Uses	( )	( )	(X)	( )
E.	Other: _____	( )	( )	( )	( )

* **Mitigation:** A ___ B ___ C ___ D X
* (X) See attached exhibit(s): (X) Developer's Statement; ( ) Agency Response _____
* (X) See Special Environmental Considerations
( ) See Document in file _____

		1	2	3	4
XI.	**GROWTH INDUCING/CUMULATIVE EFFECTS**				
A.	Growth Inducing Effects	( )	( )	(X)	( )
B.	Precedent for Change in Area Land Use	( )	( )	(X)	( )
C.	Cumulative Effects: _____	( )	( )	( )	( )
*	WATER RESOURES	( )	( )	(X)	( )
	_____	( )	( )	( )	( )
	_____	( )	( )	( )	( )
	_____	( )	( )	( )	( )
	_____	( )	( )	( )	( )
	_____	( )	( )	( )	( )
D.	Other: _____	( )	( )	( )	( )

Mitigation: A ___ B ___ (School Fee, Countywide Fee) C ___ D ___
( ) See attached exhibit(s): ( ) Developer's Statement; ( ) Agency Response _____
* (X) See Special Environmental Considerations
( ) See Document in file _____

wp51/document/forms/checklst.96
rev. 1/96

April 9, 1999

SPECIAL ENVIRONMENTAL CONSIDERATIONS FOR WIDMARK TRACT MAP; ED98-001 (S970128U/TR98-2262)

PROJECT DESCRIPTION

The applicant is requesting permission to subdivide a 162.65 acre parcel into: 54 parcels, ranging in size from 0.5 acres to 4.0 acres; two open space parcels of approximately 20 acres, each with building envelopes; and two open space parcels of approximately five acres, each without building envelopes. Twenty-four of the 56 buildable lots would result from the applicant obtaining Transferrable Development Credits (TDCs). The project includes five phases of development, as shown in Exhibit C. The project site is within the Residential Rural land use category.

The site is located at 951 Eucalyptus Road, immediately southeast of the intersection of Eucalyptus Road and Indiana Way, approximately 0.4 miles west of the Nipomo Urban Reserve Line.

ENVIRONMENTAL ISSUES OF CONCERN

In the course of the initial study, the following issues were identified as having potentially significant environmental impacts: Biological Resources, Fire Safety, Agricultural Compatibility, and Air Quality. However these impacts can be mitigated to a level of insignificance by conditions agreed to in the attached Developer's Statement. Specific mitigation measures were developed by the Office of the Environmental Coordinator, and the applicant has agreed to incorporate each of those measures into the project. The following is a brief discussion of the significant environmental issues and how each will be mitigated to a level of insignificance. In addition to the potentially significant issues, there is also a brief discussion on Water Availability and Cumulative Water and Wastewater Impacts.

Biological Resources

Presently, the subject property supports a heavy stand of eucalyptus trees. Over the years, a portion of this stand of trees and other nearby stands have provided winter habitat for migrating Monarch butterflies. In January 1999, Richard Little prepared a report entitled A Study, Evaluation and Recommendations of a Monarch Butterfly Site at the Widmark Subdivision. Mr. Little's report identified a small portion of the subject property as being a significant component of the butterflies' habitat. To mitigate the potential impacts to this Monarch butterfly habitat as a result of the proposed project, the applicant has proposed the creation of an approximately two acre open space area that surrounds the identified habitat, to be managed as butterfly habitat. The applicant has agreed to place a permanent open space easement over this Monarch preserve, to assure that it remains a permanent winter habitat area for Monarch butterflies. Furthermore, the applicant has agreed to implement the recommendations within Mr. Little's report. Agreed upon recommendations include: fencing a portion of the Monarch preserve to discourage trespassing into the area; and, a guarantee that any new homes located on parcels 1-5, near the Monarch preserve, will only install ultra-clean burning fireplaces. Through these mitigation measures, the potential impacts to Monarch butterfly habitat will be mitigated to a level of insignificance.

Fire Safety

The California Department of Forestry (CDF) is responsible for providing fire and emergency services to the South County Planning Area, including the subject property. CDF states that the subject property is within a "High Fire Severity Zone", with a ten minute response time from the nearest CDF Fire Station. To minimize potential fire safety impacts, CDF will require the project to comply a number of recommendations outlined in their letter to the applicant, dated March 31, 1998. The requirements include specific size and location of fire safety water storage tanks, fire safety roads, and fire hydrants. The applicant has agreed to meet all CDF requirements.

Agricultural Compatibility

A portion of a large parcel of land located to the north of the subject parcel remains in row crop production. To minimize potential conflicts between the existing agricultural operations and the proposed homesites, the applicant has agreed to the creation of an approximately 175-foot wide "no-home" buffer along the northern property line of the subject property. The applicant has also agreed to a condition that requires disclosure to prospective buyers regarding the potential consequences of adjacent agricultural operations. Through these mitigation measures, the potential impacts to existing agriculture will be mitigated to a level of insignificance.

Air Quality

The San Luis Obispo County Air Pollution Control District reviewed the proposed project and recommended several mitigation measures to reduce potential air quality impacts to a level of insignificance. The applicant has agree to implement these APCD recommended measures, as shown in Conditions 4 & 12 of the attached Developer's Statement.

As part of the update of the South County Area Plan, a cumulative environmental impact assessment of proposed residential subdivisions in the South County planning area was completed in 1990. The cumulative assessment identified air quality impacts as being potentially significant. To mitigate this impact, the County Board of Supervisors adopted a South County air quality mitigation fee of $168/dwelling unit. The fee is used to support public programs in the South County that improve air quality. By County Ordinance, the future homebuilders on the subject property will required to contribute the $168/dwelling unit fee to mitigate cumulative air quality impacts in the South County area.

Water Availability

Presently, the applicant has a single water well that serves three single family residences on the subject property. Additional wells will need to be drilled in the future to accommodate the build-out of the proposed project, with its 56 residential parcels. As part of the Initial Study, County Planning Department contacted Doug Enlowe (805-343-1698), a professional well driller, who has drilled numerous wells in the vicinity of the proposed project. Mr. Enlowe is familiar with the applicant's property and the area's underlying water supplies, having recently drilled wells on adjacent properties. Mr. Enlowe estimated that the Widmark property could easily sustain several large water wells, each producing several hundred gallons per minute, thereby producing enough water to serve the proposed

tract map. Furthermore, the County Environmental Health Department has conducted a preliminary review of the proposed project and concluded that the submitted water well information is satisfactory preliminary evidence of water availability. County ordinance requires that the applicant provide comprehensive water system information prior to the recordation of the Final Map.

Cumulative Water Impacts

The subject property is located within the Nipomo Mesa subarea water basin, which is part of the Santa Maria Groundwater Basin (Woodlands Specific Plan, Final EIR, September 1998). The Santa Maria Groundwater Basin is not adjudicated and all landowners are able to install wells and pump groundwater from the basin. However, on July 14, 1997, the Santa Maria Water Conservation District filed a complaint against the City of Santa Maria, Southern California Water Company, and the City of Guadalupe to adjudicate the Santa Maria Groundwater Basin. If the basin is adjudicated prior to implementation of all phases of the Widmark project, it is possible the project could be affected by the court order. However, because the adjudication of the Santa Maria Groundwater Basin is in on-going and could have numerous outcomes, it is too speculative, for purposes of this CEQA analysis, to consider how this adjudication process may or may not apply to the future water rights of the proposed project.

Cumulative Wastewater Impacts

The recharge rate in much of the South County planning area is very high, according to the 1990 EIR for the South County Area Plan update. Ancient sand dunes make up much of the soil found in the South County. The rapid infiltration characteristics of the sand dune soil can have positive and negative impacts to wastewater systems and groundwater quality. Because of the rapid infiltration rates of these soils, leach fields need a greater separation from the underlying groundwater aquifer. Fortunately, the groundwater aquifer beneath the Nipomo Mesa is typically 100 feet or more below the ground surface. This distance generally provides enough separation to adequately filter the wastewater effluent before it reaches the groundwater aquifer. With deep sandy soil conditions, septic systems are much less likely to fail.

The Regional Water Quality Control Board (RWQCB) normally requires a minimum of one-acre lots per dwelling unit, where individual septic systems are used. Tract 2262 proposes to create 56 lots, all of which would have individual septic systems. Thirteen of these lots would be less than one acre in size. However, because Tract 2262 proposes to cluster the 56 residences onto 162.65 acres, the intent of the one-acre minimum parcel size would be met as long as the proposed the overall density of the project remains less than one residential unit per acre. Prior to the project's final map approval, the County Environmental Health Department will review site specific soil boring reports to verify that there is adequate soil capacity to accommodate the wastewater systems without impacting the underlying groundwater aquifer.

Based on the above discussion, the potential on-site and cumulative impacts associated with the request are not considered significant. Therefore, a Negative Declaration is appropriate under the California Environmental Quality Act.

DATE: April 7, 1999

DEVELOPER'S STATEMENT FOR WIDMARK TRACT MAP
ED98-001 (S970128U)

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

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

MAP CONDITIONS

Biological Resources

1. **Prior to final tract map approval,** the applicant shall offer to the County or an appropriate non-profit organization approved by the Environmental Coordinator, a permanent open space or conservation easement over the Monarch Preserve, as shown in Exhibit A, to assure that this parcel remain in permanent open space in perpetuity. This approximately two acre parcel shall be maintained in its present condition as a eucalyptus grove to provide an autumnal roosting site for monarch butterflies. There will be no changes made to the tree stand within the Monarch Preserve that would affect the site's usefulness as Monarch butterfly habitat. The easement shall allow the County or appropriate non-profit organization, upon 24-hour notice, to regularly visit the eucalyptus grove in order to verify its suitability as an autumnal roosting site for monarch butterflies. The terms and conditions of the easement shall be reviewed and approved by the Environmental Coordinator.

   Monitoring: Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

2. **Prior to final tract map approval,** the applicant shall install a fence between Lots 1 and 2 and the Monarch Preserve, as shown in Exhibit A, to give additional protection against ingress from those lots.

   Monitoring: Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

Fire Safety

3. **Prior to final tract map approval**, the applicant shall meet all fire safety measures as outlined in the California Fire Department correspondence, dated March 31, 1998. To verify compliance, the applicant shall submit a letter to the County Planning Department from CDF

stating that all fire safety measures have been implemented to the satisfaction of CDF.

Air Quality

4. **During all ground disturbing activities on the project site related to road grading, parcel grading, tree removals, utility trenching, etc.,** the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on all grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of grading activities.

   a. Reduce the amount of disturbed area where possible

   b. Before any grading on the site occurs, a reliable water source shall be available on the project site to support dust suppression activities.

   c. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency may be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.

   d. All dirt stock pile areas should be sprayed as needed and/or maintained to prevent airborne dust from leaving the area.

   e. Exposed ground areas that are planned to be reworked at dates greater then one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established.

   f. All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD.

   g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

   h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.

   i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

   j. Before any grading on the site occurs, a reliable water source shall be available on the project site to support dust suppression activities sufficient to prevent airborne particulate matter from leaving the site.

Monitoring: All particulate (dust) mitigation measures will be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to implement the dust control program. Compliance will be verified by the APCD in consultation with the Department of Planning and Building.

Agricultural Compatibility

5. **Prior to final tract map approval**, the developer shall enter into an agreement with the County, in a form acceptable to the County Council, whereby the developer agrees, on behalf of himself and his successors in interest, that:

   Agricultural buffers, as recommended by the County Agricultural Commissioner, shall be provided between future homesites on the property and the proposed agricultural land uses located to the north of Eucalyptus Road. These buffer areas, as shown on the attached Exhibit B, shall include the following:

   a. Horizontal setback buffer of 175 feet in width along a portion of the northern property line where it adjoins the adjacent agricultural land. In the event farming on the adjacent agricultural land is permanently discontinued, the setback requirement shall no longer be in effect.

Monitoring: Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

ADDITIONAL MAP SHEET

The following mitigation measures address impacts that may occur as a result of the initial development of the project.

Fire Safety

6. **Prior to issuance of building permits for construction of residences,** the applicant shall submit a letter to the County Planning Department from the California Fire Department that verifies all fire safety measures outlined in the CDF correspondence, dated March 31, 1998, have been implemented to the satisfaction of CDF. These safety measures include installation of an emergency water supply system and fire safety access roads.

Biological Resources

7. A permanent open space or conservation easement over the Monarch Preserve, as shown in Exhibit A, shall be maintained in perpetuity. This approximately two acre parcel shall be maintained in its present condition as a eucalyptus grove to provide an autumnal roosting site for monarch butterflies. The easement shall allow the County or appropriate non-profit

organization, upon 24-hour notice, to regularly visit the eucalyptus grove in order to verify its suitability as an autumnal roosting site for monarch butterflies.

> **Monitoring:** Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

8. All fire places within the new homes of the project shall conform with the latest EPA fire place standards.

> **Monitoring:** Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

9. All wood-burning appliances on Lots 1-5 shall meet an EPA emission rate of 2.4 grams per hour or cleaner.

> **Monitoring:** Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

10. The applicant shall maintain a fence between Lots 1 and 2 and the Monarch Preserve, as shown in Exhibit A.

> **Monitoring:** Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

Agricultural Compatibility

11. **Prior to transfer of the parcels created by this subdivision**, the applicant shall disclose to prospective buyers, of all parcels created by this proposal, the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm and Leash ordinances currently in effect at the time said deed(s) are recorded.

> **Monitoring:** Will be shown on an additional map sheet.

Air Quality

12. **During all ground disturbing activities on the project site related to road grading, parcel grading, tree removals, utility trenching, etc.,** the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on all grading and building plans. In addition, the contractor or builder shall designate a person or persons

to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of grading activities.

a. Reduce the amount of disturbed area where possible

b. Before any grading on the site occurs, a reliable water source shall be available on the project site to support dust suppression activities.

c. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency may be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.

d. All dirt stock pile areas should be sprayed as needed and/or maintained to prevent airborne dust from leaving the area.

e. Exposed ground areas that are planned to be reworked at dates greater then one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established.

f. All disturbed soil areas not subject to revegetation must be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD.

g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.

i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

j. Before any grading on the site occurs, a reliable water source shall be available on the project site to support dust suppression activities sufficient to prevent airborne particulate matter from leaving the site.

Monitoring: All particulate (dust) mitigation measures will be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to implement the dust control program. Compliance will be verified by the APCD in consultation with the Department of Planning and Building.

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

Signature of Owner(s) _____ Date 4-7-99

George Widmark
Name (Print)

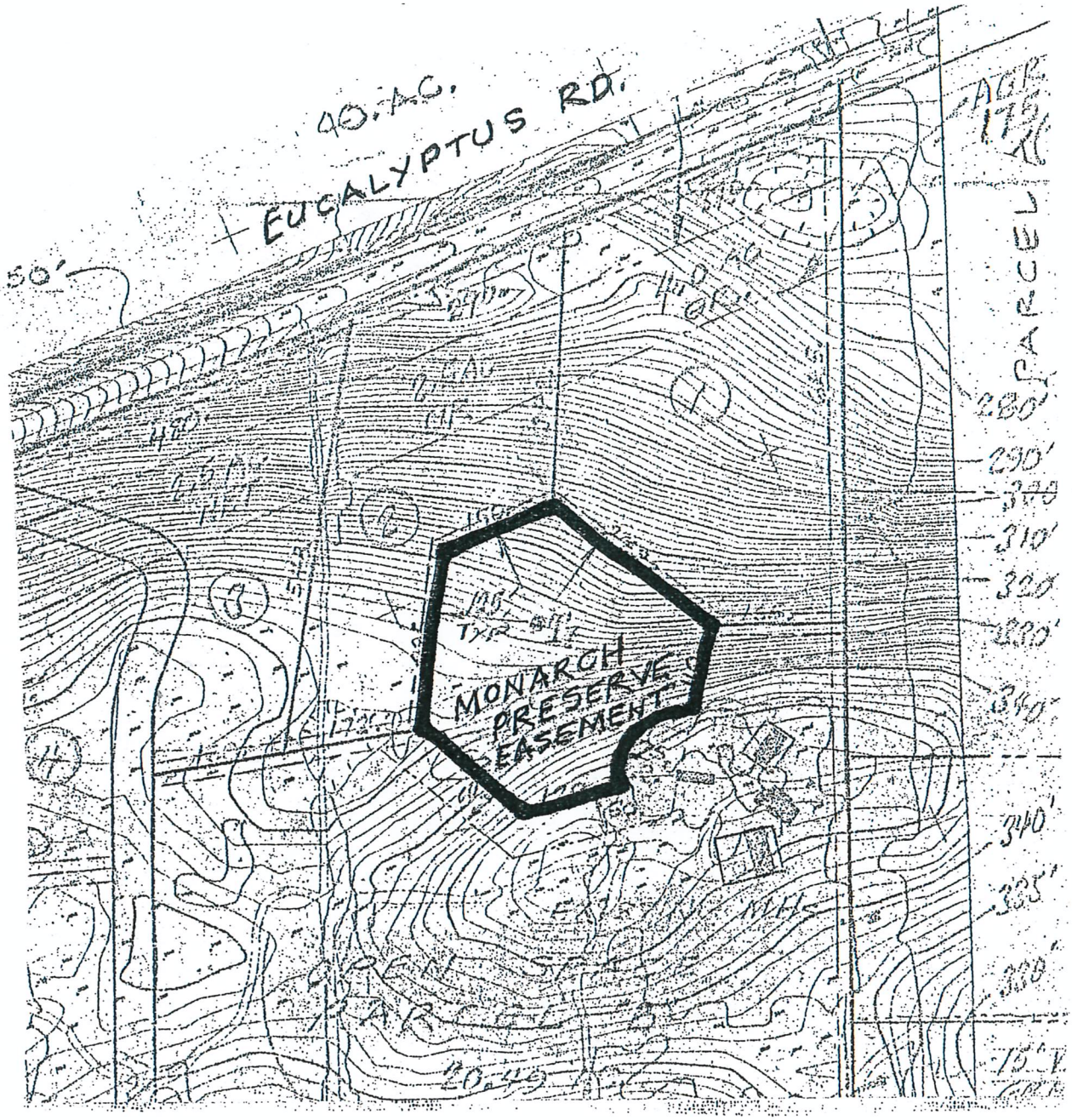


Exhibit A **Monarch Preserve**

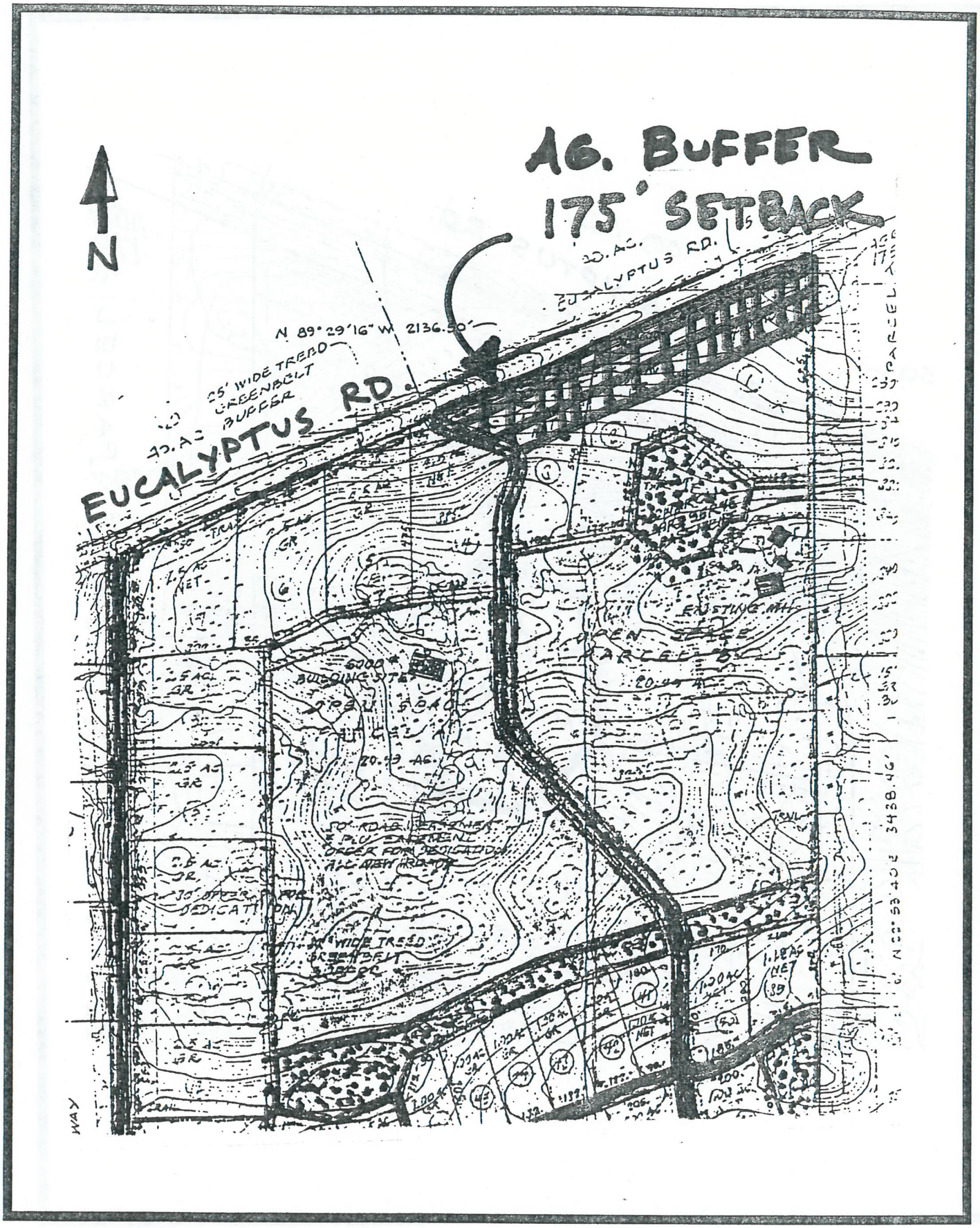


Exhibit B **Agricultural Buffer**

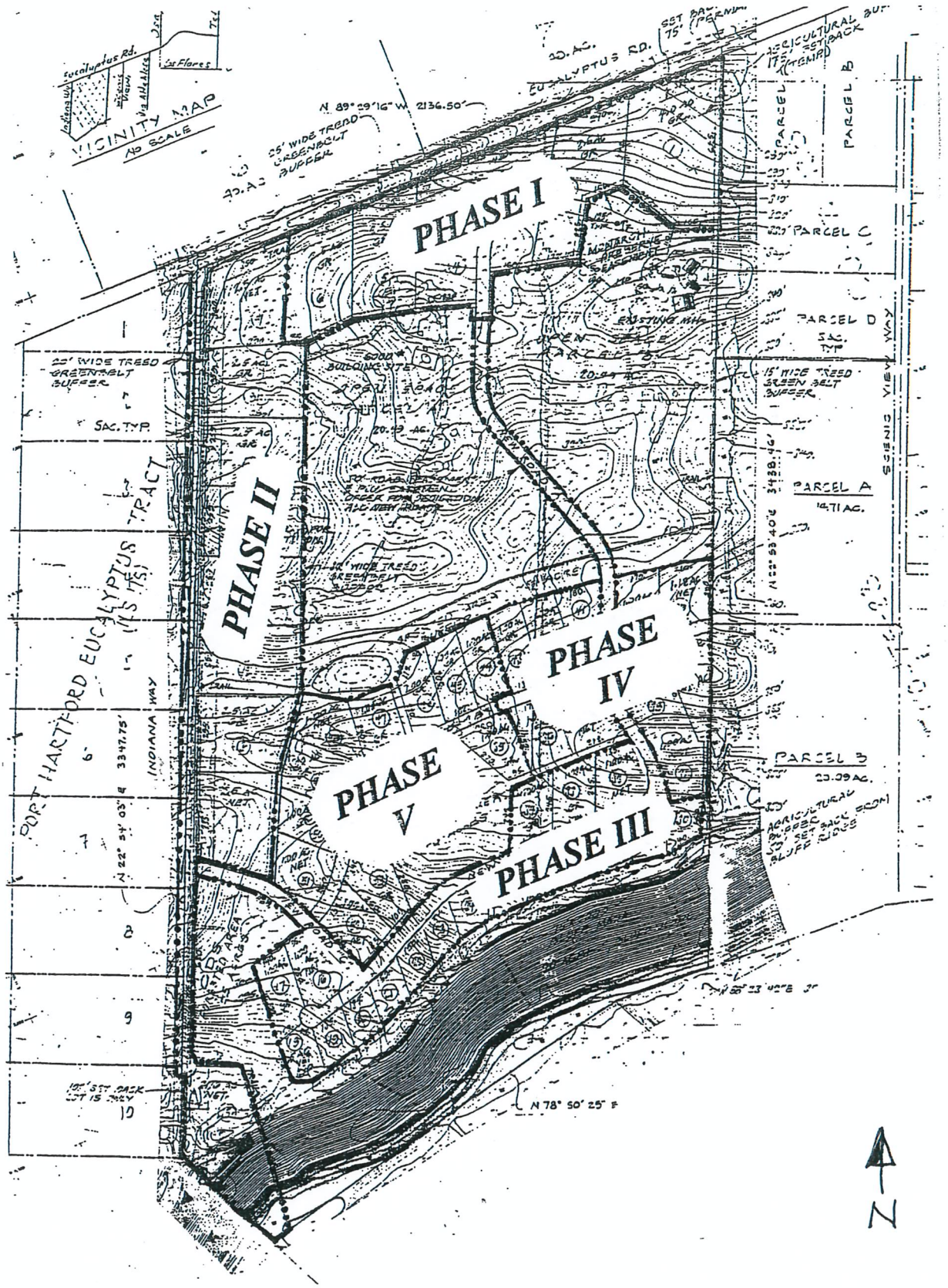
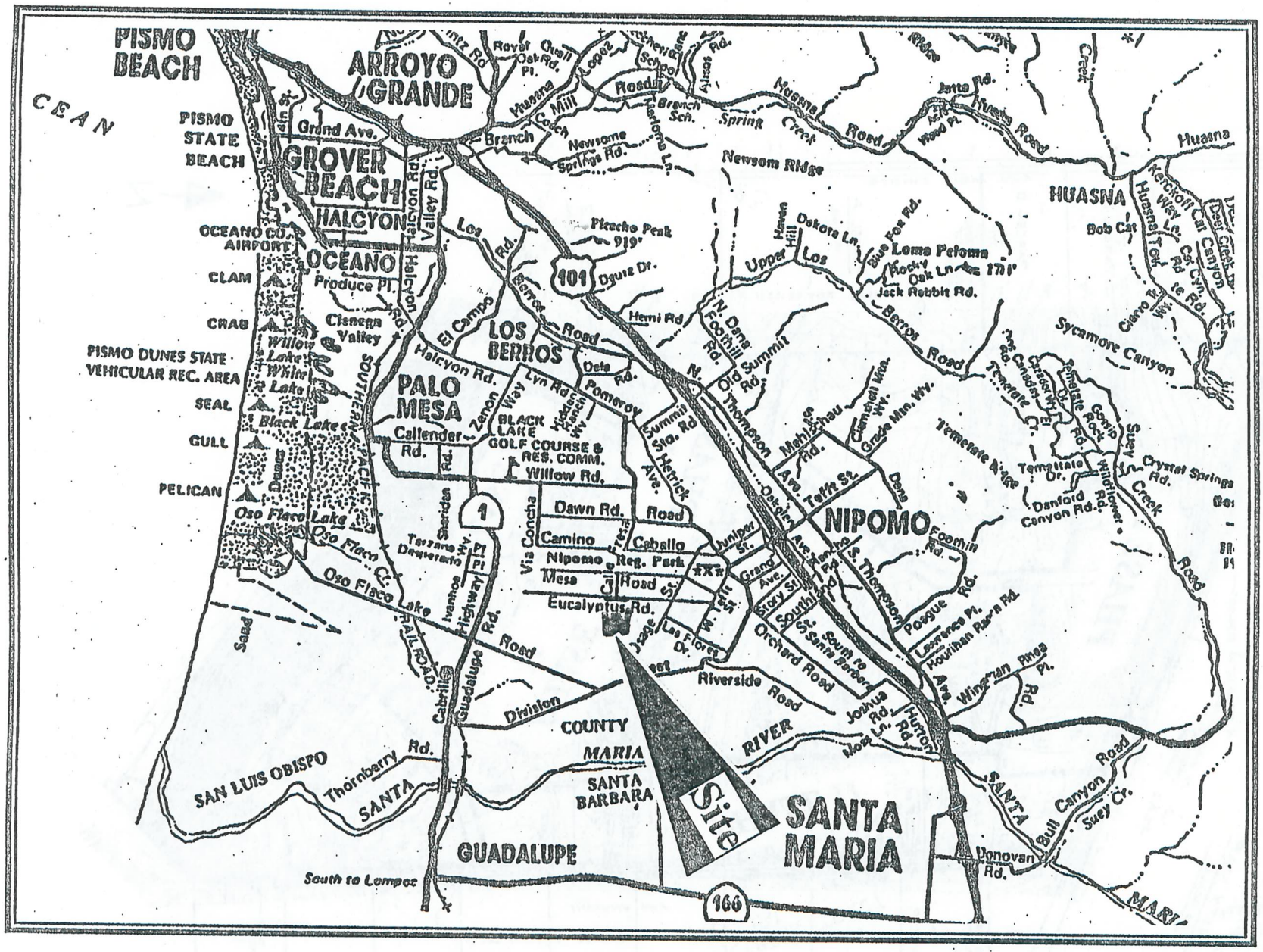
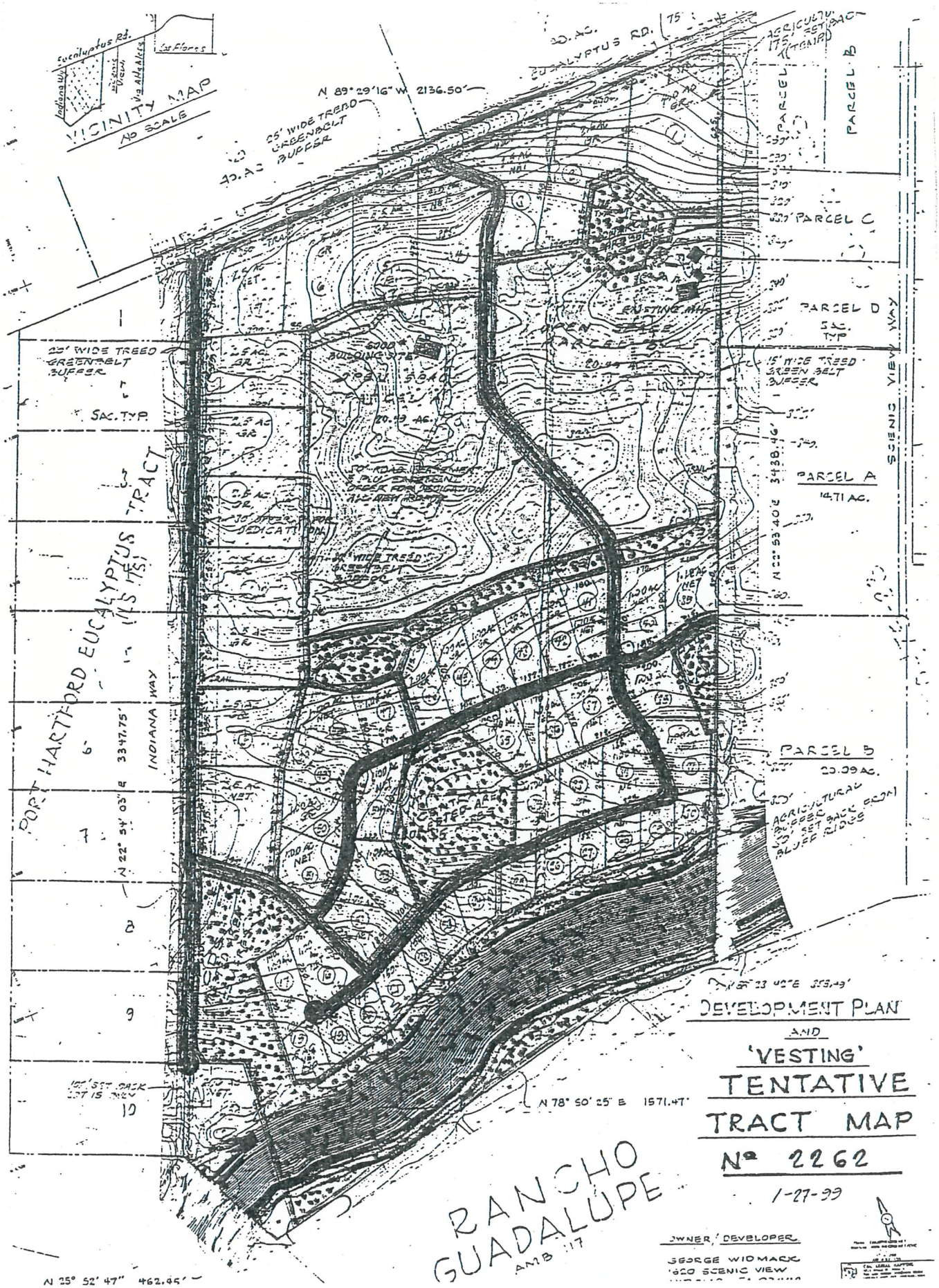


Exhibit C **Project Phasing Plan**



VICINITY MAP


VICINITY MAP
NO SCALE
EUCALYPTUS RD.
N 89° 29' 16" W 2136.50'
25' WIDE TREED GREENBELT BUFFER
PARCEL A
14.71 AC.
PARCEL B
20.09 AC.
PARCEL C
PARCEL D
SCENIC VIEW WAY
INDIANA WAY
PORT HARTFORD EUCALYPTUS TRACT
DEVELOPMENT PLAN
AND
'VESTING'
TENTATIVE
TRACT MAP
Nº 2262
1-27-99
RANCHO GUADALUPE
OWNER / DEVELOPER
GEORGE WIDMARK
620 SCENIC VIEW

Site Plan