



NEGATIVE DECLARATION & NOTICE OF DETERMINATION

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

Promoting the Wise Use of Land • Helping to Build Great Communities

ENVIRONMENTAL DETERMINATION NO. ED10-023

DATE: 3/29/2012

PROJECT/ENTITLEMENT: Biaggini Tract Map (SUB2009-00045)

APPLICANT NAME: Harold Biaggini
ADDRESS: 1148 Market Avenue, Morro Bay, CA 93442
CONTACT PERSON: Orton Engineering, Inc. **Telephone:** (805) 541-2394

PROPOSED USES/INTENT: Request by Harold Biaggini for a Tract Map to subdivide of a 330.69 acre lot into two lots of 160 acres and 170.69 acres each, for the purpose of sale and/or development. The map includes two building envelopes, one per parcel, of approximately one acre each. The project will result in the disturbance of approximately 71,000 square feet due to future development of two residences (one per parcel), and approximately 64,000 square feet of road/driveway improvements.

LOCATION: The project is within the Rural Lands land use category, and is located on the south side of Highway 41 at 2980 Atascadero Road at the intersection of Highway 41/Atascadero Road and Bear Road, approximately 4 miles east of the City of Morro Bay and 3.4 miles of west of the City of Atascadero, in both the Estero and Salinas River planning area.

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

OTHER POTENTIAL PERMITTING AGENCIES:

STATE CLEARINGHOUSE REVIEW: YES NO

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

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT4:30 p.m. 4/12/12
30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination		State Clearinghouse No. _____	
This is to advise that the San Luis Obispo County _____ as <input checked="" type="checkbox"/> <i>Lead Agency</i>			
<input type="checkbox"/> <i>Responsible Agency</i> approved/denied the above described project on _____, and has made the following determinations regarding the above described project:			
The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.			
This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.			
	Paul Sittig		County of San Luis Obispo
Signature	Project Manager Name	Date	Public Agency



Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
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Promoting the Wise Use of Land • Helping to Build Great Communities

(ver 3.4)

Project Title & No. Biaggini Tract Map ED10-023 (SUB2009-00045)

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

Paul Sittig _____ 3/8/12
 Prepared by (Print) *Paul Sittig* Signature Date

Steve McMasters _____ Ellen Carroll, _____
 Reviewed by (Print) *Steve McMasters* Signature (for) Environmental Coordinator Date
 3/8/12

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 Harold Biaggini for a Tract Map to subdivide of a 330.69 acre lot into two lots of 160 acres and 170.69 acres each, for the purpose of sale and/or development. The map includes two building envelopes, one per parcel, of approximately one acre each. The project will result in the disturbance of approximately 71,000 square feet due to future development of two residences (one per parcel), and approximately 64,000 square feet of road/driveway improvements. The project is within the Rural Lands land use category, and is located on the south side of Highway 41 at 2980 Atascadero Road at the intersection of Highway 41/Atascadero Road and Bear Road, approximately 4 miles east of the City of Morro Bay and 3.4 miles of west of the City of Atascadero, in both the Estero and Salinas River planning area.

BACKGROUND: Parcel Map CO76-102 was approved by the planning commission in 1977, creating three (3) parcels. The current lot configuration was created by a Condition Certificate of Compliance (C03-275), which required a voluntary merger to join portions of Parcel 3 of Parcel Map CO76-102 and Parcel A of Parcel Map CO75-242. A portion of the property is located in the Estero Planning Area (approximately 33 acres), and remainder is within the Salinas River Planning Area (approximately 298 acres). In 2009, the Estero Area Plan update was certified by the California Coastal Commission, and included a standard in the Rural Lands section that stated: *No residential development shall be allowable on this 26 acre-portion of the larger ownership.* This portion of the lot currently includes one (1) single family residence, which is considered legal non-conforming.

ASSESSOR PARCEL NUMBER(S): 073-011-055

Latitude: 35° 25' 23" N **Longitude:** 120° 47' 5" W

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: Estero, and Salinas River, Rural

LAND USE CATEGORY: Rural Lands

COMBINING DESIGNATION(S): Local Coastal Plan/Program, Flood Hazard, Sensitive Riparian Vegetation, and Geologic Study Area

EXISTING USES: Agricultural uses, single family residence

TOPOGRAPHY: Gently sloping to steeply sloping

VEGETATION: Grasses , riparian , oak woodland

PARCEL SIZE: 330.69 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Rural Lands; single-family residence(s)	<i>East:</i> Agriculture; agricultural uses
<i>South:</i> Agriculture; agricultural uses	<i>West:</i> Agriculture; agricultural uses

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 - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 on the south side of Highway 41 (also called Atascadero Road in this area), and is currently developed with one (1) residence and a barn on the western-most portion, fronting Highway 41. The topography ranges from gently to steeply sloping, and the terrain is covered in grasses (some grazed), chaparral and oak woodlands. There are three single family residences on nearby Rural Lands parcels on the north side of Highway 41, and there are small crop production areas (limited due to steep terrain) and single family residences along the Highway 41 corridor.

Impact. The proposed project will create two developable lots, and the subdivision would facilitate the development of one (1) new residence, per Salinas River Rural Area Standards, which limit the maximum density for this property to one (1) parcel per 160 acres of gross site area, and limit development to one (1) primary residence per parcel.

Residential development is prohibited in the coastal portion of the property per the Estero Area Plan, though the existing residence is within this area. Highway Corridor Design Standards (HCDS) apply to development that is within 300 feet of Highway 41 in the inland portion of the property, specifically residential structures, residential accessory buildings, residential access roads, specified agricultural accessory buildings and signs. All other uses and structures, such as agricultural roads and nursery specialties, are not subject to the HCDS process.

The applicant has proposed one building envelope per proposed parcel. The building envelope on eastern parcel is within the Salinas River Rural Area, more than 200 feet west of the existing residence. The building envelope is an uneven shape, with sides of approximately 300, 210, 200 and 210 feet long each. This area is located around the existing barn, between the creek and Highway 41, within the HCSD area. Development types listed above would require a Minor Use Permit (MUP) if

constructed within 100 feet of Highway 41, and a MUP would be required for any development on slopes of greater than 20 percent. Building height is limited to 25 feet above natural grade, regardless of location. Furthermore, building color other than trim shall be similar to surrounding natural colors and muted in brightness (no brighter than 6 in chroma and value on the Munsell Color Scale).

The building envelope on the proposed western parcel is approximately 210 feet by 210 feet square, and is located more than 400 feet south of the creek, away from Highway 41. Development in this area may be visible from Highway 41, though the existing riparian vegetation could screen the development from public views. This building envelope is situated on slopes in excess of 10 percent, and as such, any project including grading would require an engineered grading permit, which requires further environmental review. This review would also address potential for visual impacts.

Mitigation/Conclusion. Application of the HCSD standards and discretion through the environmental review process will ensure that the potential for aesthetic impacts are mitigated.

2. AGRICULTURAL RESOURCES <i>- Will the project:</i>	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. Project Elements. The following area-specific elements relate to the property's importance for agricultural production:

<u>Land Use Category:</u> Rural Lands	<u>Historic/Existing Commercial Crops:</u> None
<u>State Classification:</u> Majority: not prime farmland; small portion: Prime Farmland if irrigated	<u>In Agricultural Preserve?</u> No
	<u>Under Williamson Act contract?</u> No

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

Diablo-Altamont-Henneke families association (5 - 9 % slope).

Diablo and Cibo clays (10 - 60 % slope).

Diablo. This steeply 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: steep slopes, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Cibo. This steeply 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: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Diablo-Lodo complex (15 - 50 % slope).

Diablo. This moderately to steeply 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: steep slopes, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Lodo. This moderately to steeply sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Gazos-Lodo clay loams (15 - 30 % slope).

Gazos. This moderately sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Lodo. This moderately sloping fine loamy soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Gazos-Lodo clay loams (30 - 50% slope).

Gazos. This steeply sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Lodo. This steeply sloping fine loamy soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Lodo clay loam (30 - 50 % slope). This steeply sloping, shallow fine loamy soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Los Osos loam (9 - 15 % slope). This moderately sloping loamy claypan soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Los Osos-Diablo complex (15 - 30% slope).

Los Osos. This moderately sloping loamy claypan soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Diablo. This moderately sloping loamy claypan 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: steep slopes, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Los Osos-Diablo complex (30 - 50% slope).

Los Osos. This steeply sloping loamy claypan soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Diablo. This steeply sloping loamy claypan 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: steep slopes, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Obispo-Rock outcrop complex (15 - 75% slope). This moderately to very steeply sloping, shallow clayey serpentine soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Still gravelly sandy clay loam (2 - 9% slope). This gently sloping gravelly fine loamy soil is considered moderately drained. The soil has moderate erodibility and moderate 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 an area with agricultural and sparse residential development, and terrain suitable for agriculture and development, with agricultural activities occurring on the property (grazing) and in the immediate vicinity (crops to the south-west). No significant impacts to agricultural resources are anticipated as the existing lot is in the Rural Lands land use category, the proposed lot sizes are still large (at 160 and 170.69 acres each), and future development is limited to two one-acre building envelopes, out of the 330.69 acre site. The western building envelope is approximately 500 feet from the closest row crops or orchards, and the eastern building envelope is over 2,000 feet from such agriculture. Given these distances, potential for impacts to adjacent agriculture are considered insignificant.

Mitigation/Conclusion. No mitigation measures are necessary for the proposed subdivision.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the 2009 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). The project is located on a site with soils that have been given a wind erodibility rating of 4, 6, and 8, which is considered “moderate” to “high”.

Impact. The project splits the existing 330.69 acre rural parcel into two new parcels, each with one building envelope. There is the potential for one new residence, and for the relocation of the existing residence, as this residence is located in the Estero portion of the property, where the construction of new residences is specifically disallowed (see the Project Background for more information). The majority of the site consists of soils with low to moderate wind erodability, except for the far north-east corner of the western parcel. The western building envelope is not located on these soils, nor would access to this building envelope require access across these soils.

A future residence average size is estimated at 3,500 square feet, and the total disturbance for new driveway improvements include approximately 64,000 square feet, for a total site disturbance of approximately 71,000 square feet for the two new residence and access. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. As identified by the APCD, air quality impacts during construction include: the creation of fugitive dust (PM₁₀), the potential release of asbestos during re-location of structures, the potential release of naturally occurring asbestos during grading, un-permitted developmental burning, un-permitted use of equipment. In addition, wood-burning devices shall be approved by the APCD.

Fugitive Dust (PM₁₀). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents and businesses in close proximity to the project site. Dust complaints could result in violation of the APCD’s nuisance rules, a potentially significant air quality impact.

Material-Containing Asbestos. Asbestos-containing materials could be encountered during the relocation of existing buildings. Asbestos can also be found in utility pipes/pipelines. If asbestos is present in onsite structures, proposed demolition activities would result in a release of asbestos, and a potentially significant air quality impact.

Naturally-Occurring Asbestos. According to the APCD, the project site is located in an area containing potentially naturally occurring asbestos, serpentine or ultramafic rock. The State Air Resources Board considers asbestos a toxic air contaminant. If asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Developmental Burning. On February 5, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning under restrictions may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Construction Permit Requirements. The use of portable equipment, 50 horsepower or greater, may require California statewide portable equipment registration or an APCD permit. Use of such equipment without required approval would result in a potentially significant impact.

Residential Wood Combustion. Under APCD Rule 504, only APCD approved wood burning devices are permitted in new residential units.

Clean Air Plan Consistency. The Clean Air Plan (CAP) includes land use management strategies to guide decision-makers on land use approaches that result in improved air quality. As identified by APCD, this development is consistent with the “Planning Compact Communities” strategy, where increasing development densities within urban areas is preferable over increasing densities in rural

areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. While the CAP includes a policy that directs urban development to occur within urban reserve lines of cities and unincorporated communities, the policy also states that rural areas should remain as such, including very low density residential development, with 20 acre or larger parcel sizes. This project would divide a 330.69 acre parcel into two parcels, of 160 and 170.69 acres each, well above the 20 acre minimum parcel size per CAP policy. Additionally, the one-acre building envelopes focus future development, preserving the remainder of the lots for agriculture uses. Based on the above discussion, both individual and cumulative impacts are expected to be less than significant as it relates to the Clean Air Plan land use strategies.

Mitigation/Conclusion. To mitigate for potential air quality impacts, the applicant has agreed to implement the following measures:

- Fugitive Dust (PM₁₀). To minimize nuisance dust impacts, the applicant is required to implement APCD fugitive dust mitigation measures including reducing the amount of disturbed area where possible, the use of water trucks or sprinkler systems to water down airborne dust, daily spraying of dirt stock-pile areas, paving of applicable surfaces as soon as possible after grading, laying of building pads as soon as possible.
- Material-Containing Asbestos. Prior to demolition of onsite structures or underground pipes, the applicant has agreed to comply with the requirements listed in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to:
 - 1) APCD notification;
 - 2) completed asbestos survey conducted by a Certified Asbestos Inspector, and;
 - 3) applicable removal and disposal requirements of identified asbestos-containing materials.
- Naturally-Occurring Asbestos. Prior to grading or site disturbance, the applicant has agreed to retain a qualified individual to conduct a geologic investigation for naturally-occurring asbestos. If asbestos is present, the applicant would comply with Asbestos Air Toxin Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements include, but are not limited to implementation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program.
- Developmental Burning. To minimize the effects of vegetative burning on regional air quality, the applicant is required by regulation to avoid burning, or if no alternative is available, obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.
- Construction Permit Requirements. The applicant has agreed to consult with the APCD regarding registration and permitting requirements for specific types of equipment.
- Residential Wood Combustion. The applicant has agreed to comply with APCD Rule 504, and would install only APCD approved wood burning devices.

Implementation of the mitigation measures described above and listed in Exhibit B would mitigate all identified air quality impacts to less than significant levels.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

On-site Vegetation: Central coastal scrub/California sagebrush, buck brush chaparral/ chamise, non-native grassland, and agricultural land/ cropland and pasture.

Name and distance from blue line creek(s): Morro Creek courses through the subject property.

Habitat(s): Coast Live Oak Woodland, Valley and Foothill Riparian

Site's tree canopy coverage: Approximately 20%.

The Natural Diversity Database (or other biological references) identified the following species potentially existing within approximately one mile of the proposed project:

San Benito fritillary (*Fritillaria viridea*) List 1B, FSC

San Benito fritillary (*Fritillaria viridea*) has been found within the subject property. This perennial herb is found on serpentinite soils in chaparral areas between the 200 and 1,525-meter elevations (660 to 5,000 feet). The typical blooming period is March-May. San Benito fritillary is considered rare by CNPS (List 1B, RED 2-2-3) and a federal species of concern.

Santa Lucia bush mallow (*Malacothamnus palmeri palmeri*) List 1B

Santa Lucia bush mallow (*Malacothamnus palmeri var. palmeri*) has been found about 0.95 mile to the northeast. This deciduous shrub is found on rocky soils in chaparral areas between the 60 and 360-meter elevations (195 to 1,185 feet). The typical blooming period is May-July. Santa Lucia bush mallow is considered rare by CNPS (List 1B, RED 2-2-3).

California red-legged frog (*Rana aurora draytonii*) FT

California red-legged frogs (*Rana aurora draytonii*) has been found within the subject property. California red-legged frog is listed as federally threatened, and considered a California Special Concern species by the CDFG (CDFG, 2002). They historically have ranged from Marin County southward to northern Baja California. Presently, Monterey, San Luis Obispo, and Santa Barbara counties support the largest remaining California red-legged frog populations within the state. The California red-legged frog is a large (85-138 millimeters) reddish-brown frog with variable red pigment on the ventral surfaces. Riparian habitat degradation, urbanization, predation by bullfrogs, and historic market harvesting have all reportedly contributed to population declines in this species.

The species occurs in varied habitats during its life cycle. Breeding areas include lagoons, streams and ponds, including siltation and irrigation ponds. California red-legged frogs typically breed from January to July, with peak breeding occurring in February. Juvenile frogs are found in open, shallow aquatic habitats containing dense emergent vegetation.

Adult California red-legged frogs prefer aquatic habitats with little or no flow, the presence of surface water to at least early June, surface water depths to at least 0.7 meter (2.3 feet), and the presence of fairly sturdy underwater supports such as cattails. The largest densities of California red-legged frogs are typically associated with dense stands of overhanging willows and an intermixed fringe of sturdy emergent vegetation. Although the species can inhabit ephemeral streams or ponds, populations probably cannot be maintained in ephemeral streams in which all surface water disappears. Adult California red-legged frogs are primarily nocturnal, although metamorphs and juveniles are known to be active during the day and night.

South/Central Coast Steelhead Trout (*Oncorhynchus mykiss*) FT, CSC

South/Central Coast Steelhead Trout (*Oncorhynchus mykiss*) has been found within the subject property. South/Central Coast Steelhead Trout is considered federally threatened and a California species of Special Concern. This species require cool, deep pools for holding through the summer, prior to spawning in the winter. Generally they are found in shallow areas, with cobble or boulder bottoms at the tails of pools. This species is threatened by water quality degradation (e.g., siltation, urban and agricultural pollutants), loss of riparian vegetation, and low instream flows resulting from water diversion, ground water pumping and periodic drought.

Impact. The project site has the potential to support sensitive native vegetation, significant wildlife habitats, and special status species. The site was surveyed by Mike McGovern and Greg Wilvert on April 27 and June 1, 2011, as reported in the biological assessment for the property (McGovern, 2011). This assessment notes that the building envelope on the western parcel is heavily disturbed by the current farming practices. The eastern building envelope was situated adjacent to the creek at the time of the 2011 Spring surveys, and was later moved farther south. This new location is located more than 400 feet south of the creek, where the plants are similar to the initial building envelope, consisting of "relatively healthy grazing land that has a component of purple needle grass throughout." Though not addressed specifically in the biological assessment, this new building envelope was covered in the general site survey, and was assessed by Brooke Langle during her site visit on November 16, 2011, as being a more suitable location for development, given the distance from the riparian corridor. This buffer from the riparian corridor is sufficient to mitigate potential impacts to California red-legged frogs.

The eastern building envelope is currently accessed by crossing through Morro Creek. Development of a residence in this building envelope would require installation of a bridge for all-weather access. A bridge would alleviate impacts associated with wet crossing, though the bridge installation could result potential loss of riparian habitat, project sedimentation and erosion into the creek, being within potentially close proximity to red-legged frog habitat, and potentially disruptive construction activities adversely affecting surrounding wildlife.

Mitigation/Conclusion. To mitigate for potential impacts to nesting birds, sensitive plants, riparian species and the riparian habitat, the applicant has agreed to implement the following measures.

- All work impacting vegetation should occur outside of the nesting season (non-nesting season is typically August 31 to February 15). If work must occur during this period, a qualified biologist shall conduct pre-construction surveys to determine if nesting birds or sensitive bird species occur within or in proximity to the proposed work. These surveys shall include the work area and access roads with a buffer of up to 500 feet. If no nesting birds are found, the Applicant shall submit a letter to the County to document the findings. If nesting birds are

found, the Applicant shall coordinate with the qualified biologist to determine appropriate setbacks until nesting is deemed complete. If work must occur in close proximity (100 feet for passerines and 250 feet of raptors) to nesting birds, the Applicant shall consult with the County and the California Department of Fish and Game (CDFG) prior to proceeding with work. If sensitive species are discovered, no work may proceed until the County and CDFG are consulted.

- If work occurs after 2013, the Applicant shall retain a qualified botanist to conduct pre-construction surveys for sensitive plant species. If any sensitive plants are discovered, the Applicant shall coordinate with the County prior to any work occurring.
- All equipment storage, staging, refueling, and/or maintenance shall occur a minimum of 100 feet from the creek. Appropriate spill materials shall be kept on hand to address any inadvertent leaks or spills.
- After construction, the Applicant shall ensure that all temporarily disturbed areas are stabilized prior to the rainy season (typically defined as October 15 to April 15). This may include landscaping or a native species mix. If a native seed mix is utilized, the Applicant shall include native needlegrass in the mix (*Nassella* spp.).
- If lot 2 is proposed for development, the Applicant shall obtain all necessary permits to bridge this crossing prior to accessing the eastern side of the property. Permits and/or authorizations are expected to include CDFG, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Regional Water Quality Control Board, and National Marine Fisheries Service. However, these authorizations will be dependent on the proposed bridge design. The County shall receive a copy of all permits and authorizations obtained prior to any construction. All measures outlined in these permits and authorizations shall be followed.
- All construction activities related to the proposed project shall be monitored by a qualified biologist for the duration of the Project. The biological monitor shall conduct a biological resources education program for workers prior to the initiation of any clearing or construction activities. The educational program shall include a description of the California red-legged frog, its habitat, what constitutes take, penalties for take, and the guidelines that will be followed by all construction personnel to avoid take of the species during construction activities. The construction crew foreman should be responsible for ensuring that crew members comply with the guidelines and that all new personnel receive the training before partaking in construction activities. The work area boundaries and other off-limit areas shall be identified by the onsite biologist. Any vegetation clearing activities shall be monitored by the onsite biologist.
- Forty-eight hours prior to initiation of construction activities and equipment access, a qualified biologist shall conduct surveys for South/Central Coast Steelhead Trout and California red-legged frog at the proposed Project site in accordance with the Fish & Wildlife Service's revised survey guidelines (Service 2005b). If any life stage of the California red-legged frog is found during these surveys, the Service shall be contacted immediately and all construction activities that could result in take shall be postponed until the frog(s) leave the Project site on their own reconnaissance or further appropriate avoidance actions, which could allow the Project to continue, are implemented.
- Before work activities begin each day, the onsite biological monitor shall inspect the Project site, including under parked equipment, for California red-legged frogs. If a California red-legged frog is found onsite during the daily inspections or during construction activities, all Project activities that could result in take shall cease until the Service is consulted and appropriate actions to avoid take are developed and implemented onsite.
- All work associated with proposed Project activities within the riparian area (the creek channel

and 300 feet from all sides of the channel) shall occur in the dry season (May 1 to October 31).

To avoid potential loss of riparian habitat from the proposed project, the applicant has agreed:

- To provide sturdy, visible fencing between the project and existing riparian habitat which will remain in place during the entire construction phase;
- To offset water quality impacts on the creek, by either designing into the project or agreeing to the following:
 - prepare a sedimentation and erosion control plan to include sedimentation basins and straw waddles (or similar devices) to minimize project sediment from entering the creek;
 - all drilling muds placed in containers and hauled off site;
 - all refueling shall be done in non-sensitive areas where spills can be easily cleaned up;
 - use of stabilizing materials (e.g. mulch) in disturbed areas during construction to reduce erosion.

Implementation of the mitigation measures described above and listed in Exhibit B would mitigate all identified biological impacts to less than significant levels.

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. No historic structures are present and no paleontological resources are known to exist in the area. The project is within 300 feet of a blue line creek. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

Impact. The project is located in an area that has potential to be culturally sensitive due to the on-site water source. An archaeological records search and site survey were performed for the project site, as described in an archaeological report, prepared by Thor Conway and dated January 3, 2011. While no archaeological resources were identified on the project site, the presence of cultural artifacts in the proximity of the project site and the heavy vegetative cover on the site, the report recommends archaeological monitoring during initial clearing of the lots during development.

Mitigation/Conclusion. The Applicant shall submit a monitoring plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building at the time of submittal of construction plans. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan.

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

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

Topography: Gently sloping to steeply sloping

Within County's Geologic Study Area?: Yes

Landslide Risk Potential: Low to high

Liquefaction Potential: Low to moderate

Nearby potentially active faults?: Yes Distance? Runs through the northeastern corner of the

subject property.

Area known to contain serpentine or ultramafic rock or soils?: Potentially

Shrink/Swell potential of soil: Moderate to high

Other notable geologic features? None

A portion of the project is within the Geologic Study area designation or within a high liquefaction area, and is subject to the preparation of a geological report per the County's Land Use Ordinance [LUO section 22.14.070 (c) and CZLUO Sec. 23.07.084(c)] to evaluate the area's geological stability. A Preliminary Engineering Geology Investigation (*GeoSolutions, Inc., March, 2011*) and Engineering Geology Update (*GeoSolutions, Inc., January 2012*) were both prepared for the project site, which mapped an on-site fault and landslides, but noted that neither of the building envelopes included such features.

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

Within the 100-year Flood Hazard designation? Yes

Neither building envelope is within the mapped flood hazard designation. The western building envelope is located more than 100 feet from the mapped flood hazard zone, and eastern building envelope is located more than 400 feet from the flood hazard zone.

Closest creek? Morro Creek Distance? Courses through the subject property

Soil drainage characteristics: Moderately drained to very poorly drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110 and 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 – Soil type, amount of disturbance and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Low to moderate

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090 and 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. Future development would be limited to the areas within two building envelopes, one per proposed parcel, of approximately one acre each. The engineering geology reports found the site to be suitable for development, with suggested mitigation measures.

Mitigation/Conclusion. Soils engineering and geology recommendations of the applicant's consultant, and the County Geologist, include the following (see attached Developer's Statement):

- Geologic and geotechnical recommendations for site preparation, grading (including subslab and floor drainage systems), trenching, foundations (including footings that bear sufficiently into sandstone bedrock), slabs and flatwork, retaining walls and shoring, drainage, observation and testing.

- Active involvement of a certified engineering geologist and a geotechnical engineer throughout design and construction of the project.
- Evaluation of exposed rock for fracturing at the beginning of site grading; if fracturing poses a safety risk, stoppage of construction and reevaluation of the stability of temporary slopes prior to resuming construction.
- Compliance with California Civil Code Section 832 regarding the rights of the adjoining property owner with regard to proposed high cuts next to the existing house.
- Potential for presence of asbestos to be addressed through dust mitigation measures at the start and maintained throughout the duration of construction and grading activities, as prescribed by The California Air Resources Board Section 93105 (California Code of Regulations, Title 17), Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying and Surface Mining Operations (e)(1), Requirements for Construction and Grading Operations.

In order to address potential site-specific and cumulative drainage impacts, preparation of a drainage plan and sedimentation and erosion control plan will be required, with the former plan to include "best management practices," and the latter plan to include both temporary and long-term measures. The preceding recommendations to address geologic, geotechnical, and drainage concerns will be incorporated into the project design and conditions. In addition, the project will comply with standard measures required by ordinance or codes. Incorporation of the preceding measures will reduce potential site-specific and cumulative geology, geotechnical, drainage, and sedimentation and erosion impacts to a level of insignificance.

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"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</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 is not located in an area of known hazardous material contamination. The project is not within the Airport Review area. Portions of the site along Morro Creek are within the 100-year Flood Hazard Combining designation (FH).

With regards to potential fire hazards, the subject project is within the “moderate” to “very high” Fire Hazard Severity Zones. Based on the County’s fire response time map, it will take approximately 10-15 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

Impact. The project is limited to the subdivision of the existing lot into two (2) smaller lots, each lot with a building envelope of approximately one acre each. CAL FIRE provided a review response letter, dated June 14, 2010. In that letter, CAL FIRE supported the project, with conditions (see the following Mitigations/Conclusion section).

Mitigation/Conclusion. An access road must be constructed to CAL FIRE/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units. A driveway is permitted when it serves no more than two buildings with no more than 3 dwelling units or a single parcel, or any number of accessory buildings. A water storage tank will be required to serve each existing and proposed structure. Fuel modification must be performed as the site development requires.

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 project is in close proximity to loud noise sources, but the proposed subdivision will not create conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element’s projected future noise generation from known stationary and vehicle-generated noise sources, a portion of both future lots will be within close proximity to a transportation noise source (Highway 41/ Atascadero Road) and any development within the following distances from the noise source would exceed the County’s acceptable exterior noise threshold of 60 dBs for sensitive uses as follows:

- ✓ areas within the 60 dB to 65 dB range - 125 feet from road centerline, and closer;
- ✓ areas within the 65 dB to 70 dB range - 60 feet from road centerline, and closer.

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses. There is the potential to develop within the 60 to 65 dB threshold as listed above, as a portion of the western building envelope is within 125 feet of the centerline of Highway 41. This portion extends approximately 30 feet south of the existing barn. There is additional space within the building envelope for future development of sensitive uses. The western envelope is over 1,000 feet from Highway 41.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly 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. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. Prior to map recordation, the applicant will pay an affordable housing in-lieu fee consistent with the applicable fee ordinance. Beyond this, no significant population and housing impacts are anticipated, and no further 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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce existing "Levels of Service" on public roadway(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Provide for adequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate internal traffic circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in a change in air traffic patterns that may result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The county has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area (including Highway 41/Atascadero Road, the project's access street) is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

The two (2) existing access points on Highway 1 were approved through encroachment permits from CalTrans (#764016 and #0507 RS 0098), one per proposed parcel. Referrals for this tract map were sent to Public Works and Caltrans. No development or improvements are proposed at this time, and no significant traffic-related concerns were identified.

Impact. The existing single family residence is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of 10 trips per unit. The proposed action is the subdivision of an existing lot into two (2) new lots, which could facilitate the development of one (1) new residence on the eastern lot, as Area Plan Standards limit subdivision and development on this parcel to one (1) parcel per 160 acres of gross site area, and limit development to one (1) primary residence per parcel. The one (1) new residence would generate an estimated 10 trips per day. Each proposed parcel has their own CalTrans approved point of access onto Highway 41.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

inadequate.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil types for the project is provided in the listed in the previous Agricultural Resource section. The main limitations of these soils for wastewater effluent include:

Shallow depth to bedrock, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface.

Steep slopes, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. Future leach lines may be located on the more level portions of the subject property that will be sufficiently set back from any steep slopes to avoid potential daylighting of effluent, resulting in no measures being necessary above what is called out for in the CPC/Basin Plan to address potential steep slopes. Alternatively, the proposed leach lines could be located within close proximity of steep slopes where some potential of effluent daylighting exists. In such a case, a registered civil engineer familiar with wastewater systems shall prepare an analysis that shows the location and depth of the leach lines will have no potential for daylighting of effluent.

Slow percolation, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch.

Wetness or high groundwater, where this soil at this location tends to frequently be in a saturated condition due to several possible factors, such as high groundwater or it is in a low lying area that is being regularly fed by a water source. The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) where the five feet of soil does not remain in a saturated condition for any length of time. Otherwise, special engineering will be required to provide this separation.

A percolation testing report was prepared by GeoSolutions, Inc., dated July 26, 2011, with borings in the western building envelope, and to the north of the western building envelope. For each building envelope, four 8-inch diameter percolation test borings were drilled to an average depth of 5 feet below ground surface (bgs), and one exploratory boring drilled to approximately 15 feet bgs. Groundwater was not encountered in either exploratory boring. The average percolation rate for the western building envelope was 22 minutes per inch, and the rate for the eastern building envelope was 37 minutes per inch. The borings for both locations were located on gentle slopes, and both locations were approximately 300 feet from the riparian corridor. Prior to map recordation, additional testing will be required by the Environmental Health Division to verify acceptable conditions exist for on-site systems. Any proposed lot cannot be recorded until it has shown Basin Plan requirements can be met for that lot. Leach line locations will also be reviewed at this time to verify adequate setbacks are provided from any existing or proposed wells (100 feet for individual wells, 200 feet for community wells).

Impacts/Mitigation. The current project is the subdivision of the existing lot into two (2) new parcels. There is the potential for one (1) new residence on the eastern parcel. Prior to issuance of a building permit within the western building envelope, the applicant shall provide the county evidence of adequate soil separation to groundwater per CPC, or plans prepared by a qualified individual for an engineered septic system that meets CPC/Basin Plan criteria. Such proof would be required through the standard process of applying for a County Building Permit. Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central

Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

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

Setting. The project proposes to use an on-site well as its water source. The Public Health Department provided a letter (dated April 8, 2010) stating they had received a receipt of sufficient evidence of water from a county-licensed well driller, and that the proposed subdivision is approved for Environmental Health subdivision map processing.

The topography of the project is gently sloping to steeply sloping. Morro Creek courses through the property. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility. The subject property is not within a defined groundwater basin.

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. Based on the project description, as calculated on the County's water usage worksheet, the project's water usage is estimated as follows:

- Indoor: 0.35 acre feet/year (AFY);
- Outdoor: 1.02 AFY
- Total Use: 1.37 AFY

Sources used for this estimate include one or more of the following references: County's Land Use Ordinance, 2000 Census data, Pacific Institute studies (2003), City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide' (1989).

Regarding surface water quality, disturbance related to the lot split will be limited to development within the two proposed building envelopes of approximately 1 acre each, plus improvements to the

existing access such future development. Morro Creek courses through the project site, and will course through both of the proposed two lots to be created with this subdivision. The subdivision would provide the potential for an additional residence, and for relocation of the existing residence, with one residence per proposed parcel. Each parcel has a designated building envelope, which are approximately 200 and 400 feet from Morro Creek, for the western and eastern building envelopes, respectively. Such construction will require new on-site well(s). There is evidence of sufficient water, as provided by Filipponi & Thompson Drilling, Inc., and supported by the County Public Health Department, per a letter dated April 8, 2010. Any new well(s) or new septic system(s) will be required to be located with sufficient space for buffers.

There are existing at-grade wet crossings through the Morro Creek for management of the grazing that occurs in this portion of the property. Development within the eastern building envelope will involve creek crossing, though construction of a bridge would minimize such development impacts, and prevent future impacts associated with accessing a residence.

Mitigation/Conclusion. Standard drainage and erosion control measures will be required for any future development, which will provide sufficient measures to adequately protect surface water quality. Future development shall comply with the applicable standards for well drilling and septic system designs to ensure adequate supply of safe drinking water.

As conditioned in the mitigations section of the Biologic Resources section, the applicants shall obtain the necessary permits for and install a bridge to cross Morro Creek. This condition will mitigate potential impacts to this water source.

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., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to

Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

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 type="checkbox"/>	<input checked="" 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 Divisions 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 checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	None
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	None
<input type="checkbox"/>	County Sheriff's Department	None
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	In File**
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Cities of San Luis Obispo, Morro Bay</u>	None
<input checked="" type="checkbox"/>	Other <u>Morro Bay Estuary Program</u>	None

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

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Project File for the Subject Application | <input checked="" type="checkbox"/> Estero and Salinas River Area Plans and Update EIR |
| <u>County documents</u> | <input type="checkbox"/> Circulation Study |
| <input type="checkbox"/> Airport Land Use Plans | <u>Other documents</u> |
| <input checked="" type="checkbox"/> Annual Resource Summary Report | <input checked="" type="checkbox"/> Archaeological Resources Map |
| <input checked="" type="checkbox"/> Building and Construction Ordinance | <input checked="" type="checkbox"/> Area of Critical Concerns Map |
| <input checked="" type="checkbox"/> Coastal Policies | <input checked="" type="checkbox"/> Areas of Special Biological Importance Map |
| <input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland) | <input checked="" type="checkbox"/> California Natural Species Diversity Database |
| <input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include: | <input checked="" type="checkbox"/> Clean Air Plan |
| <input checked="" type="checkbox"/> Agriculture & Open Space Element | <input checked="" type="checkbox"/> Fire Hazard Severity Map |
| <input checked="" type="checkbox"/> Energy Element | <input checked="" type="checkbox"/> Flood Hazard Maps |
| <input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements) | <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County |
| <input checked="" type="checkbox"/> Housing Element | <input checked="" type="checkbox"/> Regional Transportation Plan |
| <input checked="" type="checkbox"/> Noise Element | <input checked="" type="checkbox"/> Uniform Fire Code |
| <input checked="" type="checkbox"/> Parks & Recreation Element | <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) |
| <input checked="" type="checkbox"/> Safety Element | <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) |
| <input checked="" type="checkbox"/> Land Use Ordinance | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Real Property Division Ordinance | |
| <input checked="" type="checkbox"/> Trails Plan | |
| <input type="checkbox"/> Solid Waste Management Plan | |

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

CEQA Air Quality Handbook (2009)

California Natural Diversity Data Base, California Department of Fish & Game (2008)

Applicable Habitat Conservation Plans and Natural Community Conservation Plans

County Landslide Risk Map, Coastal and Inland (Envicom, 1974)

County Liquefaction Potential Map, Coastal and Inland (Envicom, 1974)

2000 Census data

Pacific Institute studies (2003)

City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide' (Aug., 1989)

Biological Assessment (McGovern, 2011)

Preliminary Engineering Geology Investigation (GeoSolutions, Inc., 2011)

Soils Engineering Report (GeoSolutions, Inc., 2011)

Percolation Testing Report (GeoSolutions, Inc., 2011)

Response to Comments: Preliminary Engineering Geology Investigation (GeoSolutions, Inc., 2011)

Engineering Geology Update (GeoSolutions, Inc., 2012)

Exhibit B - Mitigation Summary Table

Air Quality

- AQ-1 All required PM10 measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD prior to construction/ grading permit issuance.
- Reduce the amount of the disturbed area where possible;
 - Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
 - All dirt stock-pile areas should be sprayed daily as needed; and,
 - 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.
- AQ-2 Proposed demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. **Prior to issuance of any construction permit** to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.
- AQ-3 “Naturally-occurring asbestos” has been identified by the State Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to construction permit issuance**; a geologic investigation will be prepared and then submitted to the County to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an “Asbestos Dust Mitigation Plan”, which must be approved by APCD before grading begins; 2) an “Asbestos Health and Safety Program”, as determined necessary by APCD. (For any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912 or go to <http://www.slcleanair.org/business/asbestos.asp>). **Prior to final inspection or occupancy**, whichever occurs first, when naturally-occurring asbestos is encountered, the applicant shall provide verification from APCD that the above measures have been incorporated into the project.
- AQ-4 As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under

restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

- AQ-5 Prior to construction permit issuance, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.
- AQ-6 Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the county.

Biology

- BIO-1 All work impacting vegetation should occur outside of the nesting season (non-nesting season is typically August 31 to February 15). **If work must occur during this period**, a qualified biologist shall conduct pre-construction surveys to determine if nesting birds or sensitive bird species occur within or in proximity to the proposed work. These surveys shall include the work area and access roads with a buffer of up to 500 feet. If no nesting birds are found, the Applicant shall submit a letter to the County to document the findings. If nesting birds are found, the Applicant shall coordinate with the qualified biologist to determine appropriate setbacks until nesting is deemed complete. If work must occur in close proximity (100 feet for passerines and 250 feet of raptors) to nesting birds, the Applicant shall consult with the County and the California Department of Fish and Game (CDFG) prior to proceeding with work. If sensitive species are discovered, no work may proceed until the County and CDFG are consulted.
- BIO-2 **If work occurs after 2013**, the Applicant shall retain a qualified botanist to conduct pre-construction surveys for sensitive plant species. If any sensitive plants are discovered, the Applicant shall coordinate with the County prior to any work occurring.
- BIO-3 **From the initiation and throughout the duration of construction or grading activities**, all equipment storage, staging, refueling, and/or maintenance shall occur a minimum of 100 feet from the creek. Appropriate spill materials shall be kept on hand to address any inadvertent leaks or spills. **At the time of application for construction permits**, the location(s) for equipment storage, staging, refueling and/or maintenance shall be clearly identified on plans.
- BIO-4 **After construction**, the Applicant shall ensure that all temporarily disturbed areas are stabilized prior to the rainy season (October 15 to April 15). This may include landscaping

or a native species mix. If a native seed mix is utilized, the Applicant shall include native needlegrass in the mix (*Nassella* spp.).

- BIO-5 Prior to application for construction permits on lot 2 (the eastern lot)**, the Applicant shall obtain all necessary permits to bridge this crossing prior to accessing the eastern side of the property. Permits and/or authorizations are expected to include CDFG, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Regional Water Quality Control Board, and National Marine Fisheries Service. These authorizations will be dependent on the proposed bridge design. The County shall receive a copy of all permits and authorizations obtained prior to any construction. All measures outlined in these permits and authorizations shall be followed.
- BIO-6 At the time of application for grading permits**, the applicant shall clearly delineate the limit of site disturbance on the project plans, as shown on the attached Exhibit C. All new site disturbances shall be located within these limits of disturbance. **Prior to final inspection**, the applicant shall provide verification to the satisfaction of the County that no disturbance occurred outside of the approved site disturbance limit.
- BIO-7** All construction activities related to the proposed project shall be monitored by a qualified biologist for the duration of the Project. **Prior to site disturbance**, the biological monitor shall conduct a biological resources education program for workers. The educational program shall include a description of the California red-legged frog, its habitat, what constitutes take, penalties for take, and the guidelines that will be followed by all construction personnel to avoid take of the species during construction activities. The construction crew foreman shall be responsible for ensuring that crew members comply with the guidelines and that all new personnel receive the training before partaking in construction activities. The work area boundaries and other off-limit areas shall be identified by the onsite biologist. Any vegetation clearing activities shall be monitored by the onsite biologist.
- BIO-8 Forty-eight hours prior to initiation of construction activities and equipment access**, a qualified biologist shall conduct surveys for California red-legged frog at the proposed Project site in accordance with the U.S. Fish and Wildlife Service's revised survey guidelines (Service 2005b). If any life stage of the California red-legged frog is found during these surveys, the Service shall be contacted immediately and all construction activities that could result in take should be postponed until the frog(s) leave the Project site on their own reconnaissance or further appropriate avoidance actions, which could allow the Project to continue, are implemented.
- BIO-9 Before work activities begin each day**, the onsite biological monitor shall inspect the Project site, including under parked equipment, for California red-legged frogs. If a California red-legged frog is found onsite during the daily inspections or during construction activities, all Project activities that could result in take shall cease until the Service is consulted and appropriate actions to avoid take are developed and implemented onsite.
- BIO-10** All work associated with proposed Project activities within the riparian area should occur in the dry season (May 1 to October 31).
- BIO-11 At the time of submittal**, construction and grading plans shall clearly depict the limit of grading and vegetation removal, and the plans shall note that sturdy, visible fencing is to remain at this limit for the duration of the project. **Prior to ground disturbance or vegetation removal of any kind**, such sturdy, visible fencing shall be installed between

the project and existing riparian habitat which will remain in place during the entire construction phase.

BIO-12 All drilling muds shall be placed in appropriate containers and hauled off site to suitable disposal site(s).

Cultural Resources

CR-1 **Cultural Resources – Subsequent Survey. Prior to commencement of grading activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to observe the area of proposed development after it has been cleared of vegetation. Vegetation removal shall not occur until after issuance of the proper permits. The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator.

Geology (Site-specific and Cumulative)

GEO-1 **Prior to any ground-disturbing construction activities or issuance of construction or grading permits**, the following conditions shall be included on all construction and grading plans:

- a. A certified engineering geologist shall review, approve and stamp construction plans, including all plans for building foundations and excavations.
- b. The certified engineering geologist and the soils and/or civil engineer shall inspect work on-site and verify, as applicable, that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review, geology reports and information, and the soils engineering reports (including the following: *Preliminary Engineering Geology Investigation, 2980 Atascadero Road, Tract 3023, APN: 073-011-055, Morro Bay Area, San Luis Obispo County, California, Project SL07654-1*, prepared by GeoSolutions, Inc., dated March 1, 2011; *Soils Engineering Report, 2980 Atascadero Road, APN: 073-011-055, Atascadero Area, San Luis Obispo County, California, Project SL07654-2*, prepared by GeoSolutions, Inc., dated July 26, 2011; *Percolation Testing Report, 2980 Atascadero Road, Tract 3023, APN: 073-011-055, Morro Bay Area, San Luis Obispo County, California, Project SL07654-2*, prepared by GeoSolutions, Inc., dated July 26, 2011; *Response to Comments: Preliminary Engineering Geology Investigation, 2980 Atascadero Road, Tract 3023, APN: 073-011-055, Morro Bay Area, San Luis Obispo County, California, Project SL07654-1*, prepared by GeoSolutions, Inc., dated July 26, 2011; *Engineering Geology Update, 2980 Atascadero Road, Tract 3023, APN: 073-011-055, Morro Bay Area, San Luis Obispo County, California, Project SL07654-4*, prepared by GeoSolutions, Inc., dated January 4, 2012).
- c. The certified engineering geologist shall issue a final engineering geology compliance report as required by the Uniform Building Code that identifies changes observed during construction, recommendations offered for mitigation, and confirmation that construction was completed in compliance with the intent of the geology reports and information (see list in preceding item).
- e. Should the services of the certified engineering geologist be terminated prior to final inspection and/or occupancy, the applicant shall submit a transfer of responsibility statement to the County Planning and Building Department from the new certified engineering geologist per the Uniform Building Code.

- f. A final report prepared by a soils and/or civil engineer shall be submitted to the County Planning and Building Department's field inspector stating that all work performed is suitable to support the intended structure. Such report shall include any field reports, compaction data, etc.
 - g. The applicant shall implement all recommendations in the Observation and Testing Program prepared by the project civil engineer(s), geotechnical engineer(s), and/or certified engineering geologist(s). The Observation and Testing Program may include, but not be limited to review of the following: project plans, including grading, drainage, foundation, and retaining wall plans; stripping and clearing of vegetation; cut and fill slopes; benching and keying; preparation of paved areas; preparation of soil to receive fill; fill placement and compaction; subsurface drainage control; footing excavations; premoistening of subslab soils; surface and subsurface drainage structures; erosion control measures.
- GEO-2 **During project construction/ground disturbing activities**, the applicant shall retain a certified engineering geologist of record and shall provide the engineering geologist's Written Certification of Adequacy of the Proposed Site Development for its Intended Use to the Department of Planning and Building.
- GEO-3 **Prior to occupancy or final inspection**, whichever occurs first, the soils engineer and certified engineering geologist of record, shall verify, as applicable, that construction is in compliance with the intent of the plan review, geologic reports and information, and the soils engineering reports (including the following: *Preliminary Engineering Geology Investigation, 2980 Atascadero Road, Tract 3023, APN: 073-011-055, Morro Bay Area, San Luis Obispo County, California, Project SL07654-1*, prepared by GeoSolutions, Inc., dated March 1, 2011; *Soils Engineering Report, 2980 Atascadero Road, APN: 073-011-055, Atascadero Area, San Luis Obispo County, California, Project SL07654-2*, prepared by GeoSolutions, Inc., dated July 26, 2011; *Percolation Testing Report, 2980 Atascadero Road, Tract 3023, APN: 073-011-055, Morro Bay Area, San Luis Obispo County, California, Project SL07654-2*, prepared by GeoSolutions, Inc., dated July 26, 2011; *Response to Comments: Preliminary Engineering Geology Investigation, 2980 Atascadero Road, Tract 3023, APN: 073-011-055, Morro Bay Area, San Luis Obispo County, California, Project SL07654-1*, prepared by GeoSolutions, Inc., dated July 26, 2011; *Engineering Geology Update, 2980 Atascadero Road, Tract 3023, APN: 073-011-055, Morro Bay Area, San Luis Obispo County, California, Project SL07654-4*, prepared by GeoSolutions, Inc., dated January 4, 2012) The soils engineer and certified engineering geologist of record shall provide written verification that the recommendations of the preceding geologic reports and information have been incorporated into the final design and construction, and such verification shall be submitted to the Department of Planning and Building for review and approval.

Drainage (site-specific and cumulative)

- GEO-4 **At the time of application for construction permits**, the applicant shall submit a drainage plan prepared by a Registered Civil Engineer for review and approval by the County Public Works Department. The plan shall, at a minimum evaluate: 1) the effects of the project's projected runoff on adjacent properties and existing drainage facilities and systems, and 2) estimates of existing and increased runoff resulting from the proposed improvement. The plan shall include Best Management Practices (BMPs) to address polluted runoff, including, but not limited to minimizing the use of impervious surfaces (e.g., installing pervious driveways and walkways) and directing runoff from roofs and drives to vegetative strips before it leaves the site.

- GEO-5 **Prior to issuance of any construction or grading permits**, a sedimentation and erosion control plan shall be prepared per Land Use Ordinance Section 22.52.120 and County Coastal Zone Land Use Ordinance Section 23.05.036 for review and approval by the County Public Works Department, and it shall be incorporated into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices, final erosion control measures, and control of off-site effects.
- GEO-6 **Prior to occupancy or final inspection**, whichever occurs first, the registered civil engineer shall verify that the recommendations of the approved Drainage Plan and the Sedimentation and Erosion Control Plan have been implemented. This verification shall be submitted in writing to the Department of Planning and Building for review and approval. If required by the County Public Works Department, the applicant shall execute a plan check and inspection agreement with the county, so that the drainage, sedimentation and erosion control facilities can be inspected and approved before final occupancy or final inspection, whichever occurs first.

Fire Safety

- FS-1 **Fire Safety – CAL FIRE/(CZ)LUO Compliance.** To minimize potential fire safety impacts, the applicant agrees to abide by the recommendations made by the CAL FIRE, in the letter dated June 14, 2010, and the Fire Safety Standards (LUO Sec. 22.05.086 and CZLUO Sec. 23.05.080), including but not necessarily limited to:
- a. Installation and on-going maintenance of a 20-foot wide all-weather access road that meets CAL FIRE's standards.
 - b. Prior to occupancy of a new structure, the applicant obtaining and implementing a "Fire Safety Plan" that has been approved by CAL FIRE.
 - c. The installation of residential sprinkler systems in all appropriate structures.
 - d. The installation of a water storage tank with the capacity to serve existing and proposed structures.
 - e. Fuel modification and maintenance of defensible space along on-site roads, driveways and structures.

Water Quality

- W-1 **Minimize Disturbance within Stream Channels.** Prior to the issuance of construction permits, where the placement of project features would disturb streambeds, ephemeral washes, or other sensitive hydrologic resources, the placement of such infrastructure (including roads) shall be adjusted to the extent feasible on project design plans to avoid such impacts.

During construction, construction traffic routes shall be clearly marked with temporary markers such as easily visible flagging, as needed to minimize disturbance of streambeds, ephemeral washes, or other sensitive hydrologic resources. Where it is not feasible for access roads to avoid streambed crossings, such crossings shall be built at right angles to the streambeds. Streambed crossings or roads constructed parallel to streambeds may require review and approval of necessary permits from the U.S. Army Corps of Engineers (USACE), California Department of Fish and Game (CDFG), and State Water Resources Control Board (SWRCB)/Central Coast Regional Water Quality Control Board (RWQCB).

During construction, the County Environmental Monitor shall work with County Public Works to verify that measures to minimize disturbance of streambeds, ephemeral washes, or other sensitive hydrologic resources have been implemented or are being incorporated.