



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. ED10-106

DATE: 4/26/12

PROJECT/ENTITLEMENT: Sohi Certificate of Compliance (SUB2010-00006)

APPLICANT NAME: Harmohan Sohi

ADDRESS: 2568 Johnson Ave, San Luis Obispo, CA 93401

CONTACT PERSON: Chris Strand

Telephone: 805-440-1799

PROPOSED USES/INTENT: Request by Harmohan Sohi for a Conditional Certificate of Compliance to legalize two parcels of 0.5 and 2.1 acres each. The proposed project is within the Rural Lands land use category.

LOCATION: The project is located at 615 W. Ormonde Road, approximately .75 miles south of the Price Canyon Road intersection, approximately three miles north of the City of Arroyo Grande, in the San Luis Bay (Inland) 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: California Department of Fish and Game

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. on May 10, 2012

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

Notice of Determination

State Clearinghouse No. _____

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

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

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

Stephanie Fuhs

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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(ver 3.4) *June Form*

Project Title & No. **Sohi Conditional Certificate of Compliance ED10-106 SUB2010-00006**

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

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input 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 type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

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

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

Stephanie Fuhs
Prepared by (Print)

Stephanie Fuhs
Signature

4/16/12
Date

Murry Wilson
Reviewed by (Print)

Murry Wilson
Signature

Ellen Carroll,
Environmental Coordinator
(for)

4/17/12
Date

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: Request by Harmohan Sohi for a Conditional Certificate of Compliance to legalize two parcels of 0.5 and 2.1 acres each. The proposed project is within the Rural Lands land use category. The project is located at 615 W. Ormonde Road, approximately .75 miles south of the Price Canyon Road intersection, approximately three miles north of the City of Arroyo Grande, in the San Luis Bay (Inland) planning area.

A Notice of Violation case (S990141E) was established to address the two (2) illegal subdivisions. Processing of this application for two (2) conditional certificates of compliance and the subsequent recording of two (2) conditional certificates of compliance will resolve the Notice of Violation case. Prior to recordation of the certificates of compliance, a merger of the two certificated parcels with an adjacent 3.85 acre legal parcel which makes up the remainder of APN 044-241-057 will be required resulting in a 6.45 acre parcel.

The site is currently undeveloped. Once the certificates and voluntary merger are recorded, potential development on the resulting 6.45 acre parcel could include two primary dwellings and accessory structures as allowed in the Rural Lands land use category.

ASSESSOR PARCEL NUMBER(S): 044-241-057

Latitude: 35°10'31.546"N Longitude: 120°36'35.8"W

SUPERVISORIAL DISTRICT # 3

B. EXISTING SETTING

PLANNING AREA: San Luis Bay (Inland), Rural

LAND USE CATEGORY: Rural Lands

COMBINING DESIGNATION(S): , Energy Extractive Area

EXISTING USES: Undeveloped

TOPOGRAPHY: Gently sloping to moderately sloping

VEGETATION: Grasses , coastal scrub , oak woodland , riparian, and freshwater marsh

PARCEL SIZE: 2.6 acres (two certificate parcels) plus the adjacent 3.85 acre parcel totaling 6.45 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Rural Lands; undeveloped	<i>East:</i> Rural Lands; undeveloped
<i>South:</i> Rural Lands; undeveloped	<i>West:</i> Rural Lands; undeveloped

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input 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 along Ormonde Road, a collector road. Topography is gently sloping along Ormonde Road to moderately sloping toward the back portion of the parcel. The project site is located in a rural area with oak woodland along Ormonde Road and towards the back of the parcel. There are clearings behind the oak woodland along Ormonde Road and an existing dirt driveway from the road.

Impact. The parcel will be accessed from the existing driveway which may require improvements depending on the specific location of future improvements. The area that will likely be developed is in a clearing that is behind existing coast live oak trees and pine trees which will be backdropped by additional oak woodland located to the rear of this parcel and the adjacent parcel to the southwest. Future development will be visible from Ormonde Road and has the potential to result in night lighting impacts and may be out of character with the rural parcels surrounding the project site if colors and materials are not consistent with the surrounding vegetation.

Mitigation/Conclusion. The proposed parcel is located where existing vegetation will provide partial screening and will not silhouette when viewed from Ormonde Road. Visual impacts associated with increased night lighting and the potential for contrasting colors associated with future development will be mitigated to less than significant levels with the inclusion of the mitigation measures listed in Exhibit B – Mitigation Summary Table.

2. AGRICULTURAL RESOURCES <i>- Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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2. AGRICULTURAL RESOURCES
- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

Land Use Category: Rural Lands

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland, Farmland of Statewide Importance

In Agricultural Preserve? No

Under Williamson Act contract? No

The soil type(s) and characteristics on the subject property include: *[list soil types]*

Corralitos sand (2 - 15 % slope). This gently to moderately sloping, sandy bottom soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated.

Gaviota fine sandy loam (15 - 50 % slope). This moderately to steeply sloping, shallow coarse loamy soil is considered very poorly drained. The soil has high erodibility and low 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.

Pismo loamy sand (9 - 30 % slope). This moderately sloping shallow sandy soil is considered Very poorly drained. The soil has low erodibility and low 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.

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

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: <u>Wood burning devices</u>	<input type="checkbox"/>	<input checked="" 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 proposes to disturb soils that have been given a wind erodibility rating of 1-3, which is considered "low" to "moderately low".

Impact. As proposed, the project could result in the disturbance of approximately an acre. (The actual amount of disturbance won't be known for certain until construction plans are submitted). This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. Measures associated with developmental burning, dust control, and wood burning devices have been incorporated into the developer's statement for this project and will become conditions of approval for the project to address cumulative impacts of the proposal.

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<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
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: Oak Woodland, Chaparral

Name and distance from blue line creek(s): An unnamed "blue line" tributary to the Pismo Creek courses through the subject property.

Habitat(s): Oak Woodland, riparian

Site's tree canopy coverage: Approximately 34-75%.

The Natural Diversity Database and biological reports prepared for the project (V.L. Holland, Ph.D., David Keil, Ph.D., and Michael McGovern, Ph.D, July 2010 and Padre Associates, July 2010) identified the following species potentially existing within approximately one mile of the proposed project:

Brewer's spineflower (*Chorizanthe breweri*) List 1B

Brewer's spineflower (*Chorizanthe breweri*) has been found about 0.76 mile to the northwest. This annual herb is a member of the buckwheat family, and is endemic to San Luis Obispo County. It is generally found growing on serpentinite, rock or gravely substrates within closed-cone coniferous forest, chaparral, cismontane woodland, or coastal scrub plant communities at elevations between 45 and 800 meters (150 to 2,625 feet). This plant was not found on the subject property, because the site does not contain serpentine or shale soil characteristics..

Mesa horkelia (*Horkelia cuneata* spp. *puberula*) List 1B

Mesa horkelia (*Horkelia cuneata* spp. *puberula*) is one of three subspecies of the *Horkelia cuneata* family that can be found within San Luis Obispo County. The plant can be found in dry, sandy coastal chaparral and has been found on the southwestern half of the parcel within the fairly open area of oak woodland on the lower slopes of the hill.. It has a blooming period of February-September. It is not State or Federally listed, however, it is a CNPS List 1B.1 species (rare or endangered in California and elsewhere).

Obispo indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*) List 1B

Obispo Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*) has been found about 0.74 mile to the north. This annual herb is found in valley and foothill grasslands at elevations between 10 to 400 meters (30 to 1,315 feet). The blooming period is April. Obispo Indian paintbrush is considered rare by CNPS (List 1B, RED 2-2-3).

Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) FE, SR, List 1B

Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) is a California Rare, Federally Endangered and Globally Threatened *Clarkia* subspecies. Populations of this species are primarily found south of San Luis Obispo, between Edna and Arroyo Grande. They occur in dry, sandy soils, within grassland openings in oak woodlands and chaparral.

On the project site, a large population of approximately 3,000 plants was found in the southwestern portion of the property in the open areas of the hillside. A smaller number of plants was found at the base of the hillside within a graded area.

San Luis Obispo County lupine (*Lupinus ludovicianus*) List 1B (RED 3-2-3)

San Luis Obispo County lupine (*Lupinus ludovicianus*) has been found about 0.88 mile to the southeast. This perennial herb is generally found on sandstone or sandy soils in chaparral and cismontane woodland habitats between the 50 and 525-meter elevations (165 to 1,725 feet). The species generally blooms from April through July. CNPS considers this plant rare (List 1B, RED 3-2-3). This plant was not found on the subject property according to the biological report prepared for the project.

Santa Margarita Manzanita (*Arctostaphylos pilosula*) List 1B

Santa Margarita Manzanita has been found on the project site in the southwestern portion of the property. This chaparral shrub can grow to over 10 feet in height and is generally located in sandstone hillsides between San Luis Valley and the ocean, however, it has been found from Montana de Oro State Park to Nipomo. The flowering season is between December and March and can be found between 170 and 1,100 meter elevations. The plant has a List 1B listing which means it is rare in California and elsewhere.

Wells's manzanita (*Arctostaphylos wellsii*) List 1B

Wells's manzanita (*Arctostaphylos wellsii*) has been found about 0.74 mile to the northwest and 0.07 mile to the north. This evergreen shrub is found primarily on sandstone soils in closed cone coniferous forests and chaparral areas; in addition, individual shrubs have been observed growing in the shade of coast live oak trees on steep north-facing slopes. The typical flowering period is December through April. Wells's manzanita is considered rare by CNPS (List 1B, RED 2-3-3). This plant was not found on the subject property according to the biological report prepared for the project.

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

Padre Associates, Inc. prepared a California Red-Legged Frog (CRLF) Habitat Assessment (July 2010). Based on field observations and review of the CNDDDB, there have been four CRLF sightings, within a five-mile radius and one within a mile of the site. Within the five-mile radius, there are two ponds upstream of the project site that provide suitable habitat for reproduction. It was determined that the property does not appear to be suitable habitat for CRLF because the pond on-site is seasonal and because of the large concentration of bulrush and small amount of open water habitat in the ponds.

A biological report was prepared for the subject property (V.L. Holland, Ph.D., David Keil, Ph.D., and Michael McGovern, Ph.D, July 2010). The report found Pismo Clarkia, wetland and riparian habitat, oak woodland, Mesa Horkelia, Santa Margarita Manzanita and Giant Hedge Nettle, all species requiring protection from future development.

The northeastern portion of the parcel contains some coast live oak trees and Monterey pines along West Ormonde Road with a shallow drainage containing a mixture of riparian and freshwater marsh plants (wetland community). Beyond this to the south, there is a relatively flat disturbed area that contains a mixture of native and non-native species.

From the flat, disturbed area heading south west, there is a moderately steep north-facing slope containing fairly dense oak woodland and chaparral. This area also contains Pismo Clarkia, Santa Margarita Manzanita, and Mesa horkelia.

Grassland, oak woodland, and riparian and marsh habitat on the project site provides potential nesting bird habitat. Nesting birds are protected under Section 3503 of the State Fish and Game Code.

Impact. Without adequate mitigation measures to address avoidance of rare plants and sensitive habitats, future development could remove all of the plants, trees and potential wildlife habitat that occur on the project site.

Special-status Species. To avoid impacts to Pismo clarkia, Santa Margarita Manzanita and Mesa horkelia and their habitat, the applicant proposes to record an open space easement that limits site disturbance and development to the already disturbed areas of the site as shown in the attached aerial. The open space easement will be fenced in a similar fashion to Tract 2507 located to the north across West Ormonde Road to avoid future disturbance of these areas. The fencing shall be made of natural wood, or simulated wood materials, and shall not be painted white or light colors.

The applicant is not proposing any improvements within potentially sensitive aquatic species habitat areas, including the unnamed tributary to Pismo Creek. Direct disturbance to sensitive habitat areas will be avoided based on the use of existing access roads and the location of proposed building areas outside wetland areas as delineated by the County approved biologist to be shown on construction plans at the time of application submittal. Inadvertent secondary impacts to aquatic species including pollution of surface water and habitat areas may occur during grading and construction activities associated with future development of each proposed lot.

Native or Important Vegetation. The majority of the coast live oak trees on the site occur on the southwestern portion of the site proposed for protection of the special status species, or along West Ormonde Road. The access and development areas are sited in the locations of existing roads and building pads, or clearings outside of Pismo clarkia habitat and dense coast live oak woodland. Additional grading activities associated with scraping, grading and recompaction of existing access roads and building pads could result in impacts to the root zones of approximately 12 coast live oak trees. The building area within the disturbed area will avoid removal of any oak trees.

Wetland and Riparian Habitat. The applicant is not proposing any disturbance or activities within or immediately adjacent to the unnamed tributary to Pismo Creek, however the extent of the wetland and riparian habitat will need to be delineated at the time of application for construction permits. Grading and construction activities in the vicinity of riparian and freshwater marsh habitat areas may result in indirect impacts, including erosion and down-gradient sedimentation, discharge of fuels or oils from construction equipment, and changes to the drainage patterns leading to the wetlands.

According to the CRLF habitat assessment (Padre Associates, Inc.), CRLF are not expected to use the wetland area on the site for breeding purposes due to lack of suitable habitat. However, since the species can travel large distances, the site could be used by CRLF while locating more suitable breeding locations.

Wildlife. Nesting birds may be disturbed by vegetation removal, disruptive construction equipment noise, and increased human activity near nesting areas. Fish and Game Code 3503 protects birds, their eggs and nests from disturbance or destruction from construction activities.

Mitigation/Conclusion.

Special-status Species. In addition to the proposed open space easement, the applicant has agreed to install fencing along the perimeter of the easement line to minimize incidental disturbance of Pismo clarkia, Santa Margarita Manzanita and Mesa horkelia (as shown on Exhibit "C:"). The open space easement shall also limit development to the building envelope shown on the exhibit. To avoid incidental disturbance to sensitive aquatic species and riparian habitat, the applicant has agreed to stake the limits of grading and staging area(s) prior to initiation of improvements and recompaction of existing access roads and building pads. To avoid incidental disturbance to special-status plant species during the future development within approved access roads and building envelope, the applicant has agreed to adopt conditions that require staking of grading limits and staging area(s) prior to any site disturbance. Staging areas shall be located outside of sensitive habitat areas, and shall not be located immediately upslope from drainages or riparian and freshwater marsh habitats.

Native or Important Vegetation. To mitigate for future impacts to coast live oak trees associated with future development, the applicant has agreed to adopt conditions requiring that prior to development the applicant would be required to submit a site plan showing the location and diameter of all coast live oak trees within fifty feet of proposed grading and construction activities. All impacted trees shall be replaced onsite at a 2:1 ratio. Based on the constraints of this parcel, there may not be adequate space to replant oak trees on-site. Should replanting need to occur off-site, the applicant has agreed to provide an off-site location that has adequate room to accommodate the required tree planting.

Wetland and Riparian Habitat. To avoid impacts to wetland and riparian habitat, the applicant has agreed to have a County approved biologist delineate the limits of the wetland and riparian habitat at the time of application for construction permits. Construction activities and site disturbance shall be located a minimum of 50 feet from the delineated wetland. The wetland areas shall be fenced prior to, and during construction activities. If work within the wetland cannot be avoided due to site constraints, the applicant shall consult with the Army Corps of Engineers to determine if site work within the wetland is appropriate. If the wetland will be disturbed, the applicant shall provide evidence of an Army Corps of Engineers permit or letter stating that a permit is not needed. The applicant shall adhere to all of the recommendations of the Army Corps permit, if a permit is needed. In addition, prior to site disturbance, the applicant shall stake grading limits and staging area(s). The applicant also shall submit and implement a spill contingency plan to minimize potential spills or leaks, and expedite containment and clean-up efforts in the event of a spill or leak. Development shall maintain drainage patterns that will not substantially alter the amount of water that is provided to the on-site wetlands.

Wildlife. To avoid impacts to nesting birds, the applicant has agreed to avoid removal of vegetation or any other ground disturbance between February and September 15 to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding and/or nesting birds no more than two weeks prior to construction or site disturbance activities. Results of the surveys shall be submitted to the Department of Fish and Game (CDFG) for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed in consultation with the CDFG and the applicant shall adhere to these measures during all construction activities on the site.

For California Red Legged Frog (CRLF), the following mitigation measures are recommended: an educational program for all construction personnel on the site during the construction phase of the project, no site disturbance or construction activities during the rainy season (between October 15 and April 15), a pre-construction survey by a County-approved biologist to determine if the species occurs on the site, erosion control measures that do not prohibit the movement of the CRLF or other aquatic species, and consultation with the US Fish and Wildlife Service should a CRLF be observed on the property.

The areas that remain outside of the on-site wetland and sensitive terrestrial habitats shall be the only area where building shall take place in the future. This area is shown in Exhibit "C". The implementation of the above measures will mitigate biological impacts to less than significant levels. These mitigation measures are listed in detail in Exhibit B - Mitigation Summary Table.

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

Impact. A Phase I (surface) survey was conducted (Bertrando & Bertrando Research Consultants, July 2010). No evidence of cultural materials was noted on the property. Impacts to historical and paleontological resources are not expected.

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

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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

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

Topography: Gently sloping to moderately sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: High

Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

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

Within the 100-year Flood Hazard designation? No

Closest creek? An unnamed "blue line" tributary to the Pismo Creek Distance? Courses through the subject property.

Soil drainage characteristics: Well drained to very poorly drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080 or CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

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

Soil erodibility: Low to moderate

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. As proposed, the project is estimated to result in the disturbance of approximately one acre. Actual disturbance amounts won't be known until construction applications are submitted. Erosion of graded areas and discharge of sediment down gradient will likely result, if adequate temporary and permanent measures are not taken before, during and after vegetation removal and grading. If not properly mitigated, these impacts both on the project site and within surrounding areas may be significant.

Mitigation/Conclusion. Implementation of the above-referenced drainage plan for construction improvements will reduce potential off and on site drainage impacts to less than significant levels. As referenced in Section 4 above, development shall maintain drainage patterns that will not substantially alter the amount of water that is provided to the on-site wetlands. Implementation of the previously-referenced sedimentation and erosion control plan will reduce potential sedimentation and erosion impacts to less than significant levels. In addition, if there will be over an acre of disturbance to construct future development, the applicant will need to receive a NPDES general permit and prepare a SWPPP as mentioned above. There is no evidence that measures above what will already be required as stated above or by ordinance or code are needed.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input 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 is not located in an area of known hazardous material contamination. The project is within a very high severity risk area for fire. The project is not within the Airport Review area.

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 does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan. The project site is in the very high fire severity area with a 10-15 minute response time for emergency personnel which will require sprinklering of all structures over 5,000 square feet as well as vegetative clearance from structures of at least 100 feet. A referral response from CalFire did not indicate any significant concerns.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary beyond current Land Use Ordinance and Fire Safety Code regulations.

8. NOISE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate 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 not within close proximity of loud noise sources, and will not 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, the project is within an acceptable threshold area.

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

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"/>

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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. No significant population and housing impacts are anticipated. The project will mitigate its cumulative impact to the shortage of affordable housing stock by providing affordable housing unit(s) either on-site and/or by payment of the in-lieu fee (residential projects). No additional 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"/>

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

Police: County Sheriff

Location: Approximately five miles to the southwest

Fire: Cal Fire (formerly CDF)

Hazard Severity: Very High

Response Time: 10-15 minutes

Location: Approximately 2.67 miles to the southwest

School District: San Luis Coastal Unified School District.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

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

Setting. The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area. Prior to recordation of the certificates of compliance, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Impact. The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

Mitigation/Conclusion. The "Quimby" fee will adequately mitigate the project's impact on recreational facilities. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<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 the project's access street, W. Ormode Road is operating at an acceptable level of service. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

Referrals were sent to the Public Works Department. No significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 19.14 trips per day, based on the Institute of Traffic Engineer's manual of 9.57 trips/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

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

13. WASTEWATER - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type(s) for the project is provided in the listed in the previous Agricultural Resource section. The main limitation(s) of this soil for wastewater effluent include:

-**poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. In this case, based on soil boring information (GeoSolutions, Inc., July 2010) there will not be adequate separation for filtering of effluent before reaching any groundwater source based on the locations tested in the report (from less than 1 minute/inch to 16 minutes/inch). The following additional information will be needed prior to issuance of a building permit: soil borings at alternative leach line locations showing that there is adequate separation, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.

----**steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. In this case, the proposed leach lines will be located on the nearly level portion of the subject property that is sufficiently set back from any steep slopes to

avoid potential daylighting of effluent. Therefore, no measures are necessary above what is called out for in the CPC/Basin Plan to address potential steep slopes.

The percolation rate for the subject property is very fast, which requires greater soil depth to provide for adequate filtering. Therefore, prior to issuance of a building permit, 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.

- **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.

In this case, due to (limited availability of information relating to) the potential of saturated soils near the surface, the following additional information will be needed before any work can begin: soil borings at the leach line location showing that there is adequate separation (including piezometer tests taken during the end of the rainy season), and plans for an engineered wastewater system (of acceptable design by RWQCB) that shows how the CPC/Basin Plan criteria can be met.

- The soil has been representatively-tested (Geosolutions, Inc., July 2010) for the following criteria: percolation rates and soil borings of adequate depth to determine the presence/ absence of groundwater. Based on this information there is not adequate evidence showing that on-site systems can be designed to meet the CPC/Basin Plan at the locations tested and shown the Percolation Testing Report. Prior to recordation of the certificates of compliance, additional testing will be required by the Building Division to verify acceptable conditions exist for on-site systems. 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) as well as on-site water features.

Impacts/Mitigation. Based on the following project conditions or design features, wastewater impacts are considered less than significant:

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system after the lots are merged with the adjacent parcel;
- ✓ The soil's percolation rate are required to be between 30 to 120 minutes per inch;
- ✓ There will be adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines will be outside of the 100-year flood hazard area;
- ✓ There will be adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines will be at least 100 feet from creeks and water bodies 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 issuance of construction permits, 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) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other: _____	<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 Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, including a pump test report (San Luis Obispo County Farm Supply, June 2010), the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is gently sloping to moderately sloping. The closest creek from the proposed development is an unnamed blue line tributary to Pismo Creek that courses through the subject property. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility. The subject property is within an unnamed 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. County Ordinance requires that temporary sedimentation and erosion control measures be installed during construction activities.

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, as proposed, the project will likely result in the disturbance of approximately one acre. The project has an unnamed tributary of the Pismo Creek running through the site. Without adequate drainage, sedimentation and erosion control measures, down-gradient sedimentation and discharge of fuels or oils from construction equipment could occur.

Mitigation/Conclusion. Drainage and erosion control measures will be required for the proposed project. Development shall maintain drainage patterns that will not substantially alter the amount of water that is provided to the on-site wetlands. These measures will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.). Upon completion of the voluntary merger, the project will 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. Once the conditional certificates of compliance are recorded and the lots are merged with the adjacent parcel, the lots will be consistent with applicable plans and policies and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*
- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

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	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

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

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

Biological Report, V.L. Holland, Ph.D, David Keil, Ph.D and Michael McGovern, Ph.D, July 2010

California Red Legged Frog Habitat Assessment, Padre Associates, Inc., July 2010

Cultural Resource Evaluation, Bertrando & Bertrando Research Consultants, July 2010

Pump Test Report, San Luis Obispo Farm Supply, June 2010

Percolation Testing Report, Geosolutions, Inc., July 2010

Exhibit B - Mitigation Summary Table

Aesthetics

1. **Prior to issuance of construction permits for all parcels**, the applicant shall show on construction drawings, all night lighting directed down and into the development with no direct light visible from surrounding public roads, and shall be installed as approved **prior to final inspection or occupancy**, whichever occurs first.
2. **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures.

Air Quality

3. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. Reduce the amount of disturbed area where possible,
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - e. All dirt stock-pile areas should be sprayed daily as needed.
4. No developmental burning is allowed unless an application has been filed, and a burn permit issued, by the Air Pollution Control District. The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.
5. Only APCD-approved woodburning devices shall be allowed in new residential dwelling units.

Biological Resources

6. **Prior to recordation of the certificates of compliance**, the applicant agrees to enter into an open space agreement granting an open space easement in perpetuity to the County in a form approved by County Counsel for the southwestern half of the site containing Pismo Clarkia, Santa Margarita Manzanita and Mesa horkelia. The approximate location of the easement is shown in attached Exhibit "C".
7. The easement shall be set aside as open space in perpetuity for its value as habitat for Pismo clarkia, Santa Margarita Manzanita and Mesa horkelia and oak woodland. All future buildings on the parcel shall be located outside the open space area and within an approved building area. No structures, oak tree replanting, grading, site disturbance, native vegetation removal, vehicle use or storage, introduction of nonnative plants, mowing, discing or any other action likely to negatively affect the special status plant species, its potential pollinators, or surrounding habitat shall occur within the open space easement. No domestic grazing shall be permitted.
8. **For the life of the project**, the applicant agrees to allow the County of San Luis Obispo, the United States Fish and Wildlife Service, the California Department of Fish and Game, the Nature Conservancy, or the Land Conservancy the right to enter the open space area, shown on the final exhibit to the open space agreement, to ensure compliance with the easement restrictions and to assess the special status plant population. However, prior to entering the open space area, the resource agency or appropriate entity shall give 72-hour written "notice of intent" to visit the site.
9. **For the life of the project**, vegetation clearance around structures, necessary to comply with local fire control codes, shall not extend into the open space area unless authorized by a Memorandum of Understanding (for maintenance of the special status species) between the property owner and the California Department of Fish and Game.
10. **Prior to commencement of ground disturbing activities**, the applicant shall install a fence along the perimeter of the easement area as shown on Exhibit "C". The fence shall be made of natural wood, or simulated wood materials, and shall not be painted white or light colors.
11. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building area on the project plans. All new development (e.g. residences, detached garages, sheds, access roads and driveways) shall be located within the approved building area.
12. **Prior to final inspection of construction permits**, the applicant shall replace all impacted trees at a two-to-one ratio. Replanting shall be completed as soon as it is feasible while avoiding the summer months (e.g. irrigation water is available, grading done in replant area). Replanting may not occur in the open space area. Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). Replacement oak trees shall be from one-gallon container sizes. All newly planted oak trees shall be maintained until successfully established and living. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

13. **At the time of application for grading permits or construction plans**, the applicant shall submit plans showing the location of all oak trees inside and within 50 feet of the approved building area. Removal of oak trees shall be avoided to the greatest extent feasible. No more than ten oak trees shall be removed as part of future development on the property.
14. **Prior to site disturbance**, all trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
15. **Prior to permit issuance**, the "project limits" shall be clearly delineated on all construction plans, along with locations of sturdy, high-visibility fencing to be installed in the field at the boundary of the "project limits". No construction (including storage of materials) shall occur outside of the "project limits". Fencing shall remain in place until final inspection.
16. **Prior to issuance of construction permits**, the applicant shall submit a Spill Contingency Plan implementing Best Management Practices (BMPs) to minimize the potential for a fuel or oil leak or spill, and methods for containment and clean-up.
17. The applicant shall avoid removal of vegetation or any other ground disturbance between February and September 15 to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding and/or nesting birds no more than two weeks **prior to construction or site disturbance activities**. Results of the surveys shall be submitted to the Department of Fish and Game (CDFG) for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed in consultation with the CDFG and the applicant shall adhere to these measures **during all construction activities on the site**.
18. **Prior to recordation of the certificates of compliance**, the applicant shall retain a County-approved biologist to delineate the wetland and riparian habitat to demark the boundaries of the approved building area.
19. **At the time of application for construction permits**, the applicant shall show construction activities and site disturbance located a minimum of 50 feet from the delineated wetland. The wetland areas shall be fenced prior to, and during construction activities. If work within the wetland cannot be avoided due to site constraints, the applicant shall consult with the Army Corps of Engineers to determine if site work within the wetland is appropriate. If the wetland will be disturbed, the applicant shall provide evidence of an Army Corps of Engineers permit or letter stating that a permit is not needed **prior to issuance of construction permits**. The applicant shall adhere to all of the recommendations of the Army Corps permit, if a permit is needed.
20. **Prior to issuance of construction permits**, the applicant shall provide evidence that an educational program for all construction personnel on the site during the construction phase of the project has been conducted. This shall include the date, time and list of personnel involved in the training program.

21. **Prior to issuance of construction permits**, a pre-construction survey shall be conducted by a County-approved biologist to determine if CRLF occurs on the site. If the survey finds that CRLF are on-site, appropriate mitigation measures shall be added to the project to avoid impacting the species. These measures may include limiting the timing of construction activities on the project site. These measures shall be adhered to during the entire construction process.
22. **At the time of application for construction permits**, the applicant shall show erosion control measures that do not prohibit the movement of the CRLF or other aquatic species.

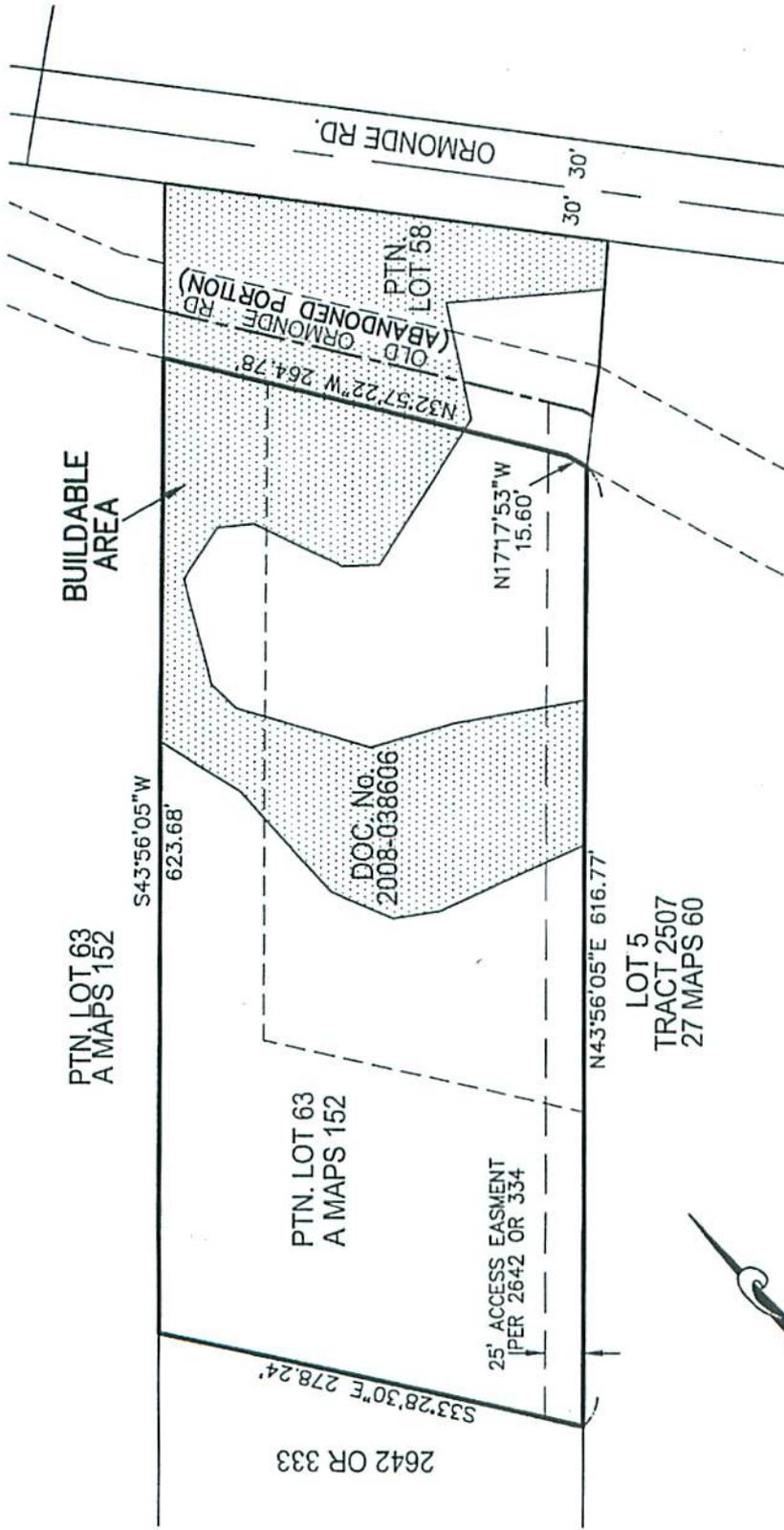
Geology

23. **Prior to issuance of construction permits**, the applicant shall submit a sedimentation and erosion control plan pursuant to Section 22.52.090 of the County Land Use Ordinance. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the measures proposed, including the use of revegetation and soil stabilizers. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan.
24. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.080 to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan will need to show that there will not be any increase in surface runoff beyond that of historic flows and development shall maintain drainage patterns that will not substantially alter the amount of water that is provided to the on-site wetlands.
25. **Prior to issuance of construction permits for any site disturbance over one acre**, the applicant shall prepare a Storm Water Pollution Prevention Plan, per Regional Water Quality Control Board requirements, and an Erosion and Sedimentation Control Plan shall be prepared by a certified sediment and erosion control specialist, registered civil engineer, registered architect or landscape architect, certified California nurseryperson, or licensed landscape contractor. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the erosion and sedimentation control measures proposed. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan. The plan shall contain, but need not be limited to, all of the following information:
 - a. Grading limits shall be graphically defined on the plan and staked out before site disturbance begins.
 - b. Estimates of sediment yields before, during, and after construction of the project for a three-year period or until revegetation is established.
 - c. Proposed methods and a description of the practices to be used to protect exposed erodible areas during and after construction, including temporary and permanent mulching, seeding, or other recognized surface stabilization measures.
 - d. Proposed temporary and final methods and a description of the practices to be used for cut or fill slopes to prevent erosive surface runoff, including earth or paved interceptors and diversions, energy absorbing structures, or devices and techniques to reduce the velocity of runoff water.
 - e. Proposed methods and description of the temporary and final practices to retain sediment on the site, including: sediment basins and traps, vegetative filter strips, or other recognized measures; a schedule for their maintenance and upkeep; provisions for responsibility of maintenance; and design criteria for the trapping efficiency and storage capacities of sediment basins for flows from a ten-year storm.

- f. Proposed methods, application technique, seed and fertilizer rate, sequence, and description of final erosion control practices for revegetation of all surfaces disturbed by vegetation removal, grading, haul roads, or other improved surfaces authorized by approved plans. A schedule for maintenance and upkeep of revegetated areas shall be included.
- g. The type, location, and extent of pre-existing and undisturbed vegetation on the site. Descriptions of proposed methods to limit access routes and stabilize all access points, and to delineate clearing limits, easements, setbacks, sensitive areas, buffer areas and drainage courses.

Wastewater

- 26. **Prior to issuance of construction permits**, the applicant shall submit soil borings in alternate location that those tested in the Percolation Testing Report (Geosolutions, Inc., July 2010) showing adequate distance to bedrock and adequate separation between lines and percolation rate test results at each leach line location showing adequate percolation rates. The location of the tests need to be, at a minimum, 100 feet from the creek on the property. If soil conditions to not permit a standard leach field, the applicant shall submit plans for an engineered wastewater system.



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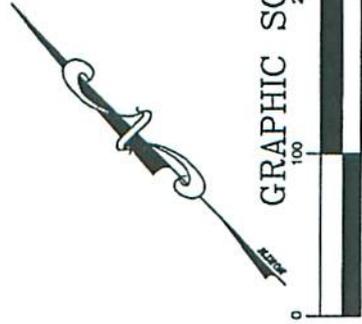


EXHIBIT
Exhibit "C"

PROJECT
Sohi Certificates of Compliance
SUB2010-00006

**DEVELOPER'S STATEMENT FOR THE
SOHI CONDITIONAL CERTIFICATES OF COMPLIANCE (10-0078); SUB2010-00006**

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

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

AESTHETICS

1. **Prior to issuance of construction permits for all parcels**, the applicant shall show on construction drawings, all night lighting directed down and into the development with no direct light visible from surrounding public roads, and shall be installed as approved **prior to Final Inspection or Occupancy**, whichever occurs first.

Monitoring: Compliance will be verified by the Planning and Building Department.

2. **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures.

Monitoring: Compliance will be verified by the Planning and Building Department.

AIR QUALITY

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

- a. Reduce the amount of disturbed area where possible,
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
- c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
- e. All dirt stock-pile areas should be sprayed daily as needed.

Monitoring: The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

4. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District. The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Monitoring: The Planning and Building Department, in consultation with the APCD, shall verify compliance.

5. Only APCD-approved woodburning devices shall be allowed in new residential dwelling units.

Monitoring: The Planning and Building Department, in consultation with the APCD, shall verify compliance.

BIOLOGICAL RESOURCES

6. **Prior to recordation of the certificates of compliance**, the applicant agrees to enter into an open space agreement granting an open space easement in perpetuity to the County in a form approved by County Counsel for the southwestern half of the site containing Pismo Clarkia, Santa Margarita Manzanita and Mesa horkelia. The approximate location of the easement is shown in attached Exhibit "C".

Monitoring: Compliance will be verified by the Planning and Building Department.

7. The easement shall be set aside as open space in perpetuity for its value as habitat for Pismo clarkia, Santa Margarita Manzanita and Mesa horkelia and oak woodland. All future buildings on the parcel shall be located outside the open space area and within an approved building area. No structures, oak tree replanting, grading, site disturbance, native vegetation removal, vehicle use or storage, introduction of nonnative plants,

mowing, discing or any other action likely to negatively affect the special status plant species, its potential pollinators, or surrounding habitat shall occur within the open space easement. No domestic grazing shall be permitted.

Monitoring: Compliance will be verified by the Planning and Building Department.

8. **For the life of the project,** the applicant agrees to allow the County of San Luis Obispo, the United States Fish and Wildlife Service, the California Department of Fish and Game, the Nature Conservancy, or the Land Conservancy the right to enter the open space area, shown on the final exhibit to the open space agreement, to ensure compliance with the easement restrictions and to assess the special status plant population. However, prior to entering the open space area, the resource agency or appropriate entity shall give 72-hour written "notice of intent" to visit the site.

Monitoring: Compliance will be verified by the Planning and Building Department.

9. **For the life of the project,** vegetation clearance around structures, necessary to comply with local fire control codes, shall not extend into the open space area unless authorized by a Memorandum of Understanding (for maintenance of the special status species) between the property owner and the California Department of Fish and Game.

Monitoring: Compliance will be verified by the Planning and Building Department.

10. **Prior to commencement of ground disturbing activities,** the applicant shall install a fence along the perimeter of the easement area as shown on Exhibit "C". The fence shall be made of natural wood, or simulated wood materials, and shall not be painted white or light colors.

Monitoring: Compliance will be verified by the Planning and Building Department.

11. **At the time of application for construction permits,** the applicant shall clearly delineate the approved building area on the project plans. All new development (e.g. residences, detached garages, sheds, access roads and driveways) shall be located within the approved building area.

Monitoring: Compliance will be verified by the Planning and Building Department.

12. **Prior to final inspection of construction permits,** the applicant shall replace all oak trees removed at a 4:1 ratio and impacted trees at a two-to-one ratio. Replanting shall be completed as soon as it is feasible while avoiding the summer months (e.g. irrigation water is available, grading done in replant area). Replanting may not occur in the open space area. Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). Replacement oak trees shall be from one-gallon container sizes. All newly planted oak

trees shall be maintained until successfully established and living. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Monitoring: Compliance will be verified by the Planning and Building Department.

13. **At the time of application for grading permits or construction plans**, the applicant shall submit plans showing the location of all oak trees inside and within 50 feet of the approved building area. Removal of oak trees shall be avoided to the greatest extent feasible. No more than ten oak trees shall be removed as part of future development on the property.

Monitoring: Compliance will be verified by the Planning and Building Department.

14. **Prior to site disturbance**, all trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Monitoring: Compliance will be verified by the Planning and Building Department.

15. **Prior to permit issuance**, the "project limits" shall be clearly delineated on all construction plans, along with locations of sturdy, high-visibility fencing to be installed in the field at the boundary of the "project limits". No construction (including storage of materials) shall occur outside of the "project limits". Fencing shall remain in place until final inspection.

Monitoring: Compliance will be verified by the Planning and Building Department.

16. **Prior to issuance of construction permits**, the applicant shall submit a Spill Contingency Plan implementing Best Management Practices (BMPs) to minimize the potential for a fuel or oil leak or spill, and methods for containment and clean-up.

Monitoring: Compliance will be verified by the Planning and Building Department.

17. The applicant shall avoid removal of vegetation or any other ground disturbance between February and September 15 to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding

and/or nesting birds no more than two weeks **prior to construction or site disturbance activities**. Results of the surveys shall be submitted to the Department of Fish and Game (CDFG) for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed in consultation with the CDFG and the applicant shall adhere to these measures **during all construction activities on the site**.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

18. **Prior to recordation of the certificates of compliance**, the applicant shall retain a County-approved biologist to delineate the wetland and riparian habitat to demark the boundaries of the approved building area and open space easement area.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

19. **At the time of application for construction permits**, the applicant shall show construction activities and site disturbance located a minimum of 50 feet from the delineated wetland. The wetland areas shall be fenced prior to, and during construction activities. If work within the wetland cannot be avoided due to site constraints, the applicant shall consult with the Army Corps of Engineers to determine if site work within the wetland is appropriate. If the wetland will be disturbed, the applicant shall provide evidence of an Army Corps of Engineers permit or letter stating that a permit is not needed prior to issuance of construction permits. The applicant shall adhere to all of the recommendations of the Army Corps permit, if a permit is needed.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

20. **Prior to issuance of construction permits**, the applicant shall provide evidence that an educational program for all construction personnel on the site during the construction phase of the project has been conducted. This shall include the date, time and list of personnel involved in the training program.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

21. **Prior to issuance of construction permits**, a pre-construction survey shall be conducted by a County-approved biologist to determine if CRLF occurs on the site. If the survey finds that CRLF are on-site, appropriate mitigation measures shall be added to the project to avoid impacting the species. These measures may include limiting the timing of construction activities on the project site. These measures shall be adhered to during the entire construction process.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

22. **At the time of application for construction permits**, the applicant shall show erosion control measures that do not prohibit the movement of the CRLF or other aquatic species.

Monitoring: Compliance will be verified by the Planning and Building Department in consultation with the Environmental Coordinators office.

GEOLOGY AND SOILS

23. **Prior to issuance of construction permits**, the applicant shall submit a sedimentation and erosion control plan pursuant to Section 22.52.090 of the County Land Use Ordinance. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the measures proposed, including the use of revegetation and soil stabilizers. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan.

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments in consultation with the Environmental Coordinators office.

24. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.080 to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan will need to show that there will not be any increase in surface runoff beyond that of historic flows and development shall maintain drainage patterns that will not substantially alter the amount of water that is provided to the on-site wetlands.

Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments in consultation with the Environmental Coordinators office.

25. **Prior to issuance of construction permits for any site disturbance over one acre**, the applicant shall prepare a Storm Water Pollution Prevention Plan, per Regional Water Quality Control Board requirements, and an Erosion and Sedimentation Control Plan shall be prepared by a certified sediment and erosion control specialist, registered civil engineer, registered architect or landscape architect, certified California nurseryperson, or licensed landscape contractor. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the erosion and sedimentation control measures proposed. The location of all practices, methods and devices shall be shown on the grading plan, or on a

separate plan attached to the grading plan. The plan shall contain, but need not be limited to, all of the following information:

- a. Grading limits shall be graphically defined on the plan and staked out before site disturbance begins.
- b. Estimates of sediment yields before, during, and after construction of the project for a three-year period or until revegetation is established.
- c. Proposed methods and a description of the practices to be used to protect exposed erodible areas during and after construction, including temporary and permanent mulching, seeding, or other recognized surface stabilization measures.
- d. Proposed temporary and final methods and a description of the practices to be used for cut or fill slopes to prevent erosive surface runoff, including earth or paved interceptors and diversions, energy absorbing structures, or devices and techniques to reduce the velocity of runoff water.
- e. Proposed methods and description of the temporary and final practices to retain sediment on the site, including: sediment basins and traps, vegetative filter strips, or other recognized measures; a schedule for their maintenance and upkeep; provisions for responsibility of maintenance; and design criteria for the trapping efficiency and storage capacities of sediment basins for flows from a ten-year storm.
- f. Proposed methods, application technique, seed and fertilizer rate, sequence, and description of final erosion control practices for revegetation of all surfaces disturbed by vegetation removal, grading, haul roads, or other improved surfaces authorized by approved plans. A schedule for maintenance and upkeep of revegetated areas shall be included.
- g. The type, location, and extent of pre-existing and undisturbed vegetation on the site.

Descriptions of proposed methods to limit access routes and stabilize all access points, and to delineate clearing limits, easements, setbacks, sensitive areas, buffer areas and drainage courses.

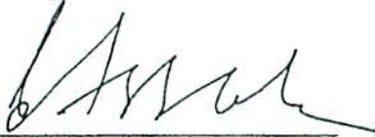
Monitoring: Compliance will be verified by the Public Works and Planning and Building Departments in consultation with the Environmental Coordinators office.

WASTEWATER

26. **Prior to issuance of construction permits**, the applicant shall submit soil borings in alternate location that those tested in the Percolation Testing Report (Geosolutions, Inc., July 2010) showing adequate distance to bedrock and adequate separation between lines and percolation rate test results at each leach line location showing adequate percolation rates. The location of the tests need to be, at a minimum, 100 feet from the creek on the property. If soil conditions to not permit a standard leach field, the applicant shall submit plans for an engineered wastewater system.

Monitoring: The Department of Planning and Building shall verify receipt of required documentation and/or plans.

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



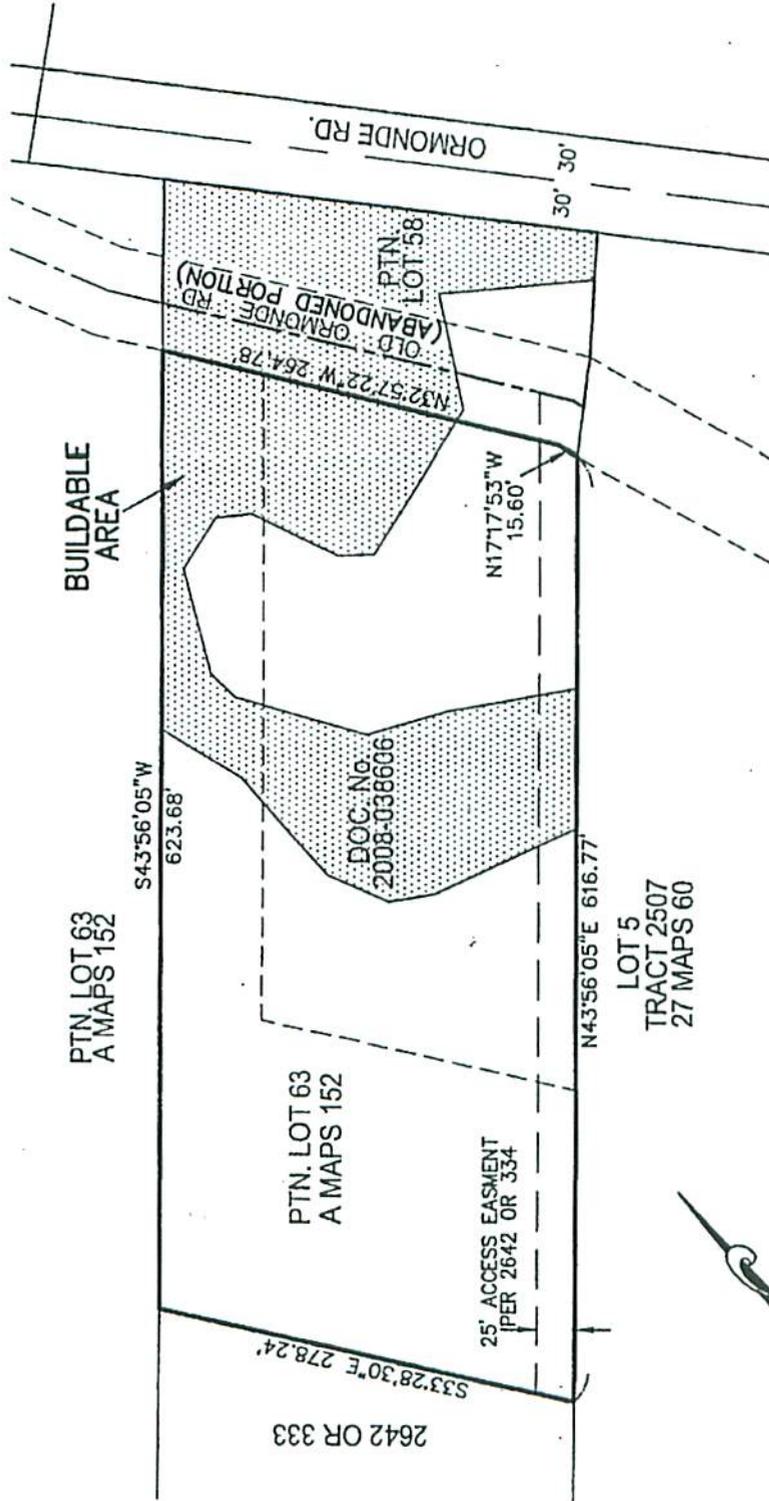
Signature of Owner(s)

04-17-2012

Date

HARMOHAN .S. SOHI

Name (Print)



1 inch = 100 ft.



PROJECT
Sohi Certificates of Compliance
SUB2010-00006

EXHIBIT

Exhibit "C"



BW #430

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

RECEIVED

JUL 26 2010

DATE: 7/23/2010

FROM
TO

TO: PW

FROM: Jo Manson, Information Services 805-781-4660

PROJECT DESCRIPTION: SUB2010-00006 SOHI- 2 Conditional Certificates of Compliance- Site located on Ormonde Road in SLO. APN: 044-241-057.

10-0078

Return this letter with your comments attached no later than: 14 days from receipt of this referral. By 8/6/2010 please.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES
- NO

(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES
- NO

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

NO CONCERNS

7-29-10
Date

Tim Tomlinson
Name

5271
Phone



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 7/23/2010

TO: Em. Heath

FROM: Jo Manson, Information Services 805-781-4660



PROJECT DESCRIPTION: SUB2010-00006 SOHI- 2 Conditional Certificates of Compliance- Site located on Ormonde Road in SLO. APN: 044-241-057.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. By 8/6/2010 please.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No comment as long as subsequent merger occurs

7/28/10
Date

[Signature]
Name

781-5551
Phone



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 7/23/2010

TO: Cal Fire

FROM: Jo Manson, Information Services 805-781-4660

RECEIVED
JUL 29 2010

BY:

PROJECT DESCRIPTION: SUB2010-00006 SOHI- 2 Conditional Certificates of Compliance- Site located on Ormonde Road in SLO. APN: 044-241-057.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. By 8/6/2010 please.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
 NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
 NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

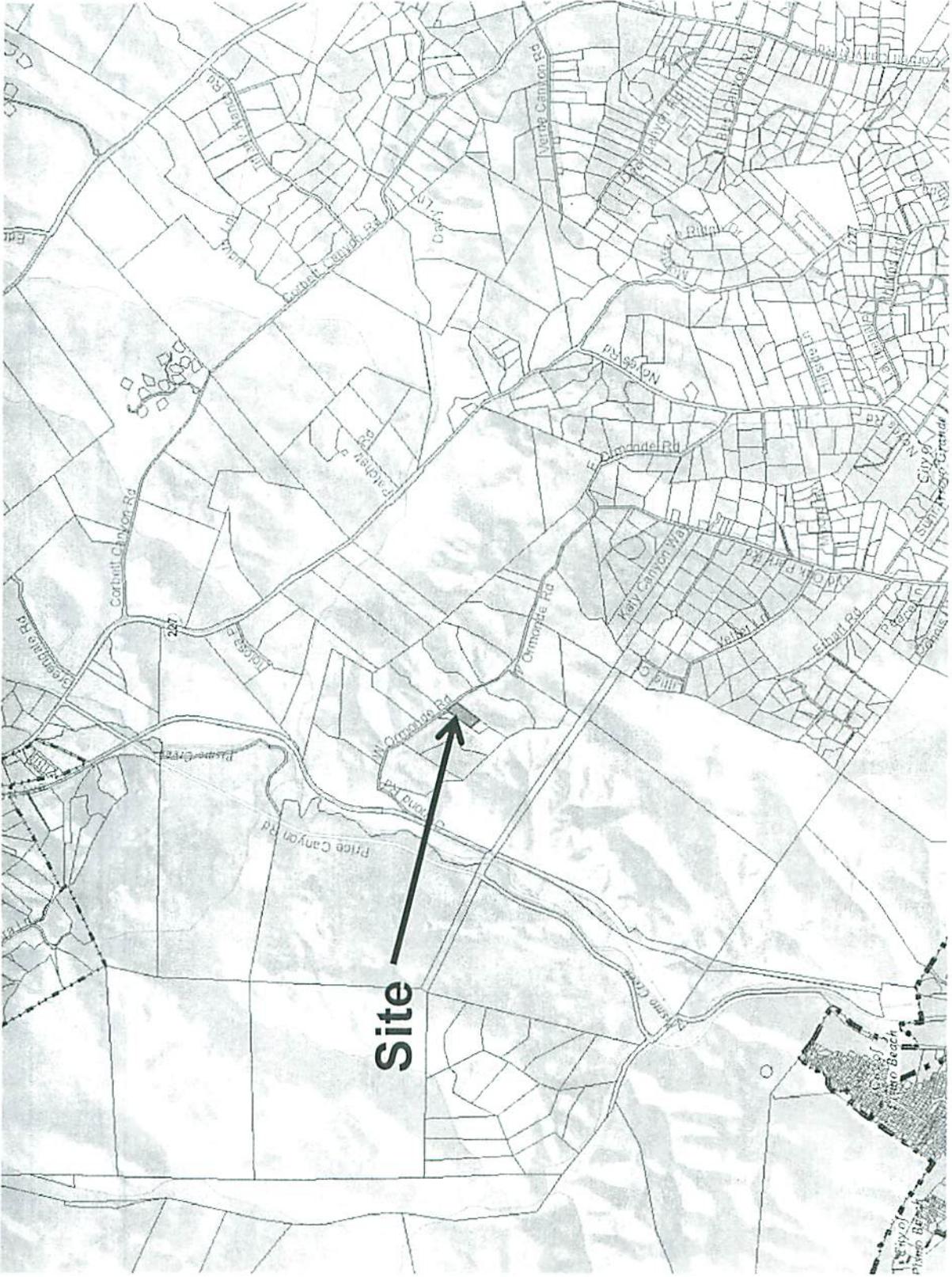
IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No Fire Concerns.

7/30/10
Date

Laura Brown
Name
CAL FIRE

805.543-4244
Phone
x 2128



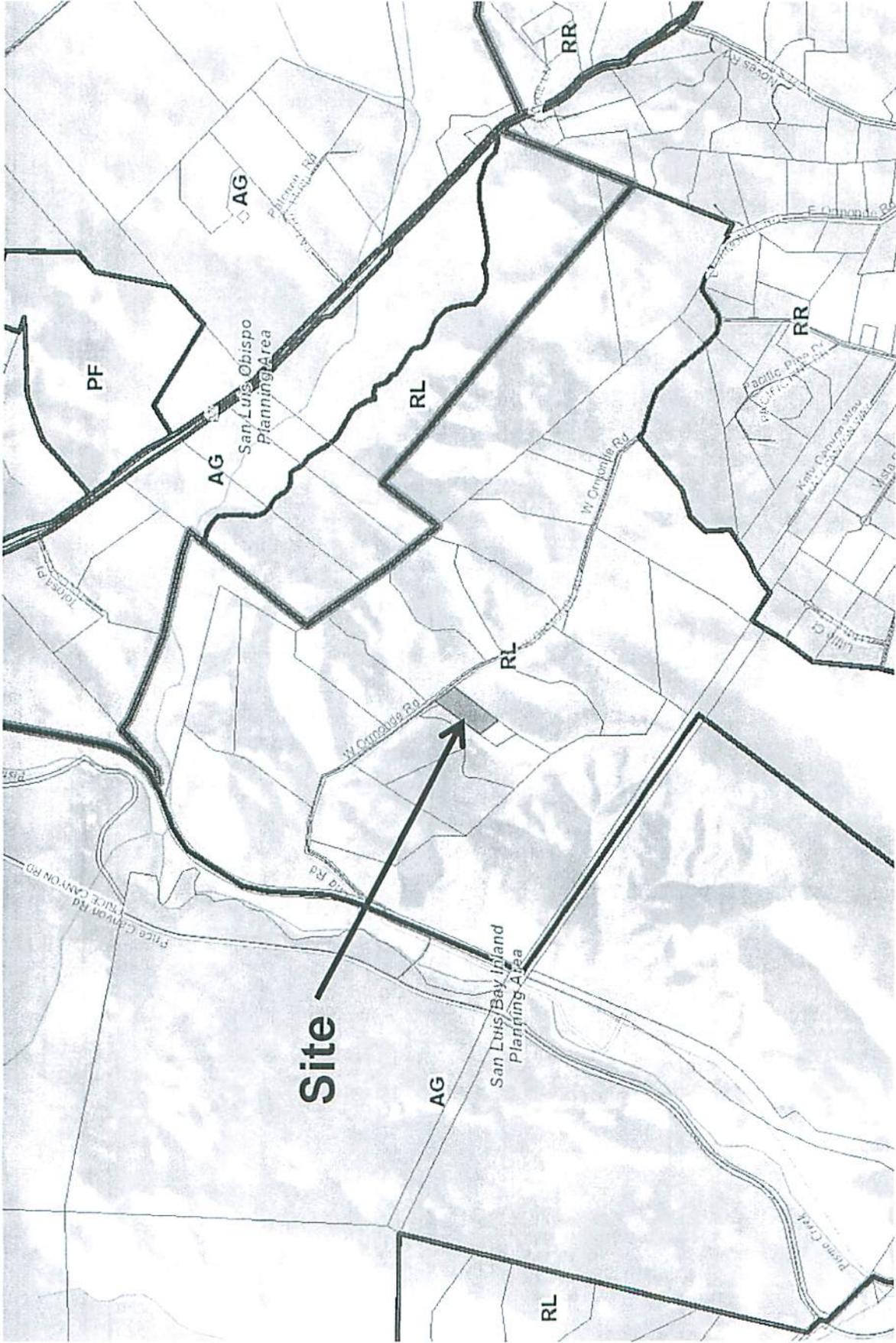
PROJECT

Sohi Conditional Certificate of Compliance
SUB2010-00006



EXHIBIT

Vicinity Map



PROJECT
Sohi Conditional Certificates of Compliance
SUB2010-00006



EXHIBIT

Land Use Category Map

PTN. LOT 63
A MAPS 152

S43°28'46"W 900.07'(Dd2)
S43°56'05"W 895.54'(M)

(Dd)
E(Dd)

735.12'(M)

S43°56'16"W 420.16'(M)
TIE LINE

DOC. No.
2008-038606

N33°29'15"W 210.56'(M)
TIE LINE

N43°28'46"E 794.35'(Dd2)
N43°56'05"E 793.06'(M)

202.92'(M)

N43°55'05"E 777.19'(M&R)
N43°57'06"E 777.15'(R1)
BASIS OF BEARINGS

LOT 5
TRACT 2507
27 MAPS 60

SEE DETAIL "A" BELOW

413.85'(M)

N43°28'46"E 633.93'(Dd)
N43°56'05"E 632.63'(M)

25' ACCESS EASEMENT
PER 2642 OR 334

FD 2" I.P. OPEN-3026
SQUASHED DOWN TO
FOR PC 50 PER Dd2
(SEE DETAIL "A" BELOW)

PC

50

N51°04'03"E
64.53'(R)

N47°21'10"E 81.62'(M)

N45°00'00"E 69.98'(Dd2)

64.53'(R)

60.72'(Dd2)

64.53'(R)

OLD ORMONDE RD.
(ABANDONED PORTION)

PTN.
LOT 58

N32°57'22"W 314.24'(M)
N31°58'20"W 315.48'(R2)

N39°21'23"W 375.71'(M)
N39°21'28"W 375.73'(R)

286.35'(M) N39°47'00"E 300.00'(Dd2)

SCALE

112.31' W

FD 2" I.P. W/CAP PER R

89.36'(M)

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

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PROJECT

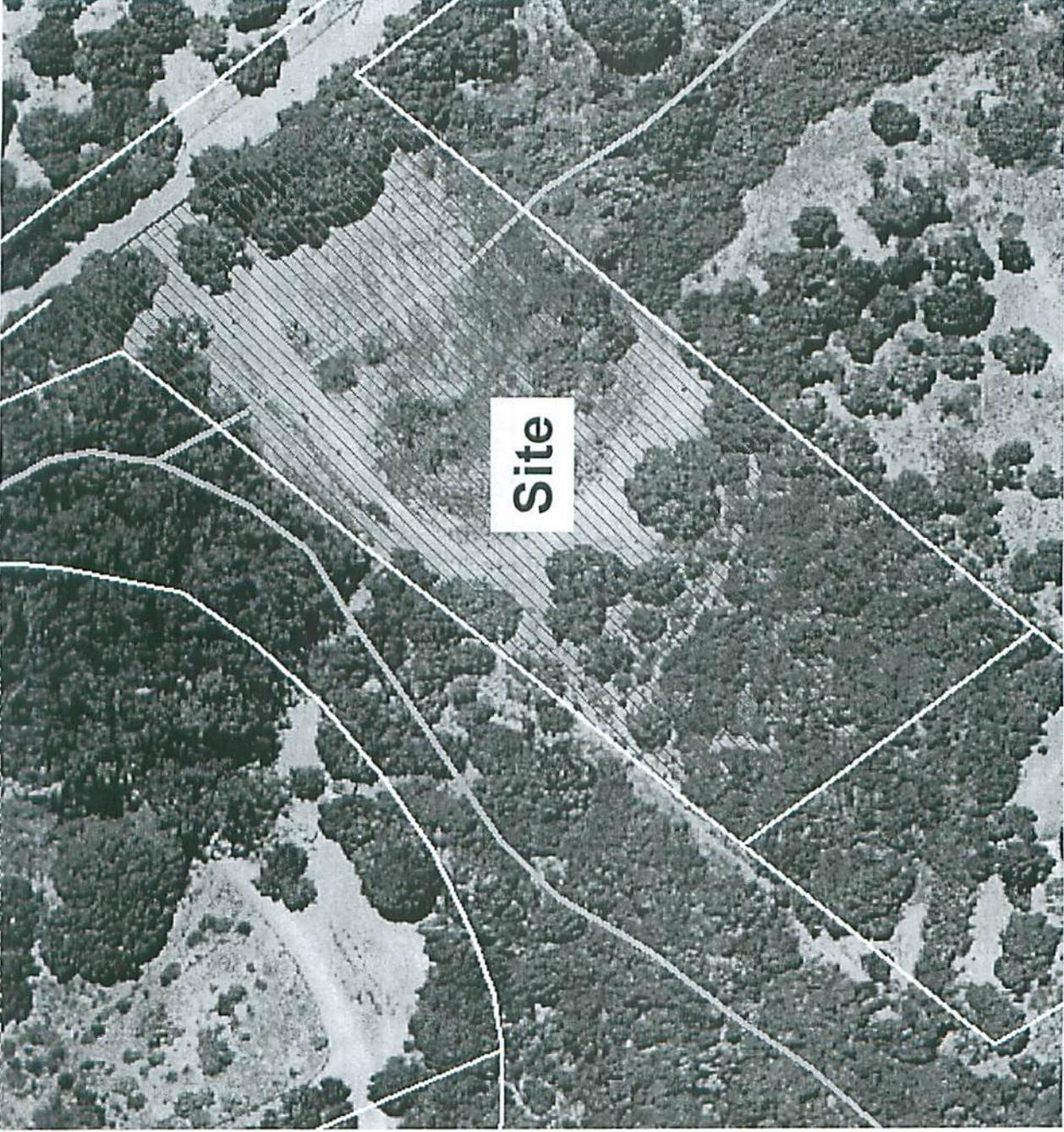
Sohi Conditional Certificates of Compliance

SUB2010-00006



EXHIBIT

Map



PROJECT

Sohi Certificates of Compliance
SUB2010-00006



EXHIBIT

Aerial Photograph