



# 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.** ED11-166

**DATE:** September 20, 2012

**PROJECT/ENTITLEMENT:** California Serengeti Corp. Minor Use Permit (DRC2011-00055)

**APPLICANT NAME:** California Serengeti Corporation

**ADDRESS:** P.O Box 3058, Santa Margarita

**CONTACT PERSON:** Kenneth Tab

**Telephone:** 805-475-2000

**PROPOSED USES/INTENT:** Request by California Serengeti Corporation for a Minor Use Permit to allow for the remodel of an existing motel at west side of the Soda Lake Road and the addition of 30 free standing cabins with covered parking around the motel. The project also includes the refurbishment of two existing fast food pre-manufactured buildings and relocation to east side of the Soda Lake Road along with improved parking areas for the proposed fast food restaurant, existing convenience store and sit-down restaurant.

**LOCATION:** 12900 Soda Lake Road, approximately 0.25 miles north of the California Valley fire station and library, in the Shandon-Carrizo 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:** Environmental Health

**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 AT** ..... 4:30 p.m. (2 wks from above DATE)

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

## Notice of Determination

**State Clearinghouse No.** \_\_\_\_\_

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

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

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

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  
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

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

(ver 3.4) Using Form

Project Title & No. California Serengeti Corp. Minor Use Permit ED11-166 (DRC2011-00055)

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

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

9/13/12  
Date

Steve McMasters  
Reviewed by (Print)

*Steve McMasters*  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for) 9/13/12  
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, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

## **A. PROJECT**

**DESCRIPTION:** Request by California Serengeti Corporation for a Minor Use Permit to allow for the remodel of an existing developed property located on both sides of Soda Lake Road including:

1. Remodel existing 22 unit motel at west side of the Soda Lake Road to a 10 unit motel, and add 30 free standing cabins with covered parking around the motel.
2. Relocate to east side of the Soda Lake Road and refurbish two existing fast food pre-manufactured buildings along with improved parking areas for the proposed fast food restaurant and sit-down restaurant. The sit-down restaurant is an existing structure and will be remodeled, there are currently no plans to revive the existing gas station and convenience store buildings.

The project would result in the disturbance of approximately 2.8 acre area of a 7.8 acre parcel. The project is located on both sides of Soda Lake Road (at 12900 Soda Lake Road), approximately 0.25 miles north of the California Valley fire station and library, in the California Valley village area, in the Shandon-Carrizo planning area.

**BACKGROUND:** The project site is located on Soda Lake Road, just north of the California Valley CalFire station and library. The property currently contains the California Valley Lodge, a 22-unit motel with a managers unit on the west side of Soda Lake Road. The east side of the property has a gas station and sit-down restaurant that are not in operation. The project proposes the addition of thirty-676 square foot cabins to the existing motel, a remodel of the motel resulting in 10 units, relocation of two mobile food coaches to the east side of the road for use as a fast food restaurant, and refurbishing the existing restaurant, providing parking for the uses and landscaping. The application did not include plans for re-opening the non-operational gas station on the east side of Soda Lake Road.

**ASSESSOR PARCEL NUMBER(S):** 072-141-021

Latitude: 35 degrees 19 ' 29" N Longitude: 120 degrees 0' 89" W SUPERVISORIAL DISTRICT # 5

**B. EXISTING SETTING**

PLANNING AREA: Shandon/Carrizo, California Valley

LAND USE CATEGORY: Commercial Retail

COMBINING DESIGNATION(S): None

EXISTING USES: Motel, gas station, restaurant/store

TOPOGRAPHY: Gently sloping

VEGETATION: Grasses, shrubs

PARCEL SIZE: 7.8 acres

**SURROUNDING LAND USE CATEGORIES AND USES:**

|  |  |
|--|--|
| <i>North:</i> Agriculture; undeveloped   | <i>East:</i> Agriculture; undeveloped          |
| <i>South:</i> Agriculture, Public Facilities; CALFIRE station, CSD Offices, scattered residences | <i>West:</i> Agriculture; accessory structures |

**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. <b>AESTHETICS - Will the project:</b>                                      | 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 type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Change the visual character of an area?</i>                             | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) <i>Create glare or night lighting, which may affect surrounding areas?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| e) <i>Impact unique geological or physical features?</i>                      | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) <i>Other:</i> _____  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |

**Setting.** The project site is located on Soda Lake Road, just north of the California Valley CalFire station and library. The property currently contains the California Valley Lodge, a 22-unit motel with a managers unit on the west side of Soda Lake Road. The east side of the property has a gas station and sit-down restaurant that are not in operation. The project proposes the addition of thirty-676 square foot cabins to the existing motel, a remodel of the motel resulting in 10 units, relocation of two mobile food coaches to the east side of the road for use as a fast food restaurant, and refurbishing the existing restaurant, providing parking for the uses and landscaping. The application did not show plans for re-opening the non-operational gas station on the east side of Soda Lake Road.

The property is in a rural area, removed from any urban centers. Scattered single family residences have been developed in the California Valley village area to the east and south. The area to the north and west is agricultural with little development. The closest city is Atascadero, an approximately 40-minute drive west of the site. There is no major vegetation or topographical features on or around the site.

Due to the lack of development in the area, there is little exterior light pollution. Residents of the area have expressed strong concerns with light pollution affecting the “dark sky” that exists in the area currently. The applicant will need to comply with Section 22.10.060 of the Land Use Ordinance which includes standards for exterior lighting, including, but not limited to, shielded lighting, minimization of light intensity and height of lighting fixtures.

**Impact.** While the project will add approximately 22,000 square feet of commercial buildings to the 7.8 acre parcel, the additional buildings are not seen as incompatible or visually intrusive given the existing motel/commercial compound that exists on the site. Introduction of night lighting in this very rural setting could impact the current “dark sky” conditions.



Adjustment are approved. Even if the General Plan Amendment and/or Lot Line Adjustment are not approved, the land would be owned by the CVSR and would be conservation land for the solar projects in California Valley.

**Mitigation/Conclusion.** Given the fact that the property that is zoned Agriculture to the west of the project site will either be conservation land for the California Valley solar projects or possibly eventually re-zoned to another land use category, no significant impacts to agricultural resources is anticipated and no mitigation measures are proposed.

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

**Setting.** The Air Pollution Control District (APCD) has developed the 2009 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Impact.** As proposed, the project will result in the disturbance of approximately 2.8 acres. 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.

According to the APCD referral response received (attached), the project is also below significance thresholds of 137 lbs/day of ROG + NOx and/or 2.5 tons/quarter of ROG +NOx, 7 lbs/day and/or 0.13 tons/quarter of DPM or 2.5 tons/quarter of fugitive dust.

Based on initial APCD thresholds of 7,000 metric tons of GHG air pollutants, the project's cumulative contribution to GHG emissions is below this amount, and therefore considered insignificant. At such time that more detailed GHG guidelines and/or thresholds are established by the ongoing CARB statewide process for GHG, additional mitigation may be appropriate.

The area has the potential to contain naturally occurring asbestos (NOA), a toxic air contaminant. A geologic evaluation will need to be completed prior to any site disturbance to determine if NOA is present in the area to be disturbed.

**Mitigation/Conclusion.** Recommended mitigation includes construction and operational phase measures. These are summarized in the mitigation measures summary table (Exhibit B below).

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

Name and distance from blue line creek(s): An unnamed "blue line" tributary is located 0.23 miles to the north.

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

Vegetation

Lost Hills crownscale (*Atriplex vallicola*) List 1B

Lost Hills crownscale (*Atriplex vallicola*) has been found about 0.69 miles to the north. This annual herb is generally found on alkaline soils in chenopod scrub, valley and foothill grassland and vernal pools areas between the 50 and 635-meter elevation (98 to 2,085 feet). It has a blooming period of April-August. Lost Hills crownscale is considered rare by CNPS (List 1B, RED 2-2-3).

Munz's tidy-tips (*Layia munzii*) List 1B

Munz's tidy-tips (*Layia munzii*) has been found about 0.47 miles to the south. This annual herb is found on alkaline clay soils in chenopod scrub and valley and foothill grassland areas between the 150 and 700-meter elevation (490 to 2,300 feet). The typical blooming period is March-April. Munz's tidy-tips is considered rare by CNPS (List 1B, RED 2-2-3).

## Recurved larkspur (*Delphinium recurvatum*) List 1B

Recurved larkspur (*Delphinium recurvatum*) has been found within the project site. This perennial herb is found on alkaline soil in chenopod scrub, cismontane woodland, and valley and foothill grassland areas between the 3 and 750-meter elevations (10 to 2,460 feet). The typical blooming period is March-May. Recurved larkspur is considered rare by CNPS (List 1B, RED 2-2-3)

## Wildlife

### San Joaquin Kit Fox

The Natural Diversity Database also identified this area as important habitat for the San Joaquin Kit Fox, a federally listed endangered species and a state listed threatened species. The project is within a 4:1 ratio of San Joaquin Kit Fox designated area.

### Giant kangaroo rat (*Dipodomys ingens*) FE, SE

Giant kangaroo rats (*Dipodomys ingens*) have been found within the project site. This listed species is considered endangered at both the state and federal levels. Permanent residents occur in scattered colonies along the western side of the San Joaquin Valley (e.g., Carrizo Plain, Panoche Valley). They are found on fine sandy loam soils supporting sparse annual grass/forb vegetation, and marginally found in low-density alkali desert scrub.

### Pallid bat (*Antrozous pallidus*)

Pallid bat (*Antrozous pallidus*) have been found within the project site. Due to their rarity in California, these bats are a California Species of Special Concern. The pallid bat is a large-eared, light colored bat of western North America. This species roosts colonially in caves, mines, crevices, and abandoned buildings. The pallid bat is usually found in rocky, mountainous areas, and near water. They are also found over more open, sparsely vegetated grasslands, and they seem to prefer to forage in the open. They rarely catch flying insects; instead, they usually capture their prey on foliage or the ground. The pallid bat has three different roosts. The day roost is usually in a warm, horizontal opening such as in attics or rock cracks; the night roost is usually in the open, near foliage; and the hibernation roost, which is often in buildings, caves, or cracks in rocks (Miller, 2002).

**Impact.** The project site has been mostly disturbed by previous development including the existing 22 unit motel, restaurant and gas station (non-operational)/convenience store. The site is not suitable to support the species listed above, though it may be used by the San Joaquin Kit Fox.

With regards to the San Joaquin Kit Fox, based on the results of previous Kit Fox Habitat Evaluations that have been conducted for the Shandon-Carrizo area, the standard mitigation ratio for projects on parcels less than 40 acres in size has been established as 4:1. This means that all impacts to kit fox habitat must be mitigated at a ratio of four acres conserved for each acre impacted (4:1). The project will result in the permanent disturbance of 2.5 acres of kit fox habitat.

Applicants have the option of hiring a qualified biologist to conduct a Kit Fox Habitat Evaluation of the project site if the applicant believes that the evaluation would lower the score and reduce the required mitigation ratio. However, the applicant has chosen to accept the standard mitigation ratio of 4:1), which requires that a total compensatory acreage of ten acres (2.5 acres multiplied by a 4:1 ratio) be mitigated. This conservation/open space easement can also provide for loss of habitat for the kangaroo rat as well.

With regard to the pallid bat, they are nocturnal and rely on darkness for survival. It is recommended that future development provide shielded lighting that is directed downward to limit night lighting as much as possible. No other potentially significant impacts are expected to occur.

**Mitigation/Conclusion.** With regards to the San Joaquin Kit Fox, the applicant will be required to mitigate the loss of 2.5 acres of kit fox habitat by one of the following ways:

- ✓ Deposit of funds to an approved in-lieu fee program;
- ✓ provide for the protection of kit foxes in perpetuity through acquisition of fee or conservation easement of suitable habitat in the kit fox corridor area; or
- ✓ purchase credits in an approved conservation bank.

To prevent inadvertent harm to kit fox, the applicant has agreed to retain a biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures. These mitigation measures are listed in detail in Exhibit B Mitigation Summary Table.

The implementation of the above measures will mitigate biological impacts to a level of insignificance.

| <b>5. CULTURAL RESOURCES -</b><br><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 and Salinan. No historic structures are present and no paleontological resources are known to exist in the area. The project is approximately a quarter mile south of an unnamed tributary. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources. No specific archaeological reports have been prepared within ¼ mile of the subject property.

**Impact.** Although the project is located near a tributary, the tributary is considered a seasonal drainage that remains dry except during high storm events. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

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

| <b>6. GEOLOGY AND SOILS -</b><br><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"/> |

**6. GEOLOGY AND SOILS -**  
*Will the project:*

|   | Potentially Significant  | Impact can & will be mitigated      | Insignificant Impact                | Not Applicable                      |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) <i>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 type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" 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: Nearly level

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Moderate

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 north Distance? Approximately 0.23 miles to the north

Soil drainage characteristics: Not well 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

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

**Impact.** As proposed, the project will result in the disturbance of approximately 2.8 acres. The soil type is characterized as not well drained. Given that the site is mostly level, the concern is for water to pond and not drain properly. A drainage plan will provide calculations regarding runoff and provide a method to move water into outlets so that standing water does not become an issue. In addition, since the project will involve over an acre of disturbance for all of the improvements, including the cabins, parking and landscaping a SWPPP will be required. Since the project will have more than 25 parking spaces, Low Impact Design (LID) measures will need to be incorporated into the project.

**Mitigation/Conclusion.** In order to mitigate impacts related to drainage, erosion and sedimentation, the applicant shall be required to implement Land Use Ordinance Section 22.52.080 and Section 22.52.090 which requires the preparation of a Drainage Plan and a Sedimentation and Erosion Control Plan. In addition, a SWPPP will be required due to the amount of overall disturbance for the proposed improvements. LID measures will also need to be incorporated into the project design.

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

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

| Potentially Significant  | Impact can & will be mitigated | Insignificant Impact     | Not Applicable           |
|--------------------------|--------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/> | <input type="checkbox"/> |

f) Other: \_\_\_\_\_

**Setting.** The project is not located in an area of known hazardous material contamination. With regards to potential fire hazards, the subject project is within the "high" Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 1-5 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts. The project is not within the Airport Review area. Vegetation consists of a few scattered trees.

**Impact.** The project does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan. With the project being within the "high" fire severity zone, Cal Fire requires a 30 foot clearance of all high fuel potential or flammable vegetation around the proposed structure(s). In addition, an additional 70 feet beyond the 30-foot clearance will require potentially substantial fuel modification of the remaining vegetation.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

Standard measures required by the fire code in regards to vegetation management are adequate to address the high fire hazard conditions.

**8. NOISE - Will the project:**

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

a) Expose people to noise levels that exceed the County Noise Element thresholds?

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

b) Generate increases in the ambient noise levels for adjoining areas?

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

c) Expose people to severe noise or vibration?

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

d) Other: \_\_\_\_\_

|                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|--------------------------|

**Setting.** The 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 -**  
*Will the project:*

|  | Potentially Significant  | Impact can & will be mitigated | Insignificant Impact                | Not Applicable                      |
|--|--------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i> | <input type="checkbox"/> | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>  | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) <i>Create the need for substantial new housing in the area?</i>   | <input type="checkbox"/> | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) <i>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), or housing impact fee (commercial projects). No mitigation measures are necessary.

**10. PUBLIC SERVICES/UTILITIES -**  
*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

|   | Potentially Significant  | Impact can & will be mitigated      | Insignificant Impact                | Not Applicable           |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <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"/> |

**10. PUBLIC SERVICES/UTILITIES -**  
*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

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

*g) Other:* \_\_\_\_\_                  

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

Police: County Sheriff      Location: San Luis Obispo (Kansas Ave.) (Approximately 28.5 miles to the west)

Fire: Cal Fire (formerly CDF)      Hazard Severity: High      Response Time: 1-5 minutes  
 Location: Approximately 0.21 miles to the south

School District: Atascadero 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) Increase the use or demand for parks or other recreation opportunities?*                       

*b) Affect the access to trails, parks or other recreation opportunities?*                       

*c) Other* \_\_\_\_\_                  

**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.

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

**Mitigation/Conclusion.** 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

**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

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

**Setting.** The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area, including the project's access street, Soda Lake Road are operating at an acceptable level of service. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

A referral was sent to the Public Works Department. No significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate about 169 trips per day, based on the Institute of Traffic Engineer's manual of 5.63 trips/room. 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 - Will the project:**

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

| 13. WASTEWATER - <i>Will the project:</i>   | Potentially Significant  | Impact can & will be mitigated | Insignificant Impact                | Not Applicable                      |
|---|--------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i> | <input type="checkbox"/> | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</i>             | <input type="checkbox"/> | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) <i>Adversely affect community wastewater service provider?</i>   | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) <i>Other:</i> _____  | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>            | <input type="checkbox"/>            |

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

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

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

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

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

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil 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:

--**slow percolation**, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch. The percolation rate is considered very slow, and the soils are considered "tight". Without proper engineering, effluent will have a tendency to pond or stagnate, and not filter adequately through the soil to properly break down the effluent into harmless components. Therefore, plans will need to be submitted to the county for approval of an engineered septic system or an acceptable design to the Regional Water Quality Control Board, and which meets the CPC/Basin Plan criteria.

- **seepage in bottom layer**, where effluent seeps quickly through (rather than be absorbed by) the soil horizon(s) to a soil layer just above bedrock that is typically in a saturated condition. The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) with possible treatment of the soil to insure effluent movement rate through the soil meets basin plan requirements. Special engineering may be required to provide this acceptable percolation rate.

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

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

**14. WATER - Will the project:**

|  | Potentially Significant  | Impact can & will be mitigated | Insignificant Impact                | Not Applicable           |
|--|--------------------------|--------------------------------|-------------------------------------|--------------------------|
| a) <i>Violate any water quality standards?</i>   | <input type="checkbox"/> | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i> | <input type="checkbox"/> | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**14. WATER - Will the project:**

|  | Potentially Significant  | Impact can & will be mitigated | Insignificant Impact                | Not Applicable                      |
|--|--------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i> | <input type="checkbox"/> | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) <i>Change the quantity or movement of available surface or ground water?</i>                  | <input type="checkbox"/> | <input type="checkbox"/>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) <i>Adversely affect community water service provider?</i>                                     | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) <i>Other:</i> _____   | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>            | <input type="checkbox"/>            |

**Setting.** The project proposes to use an on-site well as its water source. Based on available information (well test report, January 2012), the proposed water source is not known to have any significant availability or quality problems. The 12-hour test showed the well at 150 gallons per minute for the duration of the test.

The topography of the project is nearly level. The closest creek from the proposed development is approximately 0.23 miles to the north. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility. The subject property is within the Carrizo Plain groundwater basin.

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

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

Indoor: 3.3 acre feet/year (AFY), based on 0.11 acre feet per room

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 result in the disturbance of approximately 2.8 acres. The project is not within close proximity to surface water sources.

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

**15. LAND USE - Will the project:**

| Inconsistent | Potentially Inconsistent | Consistent | Not Applicable |
|--------------|--------------------------|------------|----------------|
|--------------|--------------------------|------------|----------------|

**15. LAND USE - Will the project:**

|  | Inconsistent             | Potentially Inconsistent            | Consistent                          | Not Applicable                      |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) <i>Be potentially incompatible with surrounding land uses?</i>  | <input type="checkbox"/> | <input 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/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 (LUO), Local Coastal Plan (CZLUO), etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). While there are potential inconsistencies whenever commercial or residential development is introduced into a predominately agricultural area, the density and location of development, as proposed and conditioned, is within the standards outlined in the Land Use Ordinance.

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

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required were 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](http://www.sloplanning.org)" under "Environmental Information", or the California Environmental Resources Evaluation System at: [http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines](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      | None            |
| <input checked="" type="checkbox"/> | County Agricultural Commissioner's Office | Verbal          |
| <input type="checkbox"/>            | County Airport Manager                    | Not Applicable  |
| <input type="checkbox"/>            | Airport Land Use Commission               | Not Applicable  |
| <input checked="" type="checkbox"/> | Air Pollution Control District            | Attached        |
| <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)      | None            |
| <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.

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

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

**Filliponi and Thompson Drilling, Inc., Well Test Report, January 2012**

## Exhibit B - Mitigation Summary Table

### Aesthetics

- V-1. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

### Air Quality

- AQ-1. **During construction activities**, should hydrocarbon contaminated soil be encountered, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD permit will be required for excavation. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:
- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
  - Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH-non-permeable barrier. No headspace shall be allowed where vapors could accumulate;
  - Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
  - The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
  - During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and
  - Clean soil must be segregated from contaminated soil.
- AQ-2. **Prior to issuance of construction permits**, the applicant shall conduct a geologic evaluation to determine if naturally occurring asbestos (NOA) is present within the area to be disturbed. If NOA is not present, an exemption request shall be filed with the Air Pollution Control District (APCD). If NOA is present, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measures (ACTM).
- AQ-3. **Prior to issuance of construction or demolition permits, including permits for interior remodels**, the applicant shall comply with the requirements listed in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to: 1) APCD notification; 2) completed asbestos survey conducted by a Certified Asbestos Inspector, and; 3) applicable removal and disposal requirements of identified asbestos-containing materials.
- AQ-4. No developmental burning of vegetative material is allowed.
- AQ-5. **At the time of application for construction permits**, the applicant shall include the following on the project plans for fugitive dust control:
- Reduce the amount of the disturbed area where possible;
  - Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
  - All dirt stock pile areas should be sprayed daily as needed;

- Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division **prior to the start of any grading, earthwork or demolition.**

AQ-6. **Prior to issuance of construction permits**, the applicant shall contact the APCD regarding types of equipment to be used on the site, including, but not limited to portable generators or standby generators. Certain equipment may require an APCD permit.

### **Biological Resources**

BR-1. **Prior to issuance of grading and/or construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 10 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$25,000.00**. This fee is calculated based on the current cost-per-unit of **\$2500** per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Purchase **10** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$25,000.00**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**BR-2. Prior to issuance of construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:

a. **Prior to issuance of construction permits, and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death)

to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department (see contact information below) for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

d. In addition, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
  - a) Potential kit fox den: 50 feet
  - b) Known or active kit fox den: 100 feet
  - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

BR-3. **Prior to issuance of construction permits**, the applicant shall clearly delineate as a note on the project plans, that: *"Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox"*. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

BR-4. **During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

BR-5. **Prior to issuance of construction permits and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce

impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

- BR-6. **During the site-disturbance and/or construction phases**, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-7. **During the site-disturbance and/or construction phases**, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8. **During the site-disturbance and/or construction phases**, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9. **Prior to, during and after the site-disturbance and/or construction phases**, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10. **During the site-disturbance and/or construction phases**, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to Department for care, analysis, or disposition.
- BR-11. **Prior to final inspection, or occupancy, whichever comes first**, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
  - b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

**Contact Information**

California Department of Fish and Game  
Central Coast Region  
P.O. Box 47  
Yountville, CA 94599  
(805) 528-8670  
(805) 772-4318

U.S. Fish and Wildlife Service  
Ventura Field Office  
2493 Portola Road, Suite B  
Ventura, CA 93003  
(805) 644-1766

County of San Luis Obispo  
Department of Planning and Building  
Division of Environmental and Resource Management  
County Government Center, Room 310  
San Luis Obispo, CA 93408  
ATTN: Mr. Trevor Keith

**Geology and Soils**

- GS-1. **At the time of application for construction permits**, the applicant shall provide, at a minimum, two LID measures to reduce the drainage and stormwater impacts of the project. These measures include, but are not limited to: bioswales or retention cells, using concrete planting areas with curb cuts in parking lots, directing building drainage to catchment devices or vegetated swales, and using pervious paving materials for the parking areas.
- GS-2. **At the time of application for construction permits**, the applicant shall submit complete drainage calculations for review and approval. All drainage form existing and proposed development must be retained on-site and the design of the basin is to be approved by the Public Works Department.
- GS-3. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval by the Public Works Department.
- GS4. **At the time of application for construction permits**, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPP) for review and approval.
- GS-5. **For the life of the project**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Stormwater Pollution Control and Discharge Ordinance.

**DEVELOPER'S STATEMENT FOR THE  
CALIFORNIA SERENGETI CORPORATION MINOR USE PERMIT (DRC2011-00055)**

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**

- V-1. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

**Monitoring:** The Planning and Building Department shall verify compliance.

**Air Quality**

- AQ-1. **During construction activities**, should hydrocarbon contaminated soil be encountered, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD permit will be required for excavation. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:

- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH-non-permeable barrier. No headspace shall be allowed where vapors could accumulate;
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and
- Clean soil must be segregated from contaminated soil.

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

AQ-2. **Prior to issuance of construction permits**, the applicant shall conduct a geologic evaluation to determine if naturally occurring asbestos (NOA) is present within the area to be disturbed. If NOA is not present, an exemption request shall be filed with the Air Pollution Control District (APCD). If NOA is present, the applicant shall comply with all requirements outlined in the Asbestos Air Toxics Control Measures (ACTM).

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

AQ-3. **Prior to issuance of construction or demolition permits, including permits for interior remodels**, the applicant shall comply with the requirements listed in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to: 1) APCD notification; 2) completed asbestos survey conducted by a Certified Asbestos Inspector, and; 3) applicable removal and disposal requirements of identified asbestos-containing materials.

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

AQ-4. No developmental burning of vegetative material is allowed.

**Monitoring:** The Planning and Building Department shall verify compliance.

AQ-5. **At the time of application for construction permits**, the applicant shall include the following on the project plans for fugitive dust control:

- Reduce the amount of the disturbed area where possible;
- Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock pile areas should be sprayed daily as needed;
- Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;

- All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;

The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division **prior to the start of any grading, earthwork or demolition.**

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

AQ-6. **Prior to issuance of construction permits**, the applicant shall contact the APCD regarding types of equipment to be used on the site, including, but not limited to portable generators or standby generators. Certain equipment may require an APCD permit.

**Monitoring:** The Air Pollution Control District (APCD), shall verify compliance.

### **Biological Resources**

BR-1. **Prior to issuance of grading and/or construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 10 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site,

and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$25,000.00**. This fee is calculated based on the current cost-per-unit of **\$2500** per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.
- c. Purchase **10** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$25,000.00**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**Monitoring:** The Planning and Building Department shall verify compliance.

- BR-2. **Prior to issuance of construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:
- a. **Prior to issuance of construction permits, and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, diskings, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department (see contact information below) for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

- d. In addition, the qualified biologist shall implement the following measures:
  - 1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
    - a) Potential kit fox den: 50 feet
    - b) Known or active kit fox den: 100 feet
    - c) Kit fox pupping den: 150 feet
  - 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
  - 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

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| <b>Monitoring:</b> The Planning and Building Department shall verify compliance. |
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BR-3. **Prior to issuance of construction permits**, the applicant shall clearly delineate as a note on the project plans, that: *"Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox"*. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

**Monitoring:** The Planning and Building Department shall verify compliance.

BR-4. **During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

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BR-5. **Prior to issuance of construction permits and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**Monitoring:** The Planning and Building Department shall verify compliance.

BR-6. **During the site-disturbance and/or construction phases**, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

**Monitoring:** The Planning and Building Department shall verify compliance.

BR-7. **During the site-disturbance and/or construction phases**, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

**Monitoring:** The Planning and Building Department shall verify compliance.

BR-8. **During the site-disturbance and/or construction phases**, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

**Monitoring:** The Planning and Building Department shall verify compliance.

BR-9. **Prior to, during and after the site-disturbance and/or construction phases**, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

**Monitoring:** The Planning and Building Department shall verify compliance.

BR-10. **During the site-disturbance and/or construction phases**, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to Department for care, analysis, or disposition.

**Monitoring:** The Planning and Building Department shall verify compliance.

BR-11. **Prior to final inspection, or occupancy, whichever comes first**, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

### Contact Information

California Department of Fish and Game  
Central Coast Region  
P.O. Box 47  
Yountville, CA 94599  
(805) 528-8670  
(805) 772-4318

U.S. Fish and Wildlife Service  
Ventura Field Office  
2493 Portola Road, Suite B  
Ventura, CA 93003  
(805) 644-1766

County of San Luis Obispo  
Department of Planning and Building  
Division of Environmental and Resource Management  
County Government Center, Room 310  
San Luis Obispo, CA 93408  
ATTN: Mr. Trevor Keith

**Monitoring:** The Planning and Building Department shall verify compliance.

### Geology and Soils

GS-1. **At the time of application for construction permits**, the applicant shall provide, at a minimum, two LID measures to reduce the drainage and stormwater impacts of the project. These measures include, but are not limited to: bioswales or retention cells, using concrete planting areas with curb cuts in parking lots, directing building drainage to catchment devices or vegetated swales, and using pervious paving materials for the parking areas.

**Monitoring:** The Planning and Building Department, in consultation with the Public Works Department, shall verify required elements on the additional map sheet and implementation prior to construction.

GS-2. **At the time of application for construction permits**, the applicant shall submit complete drainage calculations for review and approval. All drainage form existing and proposed development must be retained on-site and the design of the basin is to be approved by the Public Works Department.

**Monitoring:** The Planning and Building Department, in consultation with the Public Works Department, shall verify required elements on the additional map sheet and implementation prior to construction.

GS-3. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval by the Public Works Department.

**Monitoring:** The Planning and Building Department, in consultation with the Public Works Department, shall verify required elements on the additional map sheet and implementation prior to construction.

GS-4.. **Prior to approval of subdivision improvement plans**, if disturbance exceeds 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:** The Planning and Building Department, in consultation with the Public Works Department, shall verify required elements on the additional map sheet and implementation prior to construction.

GS-5. **For the life of the project**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Stormwater Pollution Control and Discharge Ordinance.

**Monitoring:** The Planning and Building Department, in consultation with the Public Works Department, shall verify required elements on the additional map sheet and implementation prior to construction.

*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.*

Kenneth Tab  
Signature of Owner(s)

9/6/2012  
Date

KENNETH TAB  
Name (Print) PRESIDENT

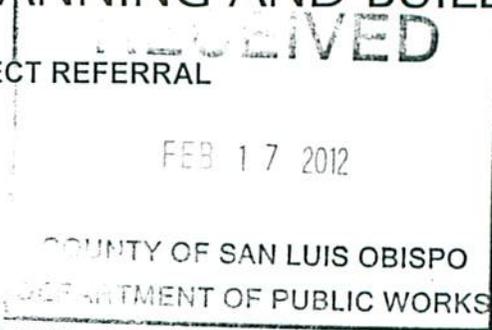


Gm 4

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL



DATE: 2/14/2011

FR TO: PN

TO FROM: North County Team

PROJECT DESCRIPTION: DRC2011-00055 CALIFORNIA SERENGETI CORP. - Minor use permit to remodel an existing motel, add 30 free standing cabins, covered parking and other site improvements. 8.7 acre site located off Soda Lake Road in California Valley. APN: 072-141-021.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

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

- [X] 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)
[X] 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.

SARE ATTACHED

Date 2.23.12

Name Glen Marshall

Phone 781-1596

IDM



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

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

Fax (805) 781-1229

email address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

**MEMORANDUM**

Date: February 23, 2012

To: North County Team Planner

From: Glenn Marshall, Development Services Engineer

Subject: **Public Works Project Referral for DRC2011-00055 – California Serengeti Corp, MUP to remodel hotel, add 30 cabins with covered parking and other site improvements. Soda Lake Road, CA Valley APN 072-141-021**

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

**Public Works Comments:**

- A. The proposed project triggers road improvements per Resolution 2008-152.
- B. The project meets the applicability criteria outlined in Title 22.10.155 or 23.04.450 for Stormwater Management; therefore, the project may be subject to the NPDES General Permit Attachment 4 Design Standards.
- C. It is recommended that the proposed project be designed to promote groundwater recharge (22.52.140) by application of LID design. Techniques to mitigate the proposed impervious parking and building areas should be implemented.
- D. Drainage plan is required and it will be reviewed at the time of Building Permit submittal. The applicant should review Chapter 22.52 of the Land Use Ordinance prior to plan submittal.
- E. Site plan provided does not appear to accurately reflect the property boundaries.

**Recommended Project Conditions of Approval:**

**Access**

1. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to the Department of Public Works to secure an Encroachment Permit and post a damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
  - a. The project frontages shall be improved to County A-1 Series rural road standards.

- b. All existing site access driveways shall be reconstructed in accordance with County Public Improvement Standard B-1 Series for rural roads.
  - c. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - d. Removal of all existing non-permitted obstructions from within the public right-of-way of the project frontage.
2. **At the time of application for construction permits**, the applicant shall enter into an agreement with the county for the cost of checking the improvement plans and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
  3. **Prior to occupancy or final inspection**, a Registered Civil Engineer must certify to the Department of Public Works that the road improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
  4. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.

#### Drainage

5. **At the time of application for construction permits**, the applicant shall submit complete drainage calculations for review and approval in accordance with Section 22.52.080 & 22.112.020 (Drainage Plan Required) of the Land Use Ordinance. All drainage from existing and proposed development must be either retained or detained on-site and the design of the basin is to be approved by the Department of Public Works.
6. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
7. **On-going condition of approval (valid for the life of the project)**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

#### Stormwater Pollution Prevention

8. **At the time of application for construction permits**, the applicant shall submit a Stormwater management plan together with a draft "Standard Private Stormwater Conveyance Management and Maintenance System Agreement" for review and approval by the County.
9. **Prior to issuance of construction permits**, the applicant shall record with the County Clerk a "Standard Private Stormwater Conveyance Management and Maintenance System Agreement" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Recycling

10. **On-going condition of approval (valid for the life of the project)**, the applicants shall provide recycling opportunities to all facility users in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).



Air Pollution Control District  
San Luis Obispo County

February 29, 2012

Stephanie Fuhs  
Department of Planning and Building  
County of San Luis Obispo  
County Government Center  
San Luis Obispo CA 93401

SUBJECT: APCD Comments Regarding the DRC2011-00055 CALIFORNIA SERENGETI  
CORP, MUP Project Referral

Dear Mrs. Fuhs,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at 12900 Soda Lake Road in California Valley. The proposed project is to remodel the existing motel at the west side of the Soda Lake Road parcel and construct an addition of 30 free standing cabins with covered parking around the motel. The project also includes the refurbishment and relocation of two existing fast food pre-manufactured buildings to the east side of the Soda Lake Road parcel. *The following are APCD comments that are pertinent to this project.*

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

**CONSTRUCTION PHASE IMPACTS-Below Threshold**

The construction phase of this project will likely be less than the APCD's significance threshold values of 137 lbs/day of ROG + NO<sub>x</sub> and/or 2.5 tons/quarter of ROG + NO<sub>x</sub>, 7 lbs/day and/or 0.13 tons/quarter of DPM or 2.5 tons/quarter of fugitive dust. **Therefore, with the exception of the items that are required below, the APCD is not requiring other construction phase mitigation measures for this project.**

Hydrocarbon Contaminated Soil

**Should hydrocarbon contaminated soil be encountered during construction**

**activities, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD Permit will be required for excavation. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:**

- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH –non-permeable barrier such as plastic tarp. No headspace shall be allowed where vapors could accumulate;
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and,
- Clean soil must be segregated from contaminated soil.

**The notification and permitting determination requirements shall be directed to the APCD Engineering Division at 781-5912.**

#### Asbestos / Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified areas throughout the County where NOA may be present (see the APCD's 2009 CEQA Handbook, Technical Appendix 4.4). If the project site is located in a candidate area for Naturally Occurring Asbestos (NOA), the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any construction activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD.** If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. If NOA is not present, an exemption request must be filed with the Air District. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.php>.

#### Demolition Activities

The project referral indicated that there are existing structures on the proposed site that will likely be demolished. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If building(s) are removed or renovated; or utility pipelines are scheduled for removal or relocation, this project may be subject to various regulatory jurisdictions, including the**

**requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) notification requirements to the APCD, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 for further information.

#### Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** If you have any questions regarding these requirements, contact the APCD Enforcement Division at 781-5912.

#### Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the APCD's 402 "Nuisance" Rule. Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. **Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor (nearby residences) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402):**

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l. All PM<sub>10</sub> mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

#### **OPERATIONAL PHASE IMPACTS - Below Threshold**

The APCD staff considered the operational impacts of this project and it will likely be less than the APCD's CEQA significance thresholds for ROG + NO<sub>x</sub>, diesel particulate matter (DPM), and fugitive particulate matter (PM<sub>10</sub>) as identified in Table 3-2 in the CEQA Handbook. **Therefore, with the exception of the requirements below, the APCD is not requiring other operational phase mitigation measures for this project.**

#### Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendix, page 4-4, in the APCD's 2009 CEQA Handbook.

- Portable generators and equipment with engines that are 50 hp or greater; and
- Electrical generation plants or the use of standby generator;

Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, should be prioritized or screened for facility wide health risk impacts. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do additional health risk assessment. **To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

#### Gas Stations

The project indicated that there was an existing gas station on the project site, however, it did not indicate if the gas station would become operational with this project. Should the gas station be brought back into service, it would be considered a new source. A new or modified gasoline dispensing facility (GDF) with a capacity of 1,500 gallons or more will require an APCD permit. Should this be the case, prior to approval by your agency, the applicant must apply for a Combined Authority to Construct from the APCD and the San Luis Obispo County Environmental Health Service (EHS). Contact EHS at 781-5544 for a combined application form. A Combined Authority to Construct, issued by EHS, must be obtained by the applicant prior to the start of construction.

In addition, gas stations and other facilities which emit toxic or hazardous air pollutants have the potential to cause increased cancer risk for those who live or work in the surrounding area. The

February 29, 2012

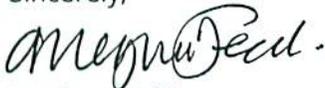
Page 5 of 5

significance of this potential health risk depends upon several factors, including the annual gasoline throughput of the GDF and the location of the receptors. Using this information, the APCD will run a health-based screening level risk assessment for the facility, following the California Air Pollution Control Officer's Association (CAPCOA) guidelines. Depending on the APCD's screening risk determination, applicants may be subject to throughput limitations or may be required to submit a more refined Health Risk Assessment. Please have the applicant contact our Engineering Division, at 781-5912 to discuss these issues further. Consideration of potential health risks with respect to equipment location is recommended before the facility design is finalized.

State law requires that the APCD notify affected parties prior to issuing a permit for any new or modified source of hazardous air contaminants within 1,000 feet of a school (H&SC Section 42301.6).

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,



Meghan Field  
Air Quality Specialist

MDF/arr

cc: Kenneth Tab, Agent  
Karen Brooks, Enforcement Division, APCD  
Tim Fuhs, Enforcement Division, APCD  
Gary Willey, Engineering Division, APCD  
Brian Aunger, Engineering Division, APCD

Attachments:

1. Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form

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3/1/12 - JAM



Re: DRC2011-00055 CALIFORNIA SERENGETI CORP, North County  
E-Referral, MUP in California Valley 

Charles Riha to: Stephanie Fuhs

05/15/2012 03:59 PM

Cc: Cheryl Journey, Stephen Hicks

Stephanie,

These are the Building Division Comments to be incorporated into the Conditions. Please call me if you have any questions.

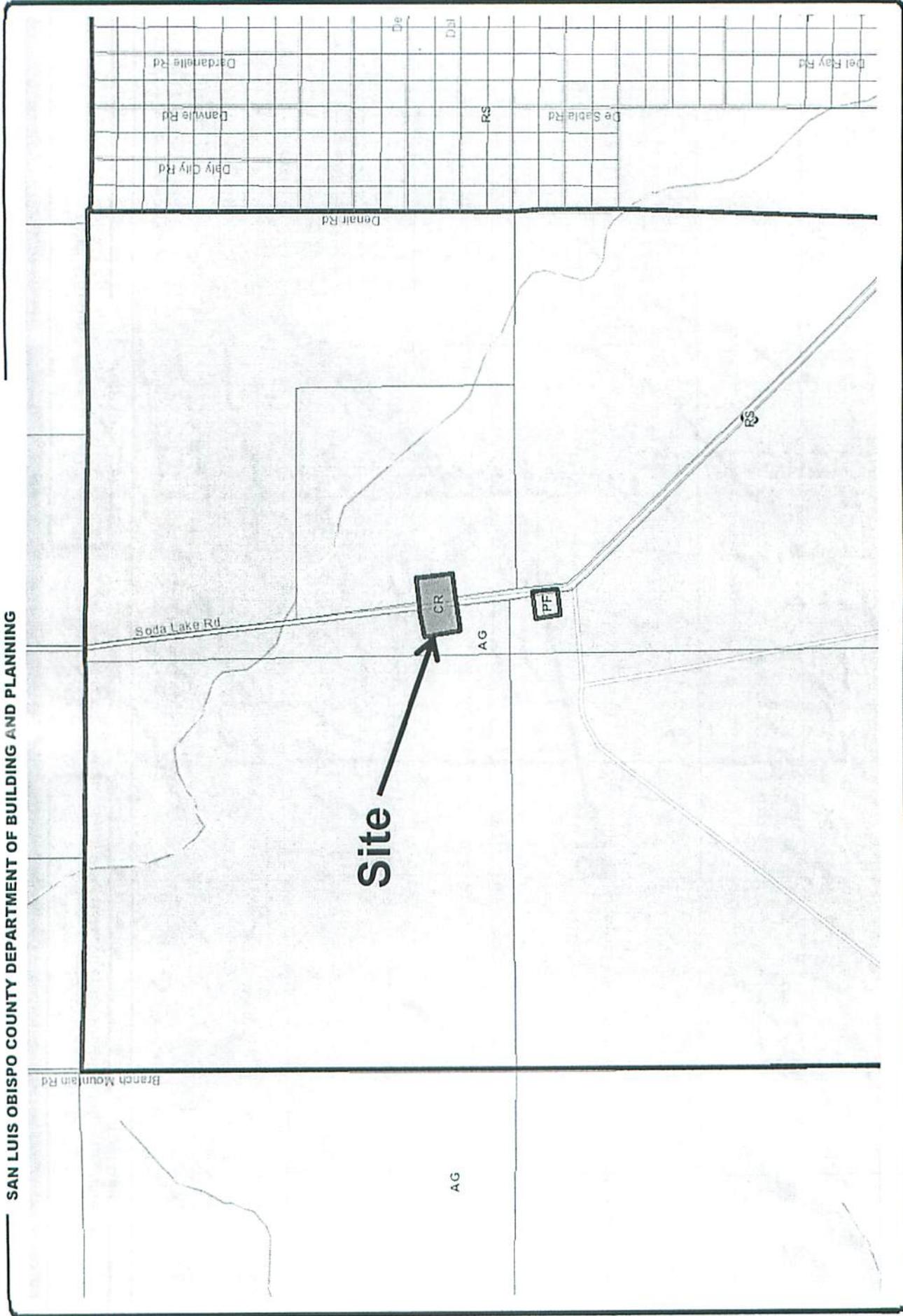
Comments from Building Division:

1. All plans and engineering shall be prepared by a California Licensed Architect of Record unless exempted by the Business and Professions Code.
2. The project will require a full soils report for the design of all building foundations at the time of construction permit application submittal.
3. The project is subject to the California State Title 24 accessibility / energy laws.
4. Whether or not a separate grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.
5. All moved buildings will need to be brought up to current code requirements.
6. A fire sprinkler system (or systems) will be required. The sprinkler plans shall be submitted with a separate application for a separate fire sprinkler permit with the application for the structure(s). The application for the sprinkler system and any water tank storage required for the system shall be approved prior to issuance of the structure(s). Cal Fire requires that all commercial sprinkler systems be reviewed by a licensed fire protection engineer.

We would encourage a pre-construction permit application submittal meeting with Stephen Hicks and/or I (free of charge) to clarify any issues.

Charles Riha, Plans Examiner III





**PROJECT**

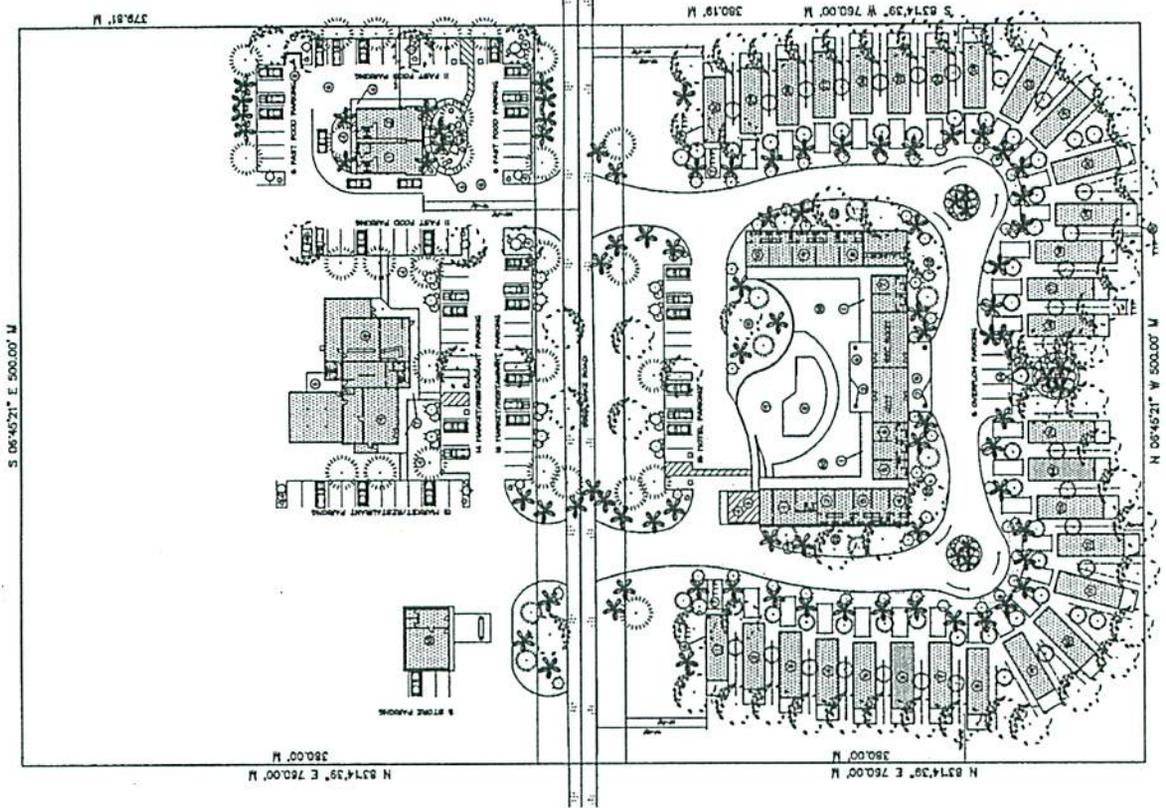
California Serengeiti Corporation Minor Use Permit  
DRC2011-00055

**EXHIBIT**

Land Use Category Map



DATE: 08/14/2011  
DRAWN BY: [illegible]  
CHECKED BY: [illegible]  
SCALE: 1/8" = 1'-0"



EXHIBIT

# Proposed Site Plan

PROJECT

California Serengeti Corporation Minor Use Permit  
DRC2011-00055

