



NEGATIVE DECLARATION & NOTICE OF DETERMINATION

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

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

ENVIRONMENTAL DETERMINATION NO. ED10-096

DATE: December 6, 2012

PROJECT/ENTITLEMENT: La Panza Ranch Grading Permit; (PMT2009-00309)

APPLICANT NAME: Mike Leprino
ADDRESS: 1830 W. 38th Street, Denver, CO
CONTACT PERSON: Stacey Twisselman

Telephone: 805-459-0218

PROPOSED USES/INTENT: Request by Mike Leprino for a grading permit to legalize an existing mineral extraction operation, including the processing and stockpiling of rock for the maintenance of ranch roads, which will result in the disturbance of approximately 9.5 acres (0.6 acres of existing extraction, 1.4 acres of additional excavation and approximately 7.5 acres of sorting, staging and stockpiling) over a proposed 20-year lifespan, including approximately 6,575 cubic yards of cut and 0 cubic yards of fill, on two parcels totaling 474 acres. The proposed project is within the Agriculture land use category.

LOCATION: The project is located at 5909 E. Pozo Road, within the community of Santa Margarita. The site is 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: Regional Water Quality Control Board

STATE CLEARINGHOUSE REVIEW: YES NO

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

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT4:30 p.m. (2 wks from above DATE)

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

Notice of Determination

State Clearinghouse No. _____

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

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

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

Stephanie Fuhs

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
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(ver 3.3) using form

Project Title & No. La Panza Ranch Grading Permit ED10-096 PMT2009-00309

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 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 checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input checked="" 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

11/27/12
Date

Steve McMasters
Reviewed by (Print)

Steve McMasters
Signature

Ellen Carroll,
Environmental Coordinator
(for)

11/27/12
Date

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: Request by Mike Leprino for a grading permit to legalize an existing mineral extraction operation, including the processing and stockpiling of rock for the maintenance of ranch roads (limited to use on-site), which will result in the disturbance of approximately 9.5 acres (0.6 acres of existing extraction, 1.4 acres of additional excavation and approximately 7.5 acres of sorting, staging and stockpiling) over a proposed 20-year lifespan, including approximately 6,575 cubic yards of cut and 0 cubic yards of fill, on two parcels totaling 520 acres. The proposed project is within the Agriculture land use category and is located at 5909 East Pozo Road, east of the community of Santa Margarita. The site is in the Shandon-Carrizo planning area.

Assessor Parcel Number: 071-321-015 & 071-331-016

Latitude: 35°19'40.503"N Longitude: 120°9'23.089"W

SUPERVISORIAL DISTRICT # 5

B. EXISTING SETTING

PLANNING AREA: Shandon/Carrizo, Rural

LAND USE CATEGORY: Agriculture

COMBINING DESIGNATION(S): Flood Hazard , Sensitive Resource Area

EXISTING USES: Grazing

TOPOGRAPHY: Nearly level to moderately sloping

VEGETATION: Grasses

PARCEL SIZE: 520 acres total

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture; undeveloped	<i>East:</i> Agriculture; Crops
<i>South:</i> Agriculture; undeveloped	<i>West:</i> Agriculture; undeveloped

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will not be visible from any major public roadway or result in silhouetting against any ridgelines as viewed from public roadways. The project is within the Pine Mountain Sensitive Resource Area (SRA). According to the Los Padres Area Plan, this section of the La Panza range has botanical, wildlife, scenic and historic value including an extensive Coulter pine forest as well as a California condor nest site. The La Panza gold rush of the 1870's took place in this area as well.

Impact. No significant visual impacts are expected to occur. The project would not impact the scenic value of the existing SRA as the proposed extraction would occur in lower elevations, avoiding areas visible to the public. The project is considered compatible with the surrounding agricultural and ranching uses. Impacts are considered less than significant.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES <i>- Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Project Elements. The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Agriculture

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland,
Prime Farmland if irrigated

In Agricultural Preserve? No

Under Williamson Act contract? Yes

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

Arbuckle sandy loam, 30-50 percent slopes

Elder sandy loam (2 - 5 % slope). This gently sloping coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: slight. The soil is considered Class III without irrigation and Class II when irrigated.

Elder sandy loam (5 - 9 % slope). This gently sloping, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: slight. The soil is considered Class III without irrigation and Class II when irrigated.

Kilmer-Nacimiento-Aido complex, 30 to 60 percent slopes

San Timoteo-San Andreas-Bellyspring complex, 30 to 50 percent slopes

Xerofluvents-Riverwash association. This variably sloping soil's drainage is not rated. The soil's erodibility and shrink-swell characteristics are not rated, as well as having potential septic system constraints due to: is not rated. The soil is considered Class VIII without irrigation and Class is not rated when irrigated.

Impact. Although the project is located in a predominantly agricultural area, the La Panza Ranch is relatively large and the proposed extraction operation would avoid active livestock grazing, prime soils and crop production areas. It is important to note that aggregate material produced by the proposed extraction project would be used exclusively for the maintenance of ranch roads. Although the project is within Williamson Act contracted lands, the proposed project supports ongoing agricultural operations on-site. No material will be produced for commercial sale. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

The project proposes to disturb soils that have been given a wind erodibility rating of 1-4, which is considered "low" to "moderate".

Impact. The proposed project includes the continued excavation of aggregate material over an approximately 9.5-acre area of disturbance which includes approximately 2-acre extraction area and 7.5 acres of sorting and stockpiling with a proposed 20-year lifespan, on two parcels totaling approximately 520 acres. The existing operation resulted in the creation of construction dust, as well as short- and long-term vehicle emissions. The ongoing extraction operation will also result in dust and emission impacts.

Greenhouse Gas Impacts: The California Air Resources Board (CARB), the California Environmental Protection Agency, and other governmental agencies with jurisdiction are in the process of developing guidelines and thresholds to address a project's cumulative contribution to greenhouse gas (GHG). Over the last few years, a series of related legislative acts have been made relating to this issue.

There are seven greenhouses gases, as follows, and are in order of their global warming potential: Carbon dioxide, Methane, Nitrous oxide, Chlorofluorocarbons, Hydrofluorocarbons, Perfluorocarbons, and Sulfur hexafluoride.

As an interim effort until such time CARB formalizes a process for development to follow, the following is a qualitative discussion of the project's impacts, as well as measures to reduce the project's GHG production.

The proposed project will result in an increase of human activity, including increased use of vehicles and electricity, which will generate small increased amounts of carbon dioxide, nitrous oxides, and hydrofluorocarbons.

The project's cumulative contribution to GHG emissions is relatively very small and considered insignificant. At this time, further analyses of this project's impacts are considered overly speculative given that there is no empirical evidence available at the present to evaluate this issue further under CEQA for individual or cumulative impacts, nor a statewide cumulative assessment on how new development is expected to achieve 1990 emission levels. At such time that GHG guidelines and/or thresholds are established by the CARB, additional mitigation may be appropriate.

Construction and Ongoing Repair/Maintenance Impacts: The continued use of the existing extraction operation, the proposed expansion of extraction and the stockpiling/sorting/staging activities all have the potential for creation of construction and operational dust, as well as short- and long-term vehicle emissions. The following is a list of the impacts and issues of concern:

- The generation of emissions related to construction equipment;
- The generation of dust related to construction/excavation activities;
- Naturally Occurring Asbestos (NOA) release during grading activities; and
- The generation of emissions related to use of heavy equipment during operations.

Accordingly, the project has the potential to result in significant but mitigable impacts related to the generation of emissions and dust during both the construction/excavation activities and operational phases of the project. In addition, the project has the potential to result in significant but mitigable impacts related to the release of NOA.

The project is consistent with the general level of development anticipated and projected in the Clean Air Plan.

Mitigation/Conclusion. The proposed project has been determined to exceed the APCD threshold for PM₁₀ (dust). Accordingly, it is recommended that the project be conditioned to comply with all applicable regulations pertaining to the control of fugitive dust. These measures include, but are not limited to, limiting the need for ground disturbance, watering of unpaved roads and work areas, stabilization of stockpiled earth, reduced vehicle speeds and the washing of truck wheels before entering public roads. Please refer to Exhibit B – Mitigation Summary Table for a detailed list of required fugitive dust mitigation measures. Incorporation of these measures will reduce dust generation impacts to less than significant levels.

In order to mitigate impacts related to the operation of heavy equipment on-site for both the construction aspect of the project as well as the continued operation of the facility, the applicant shall be required to obtain all applicable permits from APCD and shall implement the measures for reducing emissions listed in detail in Exhibit B – Mitigation Summary Table.

In addition, to mitigate impacts related to NOA to less than significant levels, the applicant shall be required to ensure that a geologic evaluation is conducted to determine if NOA is present. If so, the applicant shall implement the requirements set forth in the CARB Air Toxics Control Measure (ATCM). Please refer to Exhibit B – Mitigation Summary Table for a detailed list of required measures.

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

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: Blue Oak Woodland, Non-native Grassland

Name and distance from blue line creek(s): Beartrap Creek and an unnamed blue line tributary to San Juan Creek course through the subject property.

Site's tree canopy coverage: Blue Oak Woodland approximately 10-33%.

Habitat(s):

Blue Oak Woodland

The deciduous blue oak (*Quercus douglasii*) is the dominant species. Other tree species commonly found in this habitat include: gray pine, coast live oak, valley oak, and interior live oak. Historic threats to this woodland include: rangeland clearing, urban conversion, firewood, and poor regeneration due to grazing and competition with non-native vegetation.

Carrizo Vernal Pool Region

Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species.

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

Lemmon's jewelflower (*Caulanthus coulteri* var. *lemmonii*) List 1B

Lemmon's jewelflower (*Caulanthus coulteri* var. *lemmonii*) has been found about 0.43 mile to the north. This annual herb is generally found in pinyon and juniper woodland and valley and foothill grassland areas between the 80 and 1,220-meter elevation (260 to 4,265 feet). It has a blooming period of March-May. Lemmon's jewelflower is considered rare by CNPS (List 1B, RED 2-2-3).

Pale-yellow layia (*Layia heterotricha*) List 1B

Pale-yellow layia (*Layia heterotricha*) has been found coursing through the subject property. This annual herb is found on alkaline or clay soils in cismontane woodland, pinyon and juniper woodland, valley and foothill grassland areas at elevations between 300 to 1600 meters (985 to 5,250 feet). The blooming period is March-June. Pale-yellow layia is considered extremely rare by CNPS (List 1B, RED 3-3-3).

Pallid bat (*Antrozous pallidus*)

Pallid bat (*Antrozous pallidus*) have been found about 0.73 mile to the north. 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).

Prairie Falcon (*Falco mexicanus*) CSC

Prairie falcon (*Falco mexicanus*) has been found about 0.96 mile to the southwest and 0.94 mile to the northeast. This species is a California Species of Special Concern (CSC). The species frequent open habitats, including grasslands. The species nests on cliffs or in rock crevices in areas facing open habitat. Prairie falcon nests are very sensitive to disturbance during the breeding season. Typical prey items include small mammals, and birds taken in the air.

Tulare grasshopper mouse (*Onychomys torridus tularensis*)

Tulare grasshopper mouse (*Onychomys torridus tularensis*) has been found about 0.74 mile to the northwest. Tulare grasshopper mouse is considered a California Species of Special Concern. The Tulare grasshopper mouse lives in arid grasslands, shrub lands, and alkali sink habitats in the San Joaquin Valley. This species is carnivorous, feeding on scorpions, beetles, grasshoppers, pocket mice, western harvest mice, lizards, and frogs with some seeds taken when no other food sources are available. Young are born in the late spring to early summer and both parents care for them. Grasshopper mice are territorial and males will produce a sharp call to mark their territory. Predators of this species include badgers, San Joaquin kit fox, coyote, and barn owls. Primary threats include habitat destruction and fragmentation and the use of pesticides. This species is currently considered a California species of special concern (CDFG, 2007).

Impact. Proposed grading and excavation will result in site disturbance of approximately 9.5 acres of a 520 acre site. No oak trees would be directly affected by the proposed construction activities.

A site visit of the project site was made by the County's Biologist (Trevor Keith) in the spring of 2011. The site visit was to inspect the project site's topography for the potential to support vernal pool habitat as well as other potential biological resources (e.g., low-elevation areas, depressions, natural or man-made ponded areas, etc.). No evidence of areas that could pond water and provide habitat for fairy shrimp. The project site had either been disked, or was highly disturbed by agricultural activities, or the topography was too steep for water to pond in any location. Therefore, there was no indication of habitat suitable for supporting fairy shrimp, or sensitive aquatic animal or plant species associated with vernal pools. In addition, no evidence of existing or potential habitat for the species listed above was found.

Mitigation/Conclusion.

No significant impacts to biological resources are anticipated, and no mitigation measures are considered necessary.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input 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 Chumash, Salinan and Yokut. No historic structures are present and no paleontological resources are known to exist in the area. The project is within 300 feet of a tributary to San Juan Creek. 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 of San Juan Creek, the tributary is considered a seasonal drainage that remains dry except during high storm events. The primary source of water in the area would be San Juan Creek, over 1,000 feet from the project site. The area of proposed extraction activities is located on a hillside slope that does not represent suitable area for Native American use. No evidence of cultural materials was noted on the property. Although the existing SRA overlaying the site includes historic gold mining areas, the project is not located in proximity to these historic activities. 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 necessary.

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input 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: Project Manager complete

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to high

Liquefaction Potential: Low to moderate

Nearby potentially active faults?: Yes Distance? Northeast corner of property

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

Shrink/Swell potential of soil: Low to moderate

Other notable geologic features? None

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:

Closest creek: Beartrap Creek and an unnamed blue line tributary to San Juan Creek

Distance: Courses through the subject property.

Soil drainage characteristics: Moderately drained to 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 to moderate

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

Impact. As proposed, the project will result in the disturbance of an approximately 2-acre extraction area (over the proposed 20-year lifespan of the project) and will include an approximately 7.5-acre staging/stockpiling/sorting area. Although the subject site is located in a 100-year flood zone associated with a tributary to San Juan Creek, the proposed project itself (including the 2-acre extraction area and 7.5-acre stockpiling/staging/sorting area) will be located outside of the mapped 100-year flood zone. In addition, the proposed project includes a berm that surrounds the perimeter of the 9.5-acre site that is intended to ensure that any runoff from the extraction area and the stockpiling/staging/sorting area is retained within the site boundaries, avoiding contact with natural drainages. Impacts related to the 100-year flood zone are considered less than significant.

Although the project avoids impacts related to the 100-year flood zone, impacts related to drainage, erosion and sedimentation are considered significant but mitigable given the creation of cut slopes and the stockpiling of extracted material.

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. At a minimum, these plans shall include (but not be limited to) measures to ensure that excavated slopes remain stable, especially during the rainy season, and measures to ensure that stockpiled material does not leave the project site. These measures shall include, but not be limited to, standard erosion Best Management Practices (e.g., silt fences, straw waddles, hay bales, geotextiles), the use of soil stabilizers/binders, watering of stockpiled materials, and fast-growing vegetation seeding on slopes and stockpiles. In addition, the applicant will be required to apply for an Industrial Stormwater General Permit from the Regional Water Quality Control Board (per email discussion, David Innis, RWQCB, 8/31/2009).

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within the Airport Review area.

Portions of the subject project are within the 100-year Flood Hazard Combining designation (FH).

With regards to potential fire hazards, the subject project is within the high to very high Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 20 or more minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

Impact. Potential sources of pollution at the project site include sediment in runoff, discharge of fluids such as wash water, and leaks or spills of toxic materials such as petroleum products. However, as discussed in Section 6 (Geology and Soils) above, under the federal Clean Water Act as amended in 1987, the project will be required to have a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP is intended to facilitate the identification of pollution sources that could affect the quality of water discharged from the facility and to document the best management practices that an operation is committed to implement to minimize the pollutants that may be discharged. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan. However, because of the risk of equipment leaks and spills, impacts are considered significant unless mitigated.

Mitigation/Conclusion. In addition to the implementation of the required SWPPP, the following measures shall be required to reduce impacts to less than significant levels:

- To reduce impacts from spillage of petroleum products, the operators shall inspect the site, equipment and trucks daily for leakage and take immediate corrective action to eliminate any discovered leakage.
- A log of facility, equipment and inspections shall be kept by the applicant and shall be available for inspection by County staff.
- All site vehicle staging and parking will be limited to the 7.5-acre stockpiling/staging/sorting area as identified by the applicant.

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 checked="" type="checkbox"/>	<input 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) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create the need for substantial new housing in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Use substantial amount of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting 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. No mitigation measures are necessary.

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

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

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

Fire: Cal Fire (formerly CDF) Hazard Severity: High to Very High Response Time: More than 20 minutes

Location: Approximately 3.5 miles to the northwest

School District: Atascadero Unified School District.

Impact. No significant project-specific impacts to utilities or public services were identified.

Mitigation/Conclusion. No significant impacts were identified and no mitigation measures are necessary.

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

Setting. The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

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

Setting. The existing road network in the area is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

Impact. The proposed project is the legalization of an existing extraction operation that supports on-site ranch operations. All material extracted will be used for the maintenance of on-site roads. No material will be taken off-site and no traffic would be generated. Impacts related to transportation/circulation are considered less than significant.

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

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project does not include any structural development and does not propose the construction or need for a wastewater system.

Impact. The proposed project includes the operation of an aggregate extraction project for on-site ranch maintenance and does not include any plans for structural development and would not include the need for any permanent wastewater facility. Impacts are considered less than significant.

Mitigation/Conclusion. No mitigation measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 legalize an as-built extraction operation. Although no structural development is proposed, a minimal amount of water would be needed to address dust mitigation discussed in Section 3, Air Quality. Ranch wells would be used for this purpose. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level to moderately sloping. The closest creek from the proposed development is onsite. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility.

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

Impact. Impacts related to water use are considered less than significant.

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 9.5 acres. Please refer to Section 6 Geology and Soils for a detailed discussion of water quality impacts related to sedimentation and erosion.

Mitigation/Conclusion. Implementation of the mitigation required under Section 6 Geology and Soils will reduce impacts related to erosion and sedimentation to less than significant levels.

Although the subject site is located in a 100-year flood zone associated with a tributary to San Juan Creek, the proposed project itself (including the 2-acre extraction area and 7.5-acre stockpiling/staging/sorting area) will be located outside of the mapped 100-year flood zone. In addition, the proposed project includes a berm that surrounds the perimeter of the 9.5-acre site that is intended to ensure that any runoff from the extraction area and the stockpiling/staging/sorting area is retained within the site boundaries, avoiding contact with natural drainages.

These drainage and erosion control measures, and enrollment in the RWQCB Industrial Stormwater General Permit will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., APCD, RWQCB and the Department of Fish and Game, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). However, it should be noted that the project includes an illegal, as-built extraction operation. The intent of this project is to rectify the illegal grading by obtaining the required Major Grading Permit through the County.

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

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

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

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input type="checkbox"/>	County Public Works Department	Not Applicable
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	In File**
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	Not Applicable
<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"> <input checked="" type="checkbox"/> Project File for the Subject Application <u>County documents</u> <input type="checkbox"/> Airport Land Use Plans <input checked="" type="checkbox"/> Annual Resource Summary Report <input type="checkbox"/> Building and Construction Ordinance <input type="checkbox"/> Coastal Policies <input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland) <input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agriculture & Open Space Element <input checked="" type="checkbox"/> Energy Element <input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements) <input checked="" type="checkbox"/> Housing Element <input checked="" type="checkbox"/> Noise Element <input type="checkbox"/> Parks & Recreation Element <input checked="" type="checkbox"/> Safety Element <input checked="" type="checkbox"/> Land Use Ordinance <input type="checkbox"/> Real Property Division Ordinance <input type="checkbox"/> Trails Plan <input type="checkbox"/> Solid Waste Management Plan | <ul style="list-style-type: none"> <input type="checkbox"/> Area Plan and Update EIR <input type="checkbox"/> Circulation Study <u>Other documents</u> <input checked="" type="checkbox"/> Archaeological Resources Map <input checked="" type="checkbox"/> Area of Critical Concerns Map <input checked="" type="checkbox"/> Areas of Special Biological Importance Map <input checked="" type="checkbox"/> California Natural Species Diversity Database <input checked="" type="checkbox"/> Clean Air Plan <input checked="" type="checkbox"/> Fire Hazard Severity Map <input checked="" type="checkbox"/> Flood Hazard Maps <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County <input checked="" type="checkbox"/> Regional Transportation Plan <input checked="" type="checkbox"/> Uniform Fire Code <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) <input type="checkbox"/> Other _____ |
|--|--|

Exhibit B - Mitigation Summary Table

Air Quality

- AQ-1 The following measures shall be incorporated into the construction phase of the project and shown on all applicable plans **prior to issuance of construction permits**:
- 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 (nonpotable) 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 shall 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 shall be sown with a fast germinating native grass seed and watered until vegetation is established;
 - f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - g. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
 - k. All PM10 mitigation measures required should be shown on grading and building plans;and,
 - l. 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-2 **Prior to any site disturbance**, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.

Geology and Soils

- GS-1 **At the time of application for construction permits**, the applicant shall submit a drainage plan for review and approval.
- GS-2 **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.
- GS-3 **At the time of application for construction permits**, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPP) for review and approval.
- GS-4 **Prior to issuance of construction permits**, the applicant shall obtain an Industrial Stormwater General Permit from the Regional Water Quality Control Board. Evidence of such permit shall be provided to the County.

Hazards and Hazardous Materials

- H-1 **During construction activities**, in addition to the implementation of the required SWPPP, the following measures shall be required to reduce impacts to less than significant levels (these measures shall be shown on construction plans):
 - a. To reduce impacts from spillage of petroleum products, the operators shall inspect the site, equipment and trucks daily for leakage and take immediate corrective action to eliminate any discovered leakage.
 - b. A log of facility, equipment and inspections shall be kept by the applicant and shall be available for inspection by County staff.
 - c. All site vehicle staging and parking will be limited to the 7.5-acre stockpiling/staging/sorting area as identified by the applicant.

**DEVELOPER'S STATEMENT FOR
LA PANZA RANCH LLC GRADING PERMIT (REVISED)
PMT2009-00309**

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

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

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

Air Quality

AQ-1 Prior to issuance of construction permits, the applicant shall submit a Dust Control and Suppression Plan for the control of fugitive dust, which shall include measures to be incorporated into the construction phase of the project and shown on all applicable plans. The plan shall measures such as:

- 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 (nonpotable) 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 shall 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 shall be sown with a fast germinating native grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall 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. All PM10 mitigation measures required should be shown on grading and building plans;and,
- k. 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: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management in consultation with APCD.

- AQ-2 Prior to issuance of construction permits, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (Issued by the California Air Resources Board) or an APCD permit may be required.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management.

Geology and Soils

- GS-1 Prior to issuance of construction permits, the applicant shall submit a drainage plan for review and approval.

Monitoring: Compliance will be verified by the County Department of Planning and Building and Public Works Department.

- GS-2 Prior to issuance of construction permits, the applicant shall submit a complete erosion and sedimentation control plan for review and approval by the Public Works Department.

Monitoring: Compliance will be verified by the County Department of Planning and Building and Public Works Department.

- GS-3 Prior to issuance of construction permits, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPP) for review and approval.

Monitoring: Compliance will be verified by the County Department of Planning and Building and Public Works Department.

GS-4 Prior to issuance of construction permits, the applicant shall obtain an Industrial Stormwater General Permit from the Regional Water Quality Control Board. Evidence of such permit shall be provided to the County.

Monitoring: Compliance will be verified by the County Department of Planning and Building and Public Works Department.

Hazards and Hazardous Materials

H-1 During construction activities, in addition to the implementation of the required SWPPP, the following measures shall be required to reduce impacts to less than significant levels (these measures shall be shown on construction plans):

- a. To reduce impacts from spillage of petroleum products, the operators shall inspect the site, equipment and trucks as needed for leakage and take immediate corrective action to eliminate any discovered leakage.
- b. A log of facility, equipment and inspections shall be kept by the applicant and shall be available for inspection by County staff.
- c. All site vehicle staging and parking will be limited to the 7.5-acre stockpiling/staging/sorting area as identified by the applicant.

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

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

Stacey A. Twisselman
Signature of Owner(s)
owners rep

Nov 1, 2012
Date

Stacey Twisselman
Name (Print)

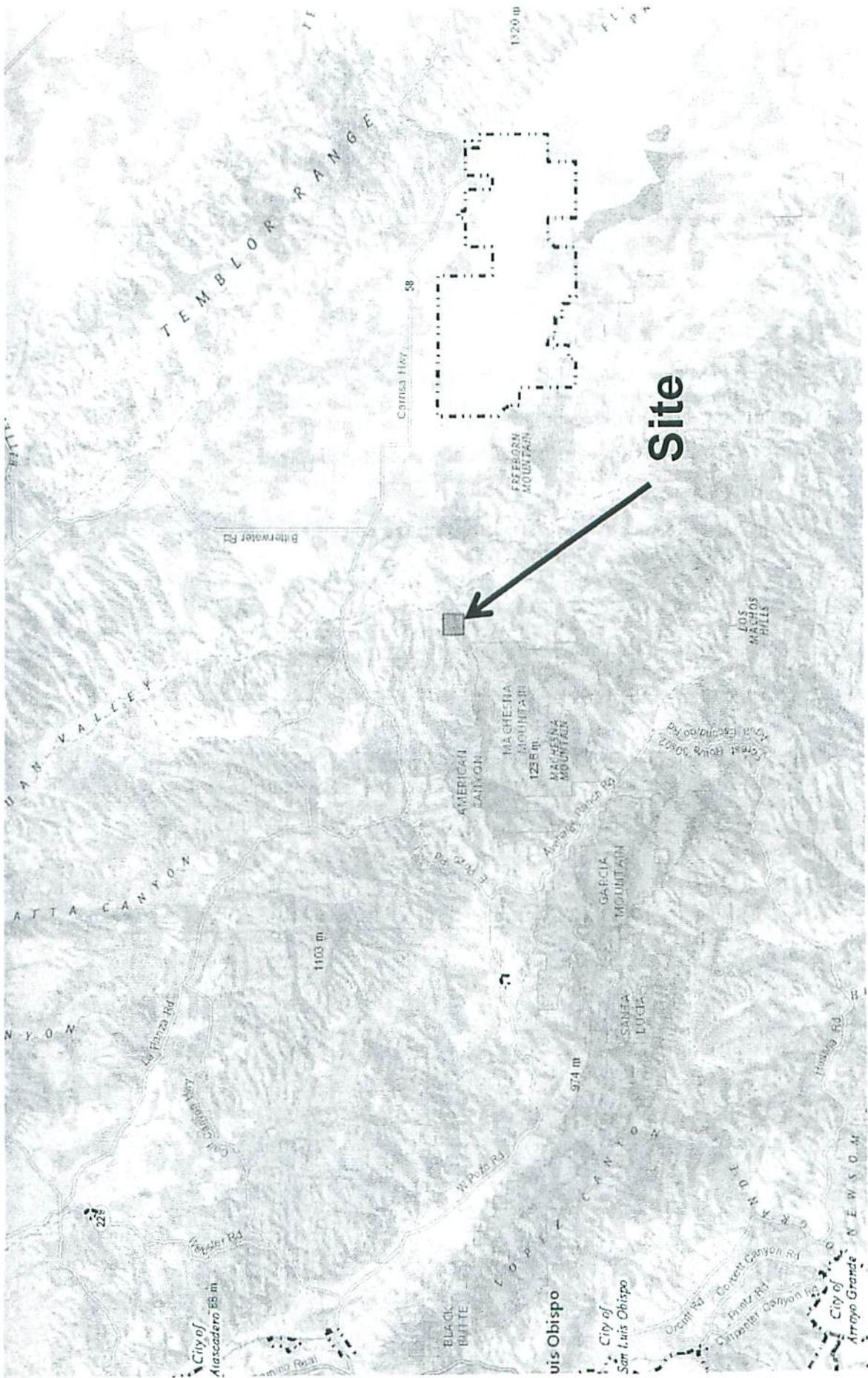
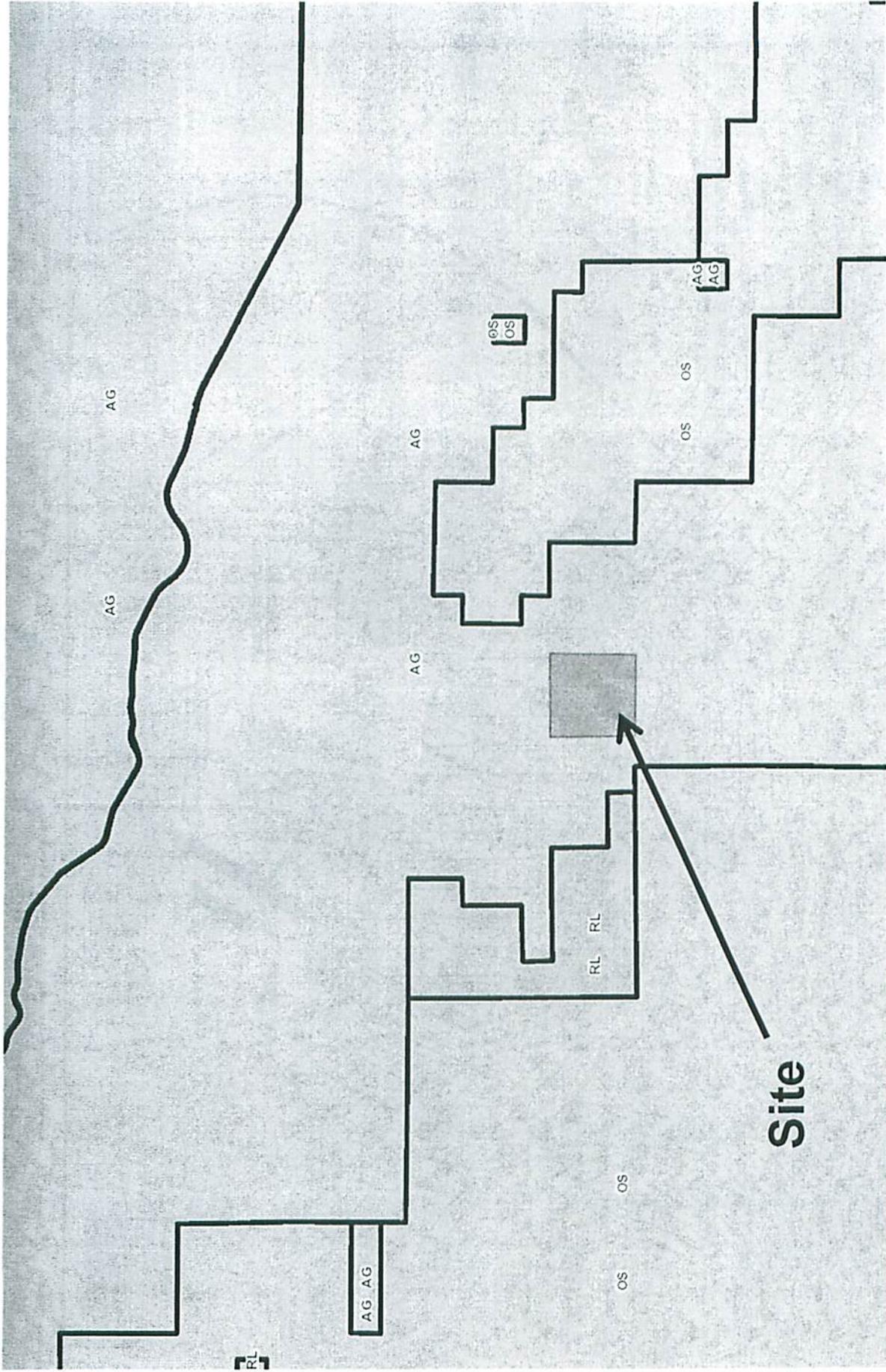


EXHIBIT
Vicinity Map



PROJECT
La Panza Ranch, LLC Grading Permit
PMT2009-00309



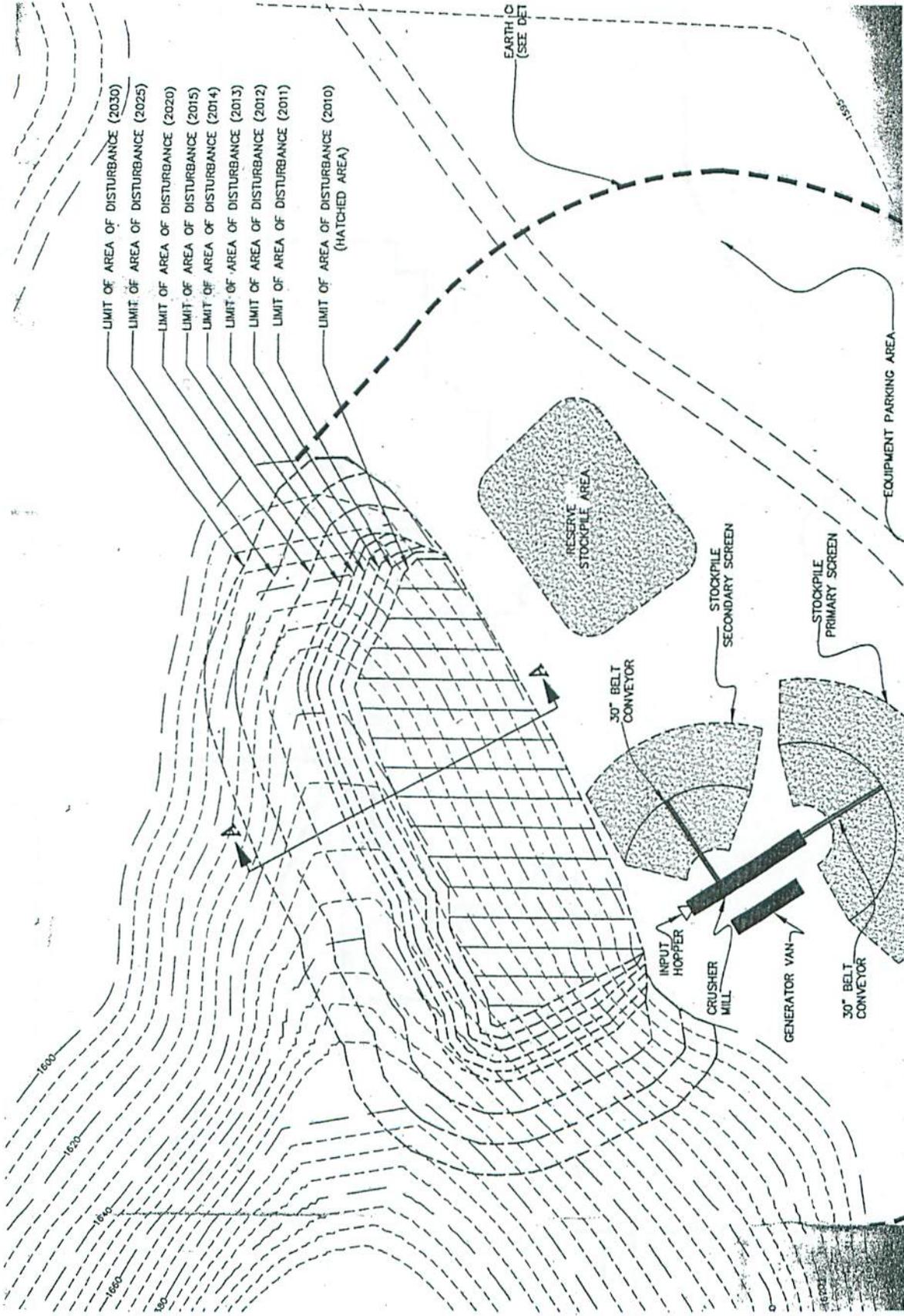


EXHIBIT
Partial Site Plan



PROJECT
La Panza Ranch LLC Grading Permit
PMT2009-00309



PROJECT

La Panza LLC Grading Permit
PMT2009-00309

EXHIBIT

Aerial Photo

