



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. ED12-046

DATE: July 11, 2013

PROJECT/ENTITLEMENT: Chevron Environmental Management / Lessard / Grading Permit (PMT2011-01565)

APPLICANT NAME: Chevron Environmental Management
ADDRESS: 3437-A Empresa Drive, San Luis Obispo, CA, 93401
CONTACT PERSON: Todd Porter, P.E. **Telephone:** (805) 546-0455

PROPOSED USES/INTENT: Request by Chevron Environmental Mangement to allow for excavation of hydrocarbon-impacted contaminated soil associated with a petroleum pipeline. The project will result in the disturbance of approximately 2,600 cubic yards of cut and the replacement of 2,600 cubic yards of clean fill that will result in the total site disturbance of approximately 30,550 sf (0.70 ac) on a 10 ac parcel.

LOCATION: The proposed project is within the Residential Rural land use category and is located west of Peaceful Valley Lane (260 Peaceful Valley Lane), south of S. 8th St. and, within the community of Shandon. 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: Environmental Health Air Pollution Control District

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.

Holly Phipps

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 5.0) Using Form

Project Title & No. Chevron Environmental Mangement / Lessard Grading Permit /
PMT2011-01565 / ED12-046

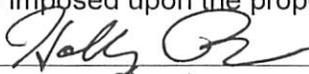
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less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

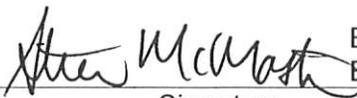
<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Holly Phipps  4/7/13
 Prepared by (Print) Signature Date

Steven McMasters  Ellen Carroll, 6/7/13
 Reviewed by (Print) Signature (for) Environmental Coordinator 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 County Planning Department 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 Current Planning Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Chevron Environmental Management for a Grading Permit (PMT2011-01565) to allow for excavation of hydrocarbon-impacted contaminated soil associated with a petroleum pipeline. The project will result in the disturbance of approximately 2,600 cubic yards of cut and the replacement of 2,600 cubic yards of clean fill that will result in the disturbance of approximately 30,550 sf (0.70 ac) on a 10 ac parcel. The proposed project is within the Residential Rural land use category and is located west of Peaceful Valley Lane (260 Peaceful Valley Lane), south of S. 8th St. and, within the community of Shandon. The site is in the Shandon/Carrizo planning area.

Background:

Two active underground oil pipelines, currently maintained by ConocoPhillips Company (COP), traverse the center of the property in a northeast to southwest direction. In addition, one inactive underground natural gas pipeline, formerly maintained by Unocal, traverses the property within the same pipeline easement. According to information provided by ConocoPhillips Pipelines, the pipeline easement was established in 1909 when petroleum pipelines were initially installed underground in the area. Prior to 1954, both 8-inch diameter lines conveyed crude oil from the Central Valley to the California central coast area. In 1954, one of the lines (identified then as Line No. 2) was used to convey a semi refined product from south to north. The other line (identified then as line No. 1) continued to convey crude oil from the California Valley to the California central coast area until 1995. After 1995, both lines conveyed semi-refined petroleum product from south to north. Both lines have been replaced between 1909 and 1956, with the most recent replacement reportedly being in 1956. Prior to the 1930s, collared screw-type pipe was commonly used, which was eventually phased-out and replaced by welded-type pipelines in the 1940s/1950s. The petroleum pipelines are maintained by COP and inspected per Department of Transportation (DOT) requirements and standards by hydrotesting or via an internal inspection tool at approximately five-year intervals. Contamination was discovered during the course of this routine testing. Since the implementation of a leak testing and monitoring program initiated in the 1970s, there have been no reports of leaks or releases associated with the petroleum pipelines beneath the subject property, thus suggesting that any leaks or releases present would have likely occurred prior to 1956.



ASSESSOR PARCEL NUMBER(S): 017-163-023

Latitude: 35° 38' 59.9994" N Longitude: -120° 22' 12" W

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Shandon/Carrizo, Shandon

TOPOGRAPHY: Nearly level

LAND USE CATEGORY: Residential Rural ;

VEGETATION: Agriculture; ornamental landscaping around residence

COMBINING DESIGNATION(S): Flood Hazard (project site is located outside FH area)

PARCEL SIZE: 10 acres

EXISTING USES: Agricultural uses / single-family residence(s)

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural, residences single-family residence(s)	<i>East:</i> Residential Rural; single-family residence(s)
<i>South:</i> Agriculture; single-family residence(s)	<i>West:</i> Residential Rural; single-family residence(s)

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

Setting. The project site is not visible from any major public. . The site is level and is located in a predominantly agricultural and rural residential area.

Impact. The project site can be characterized as a level field that is farmed. The proposed project is for the excavation of hydrocarbon-impacted contaminated soil from a petroleum pipeline which will result in the disturbance of approximately 30,550 sf. Clean fill will then replace the excavated contaminated soil. The project will not be visible from any major public roadway or silhouette against any ridgelines as viewed from public roadways. No impact has been identified.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <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"/>
d) <i>Conflict with existing zoning for agricultural use, or Williamson Act program?</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

e) Other: _____

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

Land Use Category: [Agriculture; Residential] Historic/Existing Commercial Crops: None
State Classification: Farmland of Statewide Importance, Prime Farmland if irrigated In Agricultural Preserve? Yes: Shandon AG Preserve Area
Under Williamson Act contract? No

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

Soils Unit Paso Robles (Inland):

Metz loamy sand (0 - 5 % slope). This nearly level to gently sloping sandy bottom soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: flooding. The soil is considered Class IV without irrigation and Class III when irrigated.

Pico fine sandy loam (0 - 2% slope). This nearly level 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: no severe limitations identified. The soil is considered Class IV without irrigation and Class I when irrigated.

The project is located in the Shandon Agricultural preserve which encompasses much of the planning area. The intent of this designation is to support continuing availability of these areas for production of food and fiber.

Property boundaries are formed by Peaceful Valley Lane to the north and rural residential properties or undeveloped parcels to the east, south, and west. The property is relatively flat and is currently developed with a single-family residence. Ornamental landscaping surrounds the property. The majority of the property is used for agricultural purposes (hay).

This property is zoned Residential Rural and is not enrolled in a Land Conservation contract.

Impact. 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>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GREENHOUSE GASES				
f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) 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).

Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.



The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO₂/year (MT CO₂e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO₂e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

This project is to allow for the excavation of hydrocarbon-impacted contaminated soil from a petroleum pipeline. The project will result in the disturbance of approximately 0.70 acres which will result in 2,600 cubic yards of cut and 2,600 cubic yards of fill on 10 acre parcel. The project will be moving approximately 540 cy/day.

Impact. As proposed, the project will result in the disturbance of approximately 0.70 acres. This will result in the creation of construction dust, as well as short-term vehicle emissions. The project, as described, will involve excavation of hydrocarbon contaminated soil adjacent to a buried petroleum pipelines. Based on the project description 2,600 cubic yards (cy) of hydrocarbon impacted soil will be exported from the site and 2,600 cy of soil will be imported as fill material.



The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation.

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

Hydrocarbon Contaminated Soil

APCD shall require a permit to address proper management of the hydrocarbon contaminated soil prior to any ground disturbance.

Naturally-Occurring Asbestos

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

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.

Construction phase

Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Operational sources may also require APCD permits.

Diesel Idling

Public health risk benefits can be realized by idle limitations for diesel engines.

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

Hydrocarbon Contaminated Soil. To mitigate potential air quality impacts associated with hydrocarbon contaminated soil, the applicant has agreed to contact the APCD Engineering Division within 120 days before the start of excavation to begin the permitting process.

Naturally-Occurring Asbestos

To mitigate potential air quality impacts, the applicant has agreed to implement a geologic evaluation to determine if naturally-occurring asbestos is present onsite. If present, the applicant is required to comply with the California Air Resources Board Air Toxics Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, which may include development of a dust mitigation plan and safety program.

Dust Control Measures

Projects with grading areas that are greater than 4-acres or are within 1.000 feet of any sensitive receptor shall implement 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).

Construction phase

Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Operational sources may also require APCD permits. The applicant has agreed to contact APCD, and obtain all applicable permits, authorizations, and approvals prior to construction and operation of the proposed project.

Diesel Idling

Public health risk benefits can be realized by idle limitations for diesel engines. To help reduce emissions impacts of diesel vehicles and equipment used for the proposed project, the applicant shall implement idling control methods.

Please refer to Exhibit B – Mitigation Summary Table. Mitigation measures are required to reduce impacts for air quality to less than significant.

4. BIOLOGICAL RESOURCES

Will the project:

	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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Interfere with the 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>Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Game or U.S. Fish & Wildlife Service?</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 checked="" type="checkbox"/>

* Species – as defined in Section 15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

Setting. The proposed project is adjacent to the Sensitive Resource Area (SRA). The mapped area of the SRA will be adjacent to the proposed project site. However, this property / project site around the residences has been historically farmed. The San Juan Creek which is mapped as being an SRA is located greater than 500 feet from the proposed project site. It is not anticipated that there will be

any significant impacts to the SRA.

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

On-site Vegetation: agriculture; urban built up

Name and distance from blue line creek(s): San Juan Creek (a tributary of Estrella River) is approximately 330 feet west of the proposed project site.

Habitat(s): None

Site's tree canopy coverage: Approximately 0 %

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

Vegetation

None

Wildlife

San Joaquin Kit Fox

San Joaquin kit fox (*Vulpes macrotis mutica*) FE, ST

The San Joaquin kit fox is Federal Endangered and California Threatened. The kit fox is uncommon to rare. They reside in arid regions of the southern half of the state (Grinnell et al. 1937, Wilson and Ruff 1999:150). This usually nocturnal mammal lives in annual grasslands or grassy open stages of vegetation dominated by scattered brush, shrubs, and scrub. Pups are born in these dens in February through April. Pups are weaned at about 4-5 months. May not require a source of drinking water. Some agricultural areas may support these foxes. Potential predators are coyotes, large hawks and owls, eagles, and bobcats. Cultivation has eliminated much habitat.

Bank swallow (*Riparia riparia*) ST

The Bank swallow (*Riparia riparia*) has been found in the project area. This listed species is considered threatened by the state.

Prairie Falcon (*Falco mexicanus*) CSC

Prairie falcon (*Falco mexicanus*) has been found in the project area. This species is a California Species of Special Concern (CSC).

Impact.

San Joaquin Kit Fox. The project will impact 0.70 acres of San Joaquin kit fox habitat. However, the project will not result in any permanent disturbance. After excavation of the contaminated soil, the area will be backfilled and disturb portions will be restored. Therefore, only avoidance measures will be required for the kit fox to ensure no impacts occur.

Nesting Birds - Construction and Grading Activities

Construction activities during the nesting season (March – July) could affect nesting birds on the site or in the immediate area. If possible, to avoid potential impacts to nesting birds, construction and grading activities shall take place outside the bird nesting season, which is March 15th to August 15th. If construction or grading activities occur during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area



Mitigation/Conclusion.

San Joaquin Kit Fox. 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.

Nesting birds – To avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. . If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. The applicant agrees to incorporate those recommendations approved by the county.

The implementation of the above measures will mitigate biological impacts to a level of insignificance. These mitigation measures are listed in detail in Exhibit B Mitigation Summary Table.

5. CULTURAL RESOURCES

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical 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 checked="" type="checkbox"/>

Setting. The project is located in an area historically occupied by the Southern Salinan . No historic structures are present and no paleontological resources are known to exist in the area.

The project is greater than 300 feet of a blue line creek (San Juan Creek). Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

Impact. No evidence of cultural materials was noted on the property. Based on these negative results and that no archaeological sites had been recorded within or near the project area, impacts to cultural resources in not likely to occur. 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

Will the project:

	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", or other known fault zones*?</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>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <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"/>
f) <i>Preclude the future extraction of valuable mineral resources?</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 checked="" type="checkbox"/>

* Per Division of Mines and Geology Special Publication #42

Setting. 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: Low

Other notable geologic features? None

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

SEDIMENTATION AND EROSION – Soil type, amount of disturbance and slopes are key aspects to

analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Not known

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) 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 0.70 acres of disturbance. Exposure of soils during grading could result in erosion and downstream sedimentation.

Mitigation/Conclusion. A Sedimentation and Erosion Control Plan is required by ordinance. This will adequately address the potential for erosion and sedimentation. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</i>	<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
f) <i>If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?</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 checked="" type="checkbox"/>

Setting. The proposed project would allow for the excavation of hydrocarbon-impacted contaminated soil from a petroleum pipeline. The project will result in the disturbance of approximately 0.70 acres which will result in 2,600 cubic yards of cut and 2,600 cubic yards of fill on 10 acre parcel. The applicant (Chevron EMC) has no plans to purge the petroleum pipelines owned by Phillips 66 Company. The project does not involve the removal or repair of the existing pipelines by the applicant.

The receiving facility for disposal/recycling of hydrocarbon contaminated soil generated at the project will be McKittrick Waste Treatment site located along Highway 58, West McKittrick, CA. The one-way distance from the project site to the facility is 61 miles. At this time, the McKittrick Waste Treatment site is the only receiving facility planned for this project.

The applicant has contacted CalRecycle and determined that contaminated soil from the project site will be disposed as Class II waste at the McKittrick Waste Treatment site, a Class II disposal facility. As such, the County of San Luis Obispo is eligible for a Disposal Tonnage Modification which will not affect compliance with the Integrated Waste Management Act. Upon receipt of final weigh ticket summary from the disposal facility, the applicant will fill out the Disposal Tonnage Modification Request form obtained from CalRecycle and forward to the County of San Luis Obispo Solid Waste Coordinator.

As stated in the Remedial Action Plan, Stantec Consulting Corporation has completed a Remedial Action Plan (COP RM&R Site No. 04836) on behalf of ConocoPhillips Company to mitigate petroleum hydrocarbon-impacted soil at the subject property.

Pursuant to Government Code 65962.5 ("Cortese List"), the site is on a list of "Other Cleanup Sites" identified by CalEPA. The site is identified as #4836 (T10000002288) on the CalEPA Geotracker mapping site.

Stantec Consulting Corporation has completed a Remedial Action Plan (COP RM&R Site No. 04836) on behalf of ConocoPhillips Company to mitigate petroleum hydrocarbon-impacted soil at the subject property.

The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

A portion of the subject project not the project site is within the 100-year Flood Hazard Combining designation (FH).

With regards to potential fire hazards, the subject project is within the unclassified Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 0-5 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

Impact. The project will result in the excavation of hydrocarbon-impacted contaminated soil from a petroleum pipeline which will result in the disturbance of approximately 2,600 cubic yards of cut and 2,600 cubic yards of fill that will result in the disturbance of approximately 30,550 sf (0.70 ac) on a 10 ac parcel.

Mitigation/Conclusion. As required by the Occupational Safety and Health Administration (OSHA) Standard "Hazardous Waste Operations and Emergency Response" guidelines (29 CFR 1910.120) and by California OSHA (Cal OSHA) guidelines (CCR Title 8, Section 5192), Stantec will prepare a site-specific Health and Safety Plan (HASP). All personnel and subcontractors associated with the remedial activities will be required to be familiar and comply with all provisions of the HASP.

The Department of Environmental Health is the lead agency that has reviewed the Remedial Action Plan and will oversee site cleanup. Per the Department of Environmental Health Department (January 20, 2011, Linnea Grossman) the Remedial Action has been approved with the implementation of the following conditions:

1. Benzene, toluene, ethylbenzene and xylenes (BTEX) must be analyzed using EPA method 8021B, collected via En Core on En Core-like samplers.
2. Soil samples must be analyzed for Title 22 metals using EPA method 6010B/7400.
3. Ensure all required permits are obtained before work starts.
4. Submit the Remedial Action Implementation Report that includes any hazardous waste manifest within 45 days of project completion.

The implementation of the Remedial Action Plan will mitigate impacts to a level of insignificance. Please refer to Exhibit B Mitigation Summary Table.

8. NOISE

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. NOISE

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</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 checked="" 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. The project is a temporary project that is expected to last 40 days. The project's work hours will be between the hours of 7:00 am and 5:30 pm.

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 (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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
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 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 checked="" type="checkbox"/>	<input 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>Oth</i> _____ <i>er:</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Police: County Sheriff Location: Templeton approximately 20 miles southwest of Shandon

Fire: Cal Fire (formerly CDF) Hazard Severity: Unclassified Response Time: 0-5 minutes

Location: Approximately 0.54 miles to the northwest

School District: Shandon Joint Unified School District.

Impact. No significant project-specific impacts to utilities were identified. County Public Works has reviewed the project (September 11, 2012) and recommend mitigations to restrict any haul routes that could damage existing road pavement edges.

Mitigation/Conclusion. Refer to Section 12. Transportation / Circulation for road impact discussion and refer to Exhibit B – Mitigation Summary Table for specific mitigation measures.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. RECREATION

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

Will the project:

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 is a temporary excavation and 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

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

Will the project:

a) *Increase vehicle trips to local or areawide circulation system?*

b) *Reduce existing "Level of Service" on public roadway(s)?*

c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*

d) *Provide for adequate emergency access?*

e) *Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?*

f) *Conflict with an applicable congestion management program?*

g) *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

h) *Result in a change in air traffic patterns that may result in substantial safety risks?*

i) *Other:* _____



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(s) Peaceful Valley Road and 8th Street are not a County maintained roads, they are private gravel roads.

Impact. The proposed project is estimated to generate about 116 trips to export the contaminated soil to McKittrick Waste Facility and 116 trips for clean fill from Atascadero. The project is estimated to last for a total of 15 days which includes 4 days for mobilization and site preparation, 5 days for excavation and trucking and 6 days for hauling and placement of clean backfill. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on transportation.

There is an existing “short cut” at the intersection of Toby Way and East Centre Street that if used could further damage edges of pavement (Public Works, September 2012) and create dust during the proposed project.

The receiving facility for disposal/recycling of hydrocarbon contaminated soil generated at the project will be McKittrick Waste Treatment site located along Highway 58, West McKittrick, CA. The one-way distance from the project site to the facility is 61 miles. At this time, the McKittrick Waste Treatment site is the only receiving facility planned for this project.

The source of the fill material to be used to restore the excavation at the project site is Schlegel Sand and Gravel, in Templeton, CA. The fill material is screened from the Salinas River product. The one-way distance from the site to the facility is 33 miles.

County Public Works has reviewed the project (April 18, 2012) and recommend mitigations to restrict any haul routes that could damage existing pavement edges. The project will require an encroachment permit from the Department of Public Works.

Mitigation/Conclusion. Summary of the mitigations include but are not limited to the following:

- Securing an encroachment permit from the Department of Public Works
- Signage
- Haul hour restrictions
- Posting a cash bond for any damage that may occur
- Monitoring of pavement of all County maintained roads along the construction and haul routes

Please refer to Exhibit B – Mitigation Summary Table. Mitigation measures are required to reduce impacts for transportation/circulation to less than significant.

13. WASTEWATER

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

13. WASTEWATER

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 checked="" type="checkbox"/>

Setting/Impact. The proposed project consists of excavation of hydrocarbon-impacted contaminated soil from a petroleum pipeline and replacement of clean fill. The proposed project would not generate wastewater or require wastewater disposal.

Mitigation/Conclusion. No wastewater impacts are anticipated and no mitigation measures are necessary.

14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY				
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, sediment, 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>Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
QUANTITY				
h) <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"/>

14. WATER & HYDROLOGY

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
i) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The proposed project does not require a permanent water source, but may require water for dust control.

The topography of the project is nearly level. The closest creek from the proposed development is approximately 330 feet away. As described in the NRCS Soil Survey, the soil surface is considered to have low 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's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

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

Within the 100-year Flood Hazard designation? Yes

Closest creek? San Juan Creek Distance? Approximately 330 feet

Soil drainage characteristics: Moderately to well-drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) 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, area 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

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) 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 – The project will involve less than 1 acre of disturbance and will not require a SWPPP. The project will require preparation of a sedimentation and erosion control plan as well as a drainage plan.

Mitigation/Conclusion. As specified above for water quality, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality.

Based on the proposed amount of water to be use and the water source, no significant impacts from water use are anticipated.

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

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

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

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE

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

Will the project:

- a) *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?*

- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*

- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

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

Exhibit A - Initial Study References and Agency Contacts

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

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input 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 checked="" type="checkbox"/> Shandon/Carrizo 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 |
|--|---|

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

Remedial Action Plan, 260 Peaceful Valley Lane, Shandon, CA, COP RM&R Site No. 04836.



Exhibit B - Mitigation Summary Table

Air Quality

- AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
- a. Reduce the amount of disturbed area where possible;
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. 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. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition building pads shall 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 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. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,
 - k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.
 - l. All road PM10 mitigation measures required shall be shown on the 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 day, earthwork or demolition.

- AQ-2** Prior to issuance of grading permits, the applicant shall ensure that a geologic investigation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that would be disturbed. If NOA is not present, an exemption request shall be filed with the Air Pollution Control District (APCD) and submitted to the Planning and Building Department. If NOA is present, the applicant shall work with, and receive approval from the APCD to comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan (which must be approved by the APCD before construction begins) and 2) an Asbestos Health and Safety Program.
- AQ-3** During construction, prior to operation of the following list of equipment (or similar equipment), the applicant shall contact the APCD to determine if an operating permit is necessary:
- a. Power screens, conveyors, diesel engines, and/or crushers
 - b. Portable generators and equipment with engines that are 50 horsepower (hp) or greater
 - c. IC engines
 - d. Tub grinders
 - e. Trommel screens
 - f. Electrical generation plants or the use of standby generator
 - g. Internal combustion engines
- AQ-4** Prior to construction/grading permit issuance, the construction plans shall show that the following measures shall be implemented during the grading and hauling phases to reduce toxic diesel impacts to sensitive receptors:
- a. Off-road diesel equipment shall comply with the 5 minute idling restriction (Section 2449(d)(2) of the California's Air Resources Board's In-Use off-Road Diesel regulation).
 - b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. In general, the regulation specifies that drivers of said vehicles:
 1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
 - c. Signs shall be posted in the designated queuing areas and job site to remind drivers/operators of the state's 5 minute idling requirement;
 - d. Use double haul trailers whenever possible to significantly reduce the number of round trips necessary to export the material.
 - e. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordies107/frooal.pdf.



- AQ-5 In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:
- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
 - c. Use of alternative fueled equipment is recommended; and
 - d. Signs that specify the no idling areas must be posted and enforced at the site.
- AQ-6 Prior to commencement of construction activities, the applicant shall submit to the APCD in consultation with Public Works, the proposed truck routes that will be evaluated and selected to ensure routing patterns have the least impacts to residential dwellings and other sensitive receptors.
- AQ-7 Prior to issuance of construction permits, the applicant shall obtain all necessary permits from the APCD, and comply with all conditions required by these permits to ensure impacts are less than significant.
- AQ-8 Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, and submit a copy to the Department of Planning and Building that the all the air quality mitigation measures have been applied to this project.
- AQ-9 Prior to issuance of construction permits, the applicant shall contact the APCD Engineering Division at 781-5912 within 120 days before the start of excavation to begin the permitting process to address proper management of the hydrocarbon contaminated soil.

Biological Resources

San Joaquin Kit Fox

- BR-1 **Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following avoidance measures activities:
- a. **Prior to issuance of grading and/or 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 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 determine 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 (see contact information below). 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.

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-2 Prior to issuance of grading and/or 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-3 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-4 Prior to issuance of grading and/or construction permit 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-5 **During the site-disturbance and/or construction phase**, 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-6 **During the site-disturbance and/or construction phase**, 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-7 **During the site-disturbance and/or construction phase**, 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-8 **Prior to, during and after the site-disturbance and/or construction phase**, 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-9 **During the site-disturbance and/or construction phase**, 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 the 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 the Department for care, analysis, or disposition.
- BR-10 **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

County of San Luis Obispo
 Department of Planning and Building
 Division of Environmental & Resource
 Mgmt
 County Government Center, Room 300
 San Luis Obispo, CA 93408
 ATTN: Murry Wilson
 (805) 788-2352
 E-mail: mwilson@co.slo.ca.us

Fresno, CA 93710
 (559) 243-4005
 FAX (559) 243-4022
 (805) 772-4318

California Department of Fish and Game
 Central Region
 1234 East Shaw Avenue

U.S. Fish and Wildlife Service
 Ventura Field Office
 P.O. Box 47
 Ventura, CA 93003
 (805-644-1766

Transportation

Access

TR-1 **At the time of application for construction permits**, the applicant shall submit a Transportation Management Plan prepared by a licensed civil or traffic engineer to the Department of Public Works. At a minimum the plan is to include:

- a. The proposed truck haul route from the project site to State Route 46.
- b. Evidence, such as turn template exhibits, that the construction and haul (design) vehicles can negotiate those County road intersections along the proposed haul route without off tracking or encroaching into oncoming lanes.
- c. The proposed construction schedule and hauling hours.
- d. Recommended mitigations including, but not limited to; signage; haul hour restrictions; notifications; installation of temporary barricades or similar mitigation between Toby Way and East Centre Street to prohibit haul vehicles from leaving the paved surfaces of County maintained roads.



TR-2 Prior to issuance of construction permits, the applicant shall secure an Encroachment Permit from the Department of Public Works to install and/or maintain improvements within the County's right-of-way and in accordance with County Public Improvement Standards. The conditions and provisions of the encroachment permit shall require, at a minimum:

- e. Posting a \$10,000 cash damage bond. The funds may be drawn by the County to pay the actual costs of any action taken by the County to correct any unsafe condition or damage to County roads that may arise during the course of the permitted activity.
- f. Enter into an Encroachment Checking and Inspection Agreement and submit a \$1,500 deposit with the county for the cost of checking the encroachment permit and the cost of inspection of any such improvements by the county or its designated representative.
- g. Implement the recommendations of the project's Transportation Management Plan.
- h. Require monitoring of all construction vehicles to ensure they are in conformance with legal limits as defined within the California Vehicle Code (separate Transportation Permits shall be required for vehicles that exceed legal limits).
- i. Require ongoing monitoring the pavement condition of all County maintained roads along the construction and haul route and promptly provide temporary repair of pavement deterioration with "cold patch". All pavement repairs shall be completed within 24-hours of discovery by the applicant; or upon notification by the public; or upon notification by the County or their representatives
- j. Continually monitor for sediments being tracked onto County maintained roads along the construction and haul route and remove such material in accordance with Best Management Practices (see Caltrans SC-7).
- k. Provide the County Public Works notice when permitted operations have been completed. Within thirty (30) calendar days of such notice, the applicant, at its sole cost and expense:
 - i. Shall remove all temporary cold patches and perform final pavement repairs in accordance with County Standard Drawing R-3 and to the satisfaction of the County Public Works Inspector.
 - ii. Shall remove all other temporary encroachments as recommended in the Transportation Management Plan.

TR-3 On-going condition of approval (valid for the life of the permit), the applicant shall be responsible for providing dust control along those sections of Peaceful Valley Road and 8th Street used by construction vehicles to access the project site.

TR-4 On-going condition of approval (valid for the life of the permit), the applicant shall be responsible for maintaining those sections of Peaceful Valley Road and 8th Street used by **construction** vehicles to access the project site. Upon completion of construction activities those sections of Peaceful Valley Road and 8th Street shall be restored, if necessary, to a condition equal to or better than preconstruction conditions.

TR-5 Prior to permit final, the applicant shall be responsible to restore those sections of Peaceful Valley Road and 8th Street to a condition equal to or better than preconstruction conditions.

TR-6 **Prior to permit final**, the applicant shall finalize all provisions and conditions of the project Encroachment Permit to the satisfaction of the Department of Public Works.

Drainage

TR-7 **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Public Works that all proposed work complies with the County's flood hazard construction standards, Section 22.14.060. (A portion of the project site is located within a FEMA Flood Hazard Zone A designation as shown on FIRM Map Number 06079C0475F).

TR-8 **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.

TR-9 **On-going condition of approval (valid for the life of the permit)**, 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.

Hazards

HAZ-1 Prior to issuance of construction permits, the applicant shall provide evidence satisfactory to the Department of Environmental Health Department and in consultation with the Department of Planning and Building that the following has been completed:

- a. All required permits have been obtained.

HAZ-2 Prior to final inspection, the applicant shall provide evidence satisfactory to the Department of Environmental Health Department and in consultation with the Department of Planning and Building that the following has been completed:

- a. Benzene, toluene, ethylbenzene and xylenes (BTEX) must be analyzed using EPA method 8021B, collected via En Core on En Core-like samplers.
- b. Soil samples must be analyzed for Title 22 metals using EPA method 6010B/7400.
- c. Submit the remedial action implementation report that includes any hazardous waste manifest within 45 days of project completion.





JUN 10 2013

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

June 7, 2013

Agent: Stantec Consulting Services, Inc.
c/o: Todd Porter
3437-A Empresa Drive
San Luis Obispo, CA, 93401

SUBJECT: DEVELOPER'S STATEMENT FOR THE CHEVRON ENVIRONMENTAL
MANAGEMENT CO. / LESSARD GRADING PERMIT / PMT2011-01565

Dear Mr. Porter:

The initial study for the above referenced application has indicated that potentially significant environmental impacts may occur with the development of the project. In order to issue a negative declaration, which is a statement that all potentially significant impacts can be mitigated to insignificant levels, an agreement called a Developer's Statement can be executed where the applicant agrees to perform certain actions that will become part of the project. Please review the enclosed Developer's Statement. If you are in agreement with this Statement, please have the owner(s) sign, date and return it to my attention at the Department of Planning and Building so we may complete the environmental review process.

If you have any questions, concerns, or comments about this Developer's Statement, or would like to suggest alternate mitigation measures that would work better with your project, please feel free to contact me at (805) 781-1162.

Sincerely,

Holly Phipps, MCRP
Project Manager

DATE: June 7, 2013
REVISED:

**DEVELOPER'S STATEMENT FOR CHEVRON ENVIRONMENTAL MANAGEMENT /
LESSARD GRADING PERMIT / PMT2011-01565**

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.

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

Air Quality

AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. 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. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition building pads shall 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 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. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.
- l. All road PM10 mitigation measures required shall be shown on the 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 day, earthwork or demolition.

Monitoring: Required prior to construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-2 Prior to issuance of grading permits, the applicant shall ensure that a geologic investigation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that would be disturbed. If NOA is not present, an exemption request shall be filed with the Air Pollution Control District (APCD) and submitted to the Planning and Building Department. If NOA is present, the applicant shall work with, and receive approval from the APCD to comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan (which must be approved by the APCD before construction begins) and 2) an Asbestos Health and Safety Program.

Monitoring: Required prior to issuance of a construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building.

AQ-3 During construction, prior to operation of the following list of equipment (or similar equipment), the applicant shall contact the APCD to determine if an operating permit is necessary:

- a. Power screens, conveyors, diesel engines, and/or crushers
- b. Portable generators and equipment with engines that are 50 horsepower (hp) or greater
- c. IC engines
- d. Tub grinders
- e. Trommel screens
- f. Electrical generation plants or the use of standby generator
- g. Internal combustion engines

Monitoring: Required prior to issuance of a construction permit. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-4 Prior to construction/grading permit issuance, the construction plans shall show that the following measures shall be implemented during the grading and hauling phases to reduce toxic diesel impacts to sensitive receptors:

- a. Off-road diesel equipment shall comply with the 5 minute idling restriction (Section 2449(d)(2) of the California's Air Resources Board's In-Use off-Road Diesel regulation).
- b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. In general, the regulation specifies that drivers of said vehicles:
 - 1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- c. Signs shall be posted in the designated queuing areas and job site to remind drivers/operators of the state's 5 minute idling requirement;
- d. Use double haul trailers whenever possible to significantly reduce the number of round trips necessary to export the material.
- e. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordies107/froal.pdf.

Monitoring: Required prior to final inspection and/or operation of camp. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-5 In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:

- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
- c. Use of alternative fueled equipment is recommended; and
- d. Signs that specify the no idling areas must be posted and enforced at the site.

Monitoring: Required prior to final inspection and/or operation of camp. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-6 Prior to commencement of construction activities, the applicant shall submit to the APCD in consultation with Public Works, the proposed truck routes that will be evaluated and selected to ensure routing patterns have the least impacts to residential dwellings and other sensitive receptors.

Monitoring: Required prior to final inspection and/or operation of camp. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-7 Prior to issuance of construction permits, the applicant shall obtain all necessary permits from the APCD, and comply with all conditions required by these permits to ensure impacts are less than significant.

Monitoring: Required prior to final inspection and/or operation of camp. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-8 Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, and submit a copy to the Department of Planning and Building that the all the air quality mitigation measures have been applied to this project.

Monitoring: Required prior to final inspection and/or operation of camp. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-9 Prior to issuance of construction permits, the applicant shall contact the APCD Engineering Division at 781-5912 within 120 days before the start of excavation to begin the permitting process to address proper management of the hydrocarbon contaminated soil.

Monitoring: Required prior to final inspection and/or operation of camp. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

Biological Resources

San Joaquin Kit Fox

BR-1 **Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following avoidance measures activities:

- a. **Prior to issuance of grading and/or 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, diking, 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 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 determine 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 (see contact information below). 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.

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.

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.

- BR-2 **Prior to issuance of grading and/or 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: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management.

- BR-3 **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-4 **Prior to issuance of grading and/or construction permit 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-5 **During the site-disturbance and/or construction phase**, 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-6 **During the site-disturbance and/or construction phase**, 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-7 **During the site-disturbance and/or construction phase**, 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-8 **Prior to, during and after the site-disturbance and/or construction phase**, 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-9 **During the site-disturbance and/or construction phase**, 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 the 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 the Department for care, analysis, or disposition.

BR-10 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.

Monitoring (San Joaquin Kit Fox Measures BR-3 – BR-10): Compliance will be verified by the County Division of Environmental and Resource Management in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

Contact Information

County of San Luis Obispo
Department of Planning and Building
Division of Environmental & Resource
Mgmt
County Government Center, Room 300
San Luis Obispo, CA 93408
ATTN: Murry Wilson
(805) 788-2352
E-mail: mwilson@co.slo.ca.us

California Department of Fish and Game
Central Region
1234 East Shaw Avenue

Fresno, CA 93710
(559) 243-4005
FAX (559) 243-4022
(805) 772-4318

U.S. Fish and Wildlife Service
Ventura Field Office
P.O. Box 47
Ventura, CA 93003
(805-644-1766

Transportation

Access

TR-1 **At the time of application for construction permits**, the applicant shall submit a Transportation Management Plan prepared by a licensed civil or traffic engineer to the Department of Public Works. At a minimum the plan is to include:

- a. The proposed truck haul route from the project site to State Route 46.
- b. Evidence, such as turn template exhibits, that the construction and haul (design) vehicles can negotiate those County road intersections along the proposed haul route without off tracking or encroaching into oncoming lanes.
- c. The proposed construction schedule and hauling hours.
- d. Recommended mitigations including, but not limited to; signage; haul hour restrictions; notifications; installation of temporary barricades or similar mitigation between Toby Way and East Centre Street to prohibit haul vehicles from leaving the paved surfaces of County maintained roads.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

TR-2 **Prior to issuance of construction permits**, the applicant shall secure an Encroachment Permit from the Department of Public Works to install and/or maintain improvements within the County's right-of-way and in accordance with County Public Improvement Standards. The conditions and provisions of the encroachment permit shall require, at a minimum:

- e. Posting a \$10,000 cash damage bond. The funds may be drawn by the County to pay the actual costs of any action taken by the County to correct any unsafe condition or damage to County roads that may arise during the course of the permitted activity.
- f. Enter into an Encroachment Checking and Inspection Agreement and submit a \$1,500 deposit with the county for the cost of checking the encroachment permit and the cost of inspection of any such improvements by the county or its designated representative.
- g. Implement the recommendations of the project's Transportation Management Plan.
- h. Require monitoring of all construction vehicles to ensure they are in conformance with legal limits as defined within the California Vehicle Code (separate Transportation Permits shall be required for vehicles that exceed legal limits).

- i. Require ongoing monitoring the pavement condition of all County maintained roads along the construction and haul route and promptly provide temporary repair of pavement deterioration with "cold patch". All pavement repairs shall be completed within 24-hours of discovery by the applicant; or upon notification by the public; or upon notification by the County or their representatives
- j. Continually monitor for sediments being tracked onto County maintained roads along the construction and haul route and remove such material in accordance with Best Management Practices (see Caltrans SC-7).
- k. Provide the County Public Works notice when permitted operations have been completed. Within thirty (30) calendar days of such notice, the applicant, at its sole cost and expense:
 - i. Shall remove all temporary cold patches and perform final pavement repairs in accordance with County Standard Drawing R-3 and to the satisfaction of the County Public Works Inspector.
 - ii. Shall remove all other temporary encroachments as recommended in the Transportation Management Plan.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

TR-3 **On-going condition of approval (valid for the life of the permit)**, the applicant shall be responsible for providing dust control along those sections of Peaceful Valley Road and 8th Street used by construction vehicles to access the project site.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

TR-4 **On-going condition of approval (valid for the life of the permit)**, the applicant shall be responsible for maintaining those sections of Peaceful Valley Road and 8th Street used by **construction** vehicles to access the project site. Upon completion of construction activities those sections of Peaceful Valley Road and 8th Street shall be restored, if necessary, to a condition equal to or better than preconstruction conditions.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

TR-5 **Prior to permit final**, the applicant shall be responsible to restore those sections of Peaceful Valley Road and 8th Street to a condition equal to or better than preconstruction conditions.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

TR-6 **Prior to permit final**, the applicant shall finalize all provisions and conditions of the project Encroachment Permit to the satisfaction of the Department of Public Works.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

Drainage

TR-7 **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Public Works that all proposed work complies with the County's flood hazard construction standards, Section 22.14.060. (A portion of the project site is located within a FEMA Flood Hazard Zone A designation as shown on FIRM Map Number 06079C0475F).

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

TR-8 **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.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

TR-9 **On-going condition of approval (valid for the life of the permit)**, 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.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Public Works.

Hazards

HAZ-1 Prior to issuance of construction permits, the applicant shall provide evidence satisfactory to the Department of Environmental Health Department and in consultation with the Department of Planning and Building that the following has been completed:

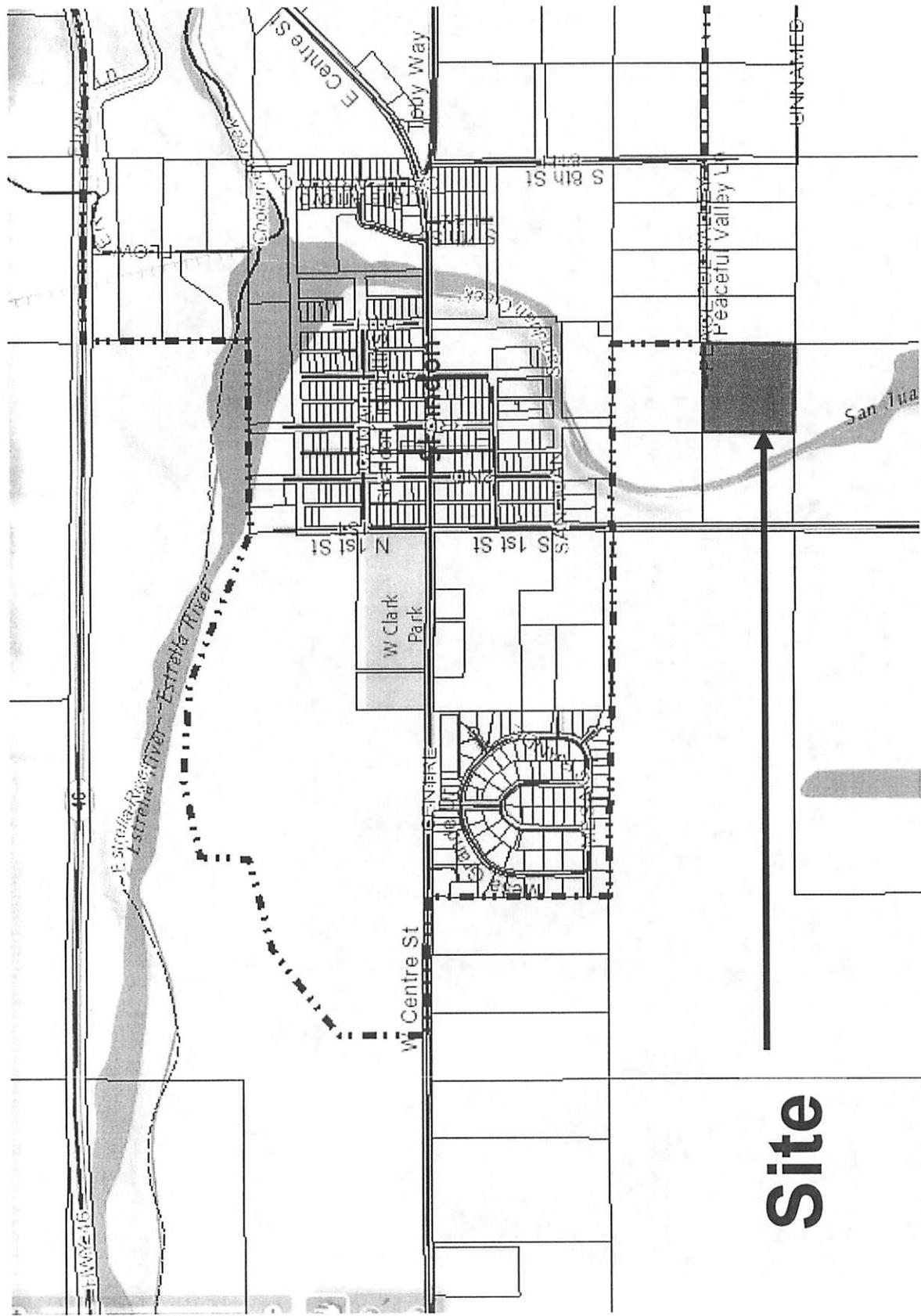
- a. All required permits have been obtained.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Environmental Health Department.

HAZ-2 Prior to final inspection, the applicant shall provide evidence satisfactory to the Department of Environmental Health Department and in consultation with the Department of Planning and Building that the following has been completed:

- a. Benzene, toluene, ethylbenzene and xylenes (BTEX) must be analyzed using EPA method 8021B, collected via En Core on En Core-like samplers.
- b. Soil samples must be analyzed for Title 22 metals using EPA method 6010B/7400.
- c. Submit the remedial action implementation report that includes any hazardous waste manifest within 45 days of project completion.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the Department of Planning and Building in consultation with Environmental Health Department.



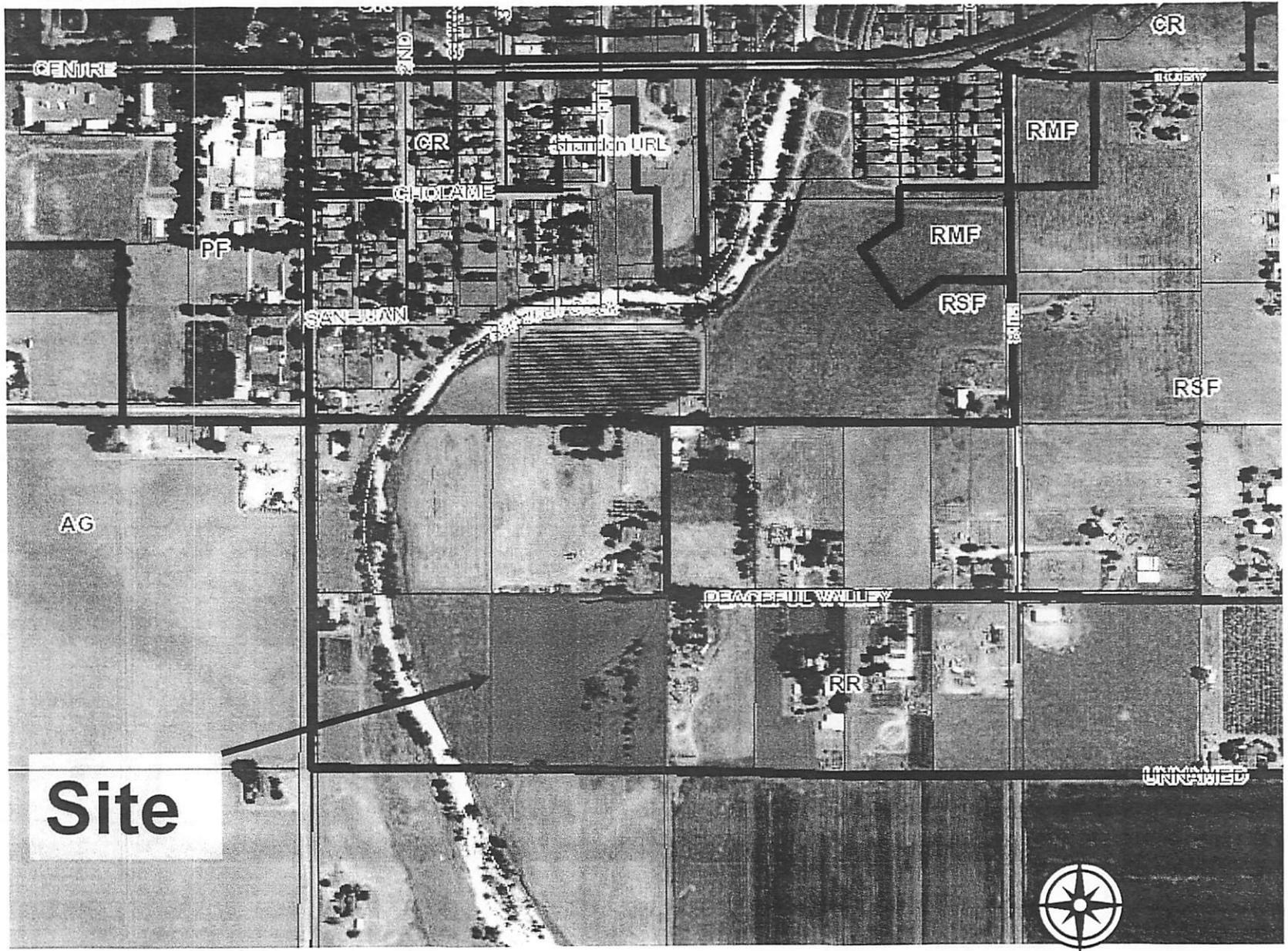
Site

EXHIBIT

Vicinity Map



PROJECT
Grading Permit / PMT2011-01565
Chevron Environmental Management



PROJECT
Grading Permit / PMT2011-01565
Chevron Environmental Management



EXHIBIT
Land Use Category Map



PROJECT

Grading Permit / PMT2011-01565
Chevron Environmental Management

EXHIBIT

Aerial Photograph



GRADING PLAN FOR REMEDIAL SOIL EXCAVATION

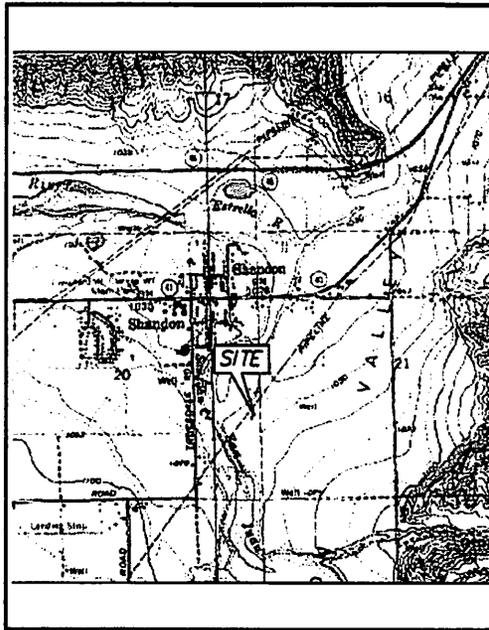
260 PEACEFUL VALLEY LANE - SHANDON

SAN LUIS OBISPO COUNTY, CALIFORNIA

CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY

SITE NO. 351305 - APN 017-163-023

Vicinity Map



0 1,500 3,000
APPROXIMATE SCALE IN FEET

- Sheet 1 - Title Sheet
- Sheet 2 - General Grading Plan Notes
- Sheet 3 - Site Map
- Sheet 4 - Grading Plan
- Sheet 5 - Construction Details
- Sheet 6 - Erosion Control Details
- Sheet 7 - Offsite Haul Route

Project Data

Project Description:

Remedial excavation of hydrocarbon-impacted soil from petroleum pipeline vicinity. The remedial excavation will be backfilled with import soil to match pre-existing grade. The final 18 inches of backfill will be agricultural topsoil. Hydrocarbon impacted soil will be hauled offsite to a permitted recycling/disposal facility. Remedial excavation activities presented in these plans have been approved by the County of San Luis Obispo Health Agency.

Property Owner:

Henri Lessard Family Trust
Attn: Scott Lessard
11165 Bonnie View Ave.
Morena Valley, CA 92555

Permitting Agency:

County of San Luis Obispo
Planning and Building
1055 Monterey St.
San Luis Obispo, CA 93401

Engineer:

Stantec Consulting Corp.
ATTN: Todd Porter
3437 Empresa Drive Suite A
San Luis Obispo, CA
(805) 546-0455

Applicant:

Chevron Environmental
Management Company
ATTN: Ben Terry
6101 Bollinger Canyon Road
San Ramon, CA 94583

Regulatory Oversight Agency:

County of San Luis Obispo
Health Agency
ATTN: Linnea Grossman
P.O. Box 1489
San Luis Obispo, CA 93406

REVISION	DATE	DESCRIPTION	REVISION	DESIGNED	APPROVED
	3/2013	INITIAL SUBMITTAL	003	TP	TP



FOR:	CHEVRON SITE #351305 260 PEACEFUL VALLEY LANE SHANDON, CALIFORNIA	TITLE SHEET	SHEET:
JOB NUMBER:	21102237	CHECKED BY:	1 PORTER
DRAWN BY:	B SMITH	APPROVED BY:	1 PORTER
DATE:	03/01/13		

1 of 7

PROJECT
Grading Permit / PMT2011-01565
Chevron Environmental Management



EXHIBIT
Title Sheet

GRADING PLAN NOTES

1. All grading activities will comply within the standards and specifications of the Uniform Building Code (most recently adopted), OSHA, and County of San Luis Obispo permit conditions.
2. Clear all debris from the excavation and stockpile areas. All temporary excavation activities will be conducted in compliance with Cal OSHA Construction Safety Orders, Sections 1540, 1541, and 1541.1.
3. To the extent feasible, excavated hydrocarbon impacted soil will be loaded directly into trucks in the designated loading area. Any usable overburden and other excavated non-petroleum hydrocarbon impacted soil will be segregated and placed in temporary stockpiles at a designated area onsite.
4. Excavation will not occur within 10 feet of active pipelines containing known combustible liquids without notification of ConocoPhillips Pipe Line Company.
5. Dust control will be implemented to the satisfaction of the County of San Luis Obispo Planning and Building Department and the Air Pollution Control District. During excavation activities, all intermediate and final graded surfaces will be wetted, protected or contained to prevent fugitive dust emissions. The following measures are options for the project's dust management plan and will remain in effect throughout the project.
 - A. Regular wetting of graded areas and access roads as required.
 - B. Increasing frequency of watering as weather dictates.
 - C. Watering uncovered non-petroleum hydrocarbon impacted temporary stockpiles.
6. Erosion control measures will be implemented in the event of rain or the start of the rainy season (October 15). Specific drainage and erosion control measures, if necessary, are presented in this plan and will be implemented if significant rainfall is forecasted. Other erosion control technologies may be implemented with the approval of the project engineer and County of San Luis Obispo inspector. The contractor shall inspect and maintain the erosion control measures before, during, and after each storm event.
7. All offsite haul route(s) will be kept clear of dust and debris to a manner acceptable to County of San Luis Obispo Public Works. Any modifications to the offsite haul route(s) included in these plans will be provided to the County of San Luis Obispo prior to start of work.
8. All trash and debris generated during excavation/grading activities will be removed from the site.
9. Temporary fencing will be required on all open excavations if left unattended.
10. Fill material will be compacted to 90% relative dry density as determined by ASTM Test Method D1557. The upper 18 inches of backfill will be lightly compacted agricultural topsoil. Compaction testing will be performed by a certified laboratory under the direction of a Registered Civil Engineer.
11. Backfill soil will be obtained from a commercial supplier and sampled as needed for geotechnical purposes.
12. The remedial excavation will be backfilled to match pre-existing grade and surrounding topography. Drainage patterns from final grading shall not be altered from the pre-grade conditions. Final grade shall match existing contours to allow for drainage.
13. Grading activities may have occurred since these surveys were performed. Existing topography shown on these plans may vary from actual conditions.
14. In the event of rain, temporary hydrocarbon impacted stockpiles will be covered with visqueen and each perimeter lined with sand bags or equivalent for containment. Non-hydrocarbon impacted stockpile perimeters will be lined with silt fence, fiber rolls or straw bales.
15. Permits will be obtained from all applicable local, state and federal agencies prior to start of work. Any permit conditions will supercede the requirements of these plans.
16. Prior to construction, the contractor will contact DigAlert to verify the location of underground utilities.
17. Protect active petroleum pipelines as required by ConocoPhillips Pipe Line Company
18. The existence and location of any underground utilities or structures shown on this plan are based on field surveys. The contractor shall take due precautionary measures to protect the utility lines shown and others not identified by the these plans.
19. The contractor shall be responsible for all construction scheduling, logistics and coordination for the completion of the work presented in these plans.

ESTIMATED TOTAL CUTS AND FILLS

Feature	Overburden Volume (cy)	Hydrocarbon Impacted Export Volume (cy)	Total Cut Volume (cy)	Total Fill Volume (In Place) (cy)	Estimated Excavation Depth (ft)
TOTAL	500	2,100	2,600	2,600	12

ESTIMATED AREAS OF DISTURBANCE

Feature	Area (sq. ft.)	Area (acre)
Excavation	15,300	0.35
Staging Area	11,250	0.26
Temporary Access Road	4,000	0.09
TOTAL	30,550	0.70

Notes:

1. The cut and fill quantities and depths presented above are estimated for permitting fees only and are not intended to be the basis for construction quantity estimation. All quantities must be estimated by the contractor independently for construction applications. Exact shrinkage, consolidation, useable topsoil, subsidence factors or quantities of poor soils or debris to be removed are not included in this estimate. Stantec does not expressly or by implication extend any warranty for earthwork quantities.
2. Quantities presented above are in-place cubic yards.



Call Toll Free
1-800-642-2444
TWO
WORKING DAYS
BEFORE YOU
DIG
USA North

REVISION	DATE	DESCRIPTION	REVISED	CHECKED	APPROVED
	3/20/11	NETS SUBMITTAL	ECJ	JP	JP

3437 ESPERANZA DR. SUITE A
SAN LUIS OBISPO, CALIFORNIA
PHONE (805) 948-0415 FAX (805) 948-0342

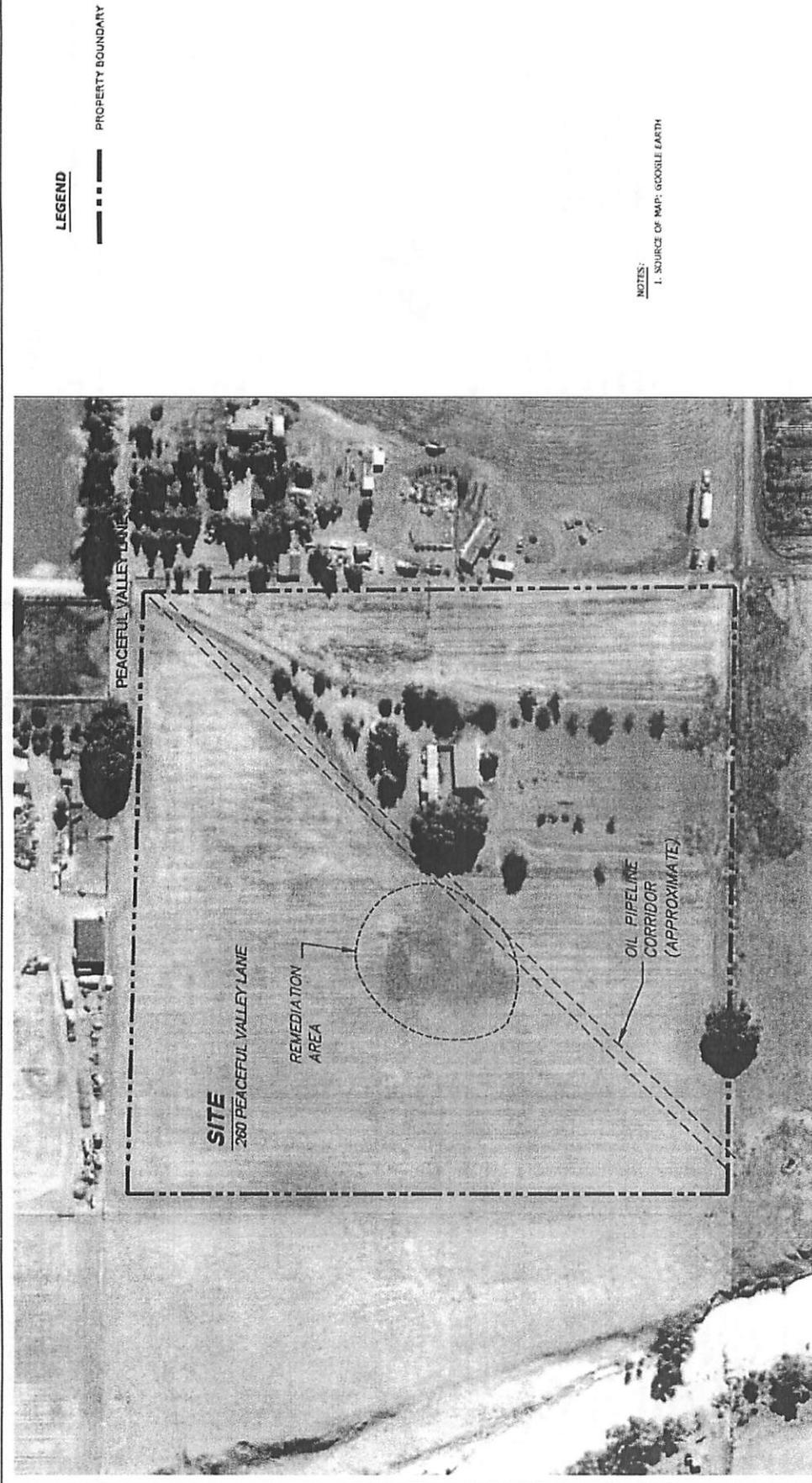
FOR: CHEVRON SITE #051305 260 PEACEFUL VALLEY LANE SHANDON, CALIFORNIA		GENERAL GRADING PLAN NOTES		SHEET 2 of 7	
JOB NUMBER 211822237	DRAWN BY G.SAMITH	CREATED BY I.PORTER	APPROVED BY I.PORTER	DATE 09/01/11	

FILEPATH: C:\sd\2011\Chevron\051305\260 Peaceful Valley Lane\Grading Plans\260 Peaceful Valley Lane Grading Plan.dwg (sheet) (Mar 15, 2012 at 14:03) Layout: General Grading Notes

PROJECT
Grading Permit / PMT2011-01565
Chevron Environmental Management



EXHIBIT
Grading Notes



LEGEND

--- PROPERTY BOUNDARY

NOTES:
1. SOURCE OF MAP: GOOGLE EARTH

REVISION	DATE	DESCRIPTION	REVISED	DESIGNED	APPROVED
	3/2011	INITIAL SUBMITTAL	SSS	IP	IP

Stantec
 3457 EMPEROR DR. SUITE A,
 SAN LUIS OBISPO, CALIFORNIA
 94928
 PHONE: (831) 249-6200 FAX: (831) 249-2933

FOR
 CHEVRON SITE #351305
 260 PEACEFUL VALLEY LANE
 SHANDON, CALIFORNIA

JOB NUMBER: 211002297 DRAWN BY: SSZ
 CHECKED BY: IP APPROVED BY: IP
 FIGURE: 3 of 7 DATE: 06/03/11

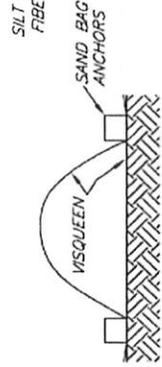
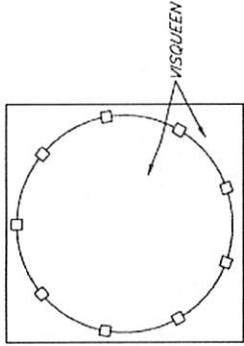
FILE PATH: P:\S&P\2009\260 Peaceful Valley Lane Grading\Plan\260 Peaceful Valley Lane Grading\Plan\260 Peaceful Valley Lane Grading\Site Map Layout_Site Map 11.rvt

PROJECT
 Grading Permit / PMT2011-01565
 Chevron Environmental Management

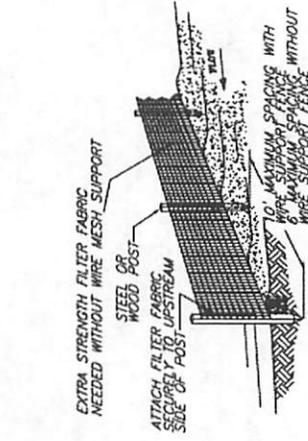
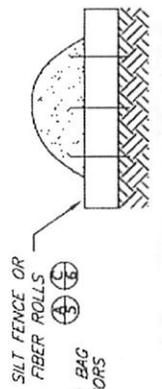
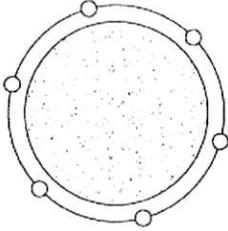


EXHIBIT
 Site Map

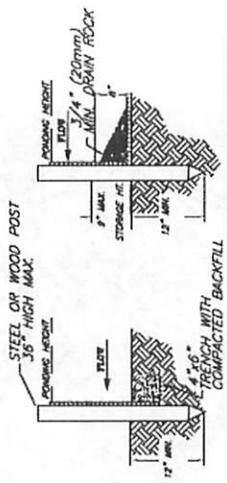
HYDROCARBON IMPACTED SOIL STOCKPILE - TYPICAL 



NON HYDROCARBON IMPACTED SOIL STOCKPILE - TYPICAL 



SILT FENCE DETAIL
(NOT TO SCALE) 



- NOTES:**
1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE FLOODING EFFICIENCY.
 2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN FENCE IS FULL OF SEDIMENT.
 3. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE TO AN AREA THAT WILL BE PERMANENTLY SEDIMENT OFF SITE AND CAN BE PERMANENTLY RESTORED.

REVISION	DATE	DESCRIPTION	REVISED	DRAWN BY	CHECKED BY	DATE
	3/2011	INITIAL SUBMITTAL	MS	TP		

FOR:

Stantec
 2017 EMPEROR DR. SUITE A
 SAN LUIS OBISPO, CA 95051
 PHONE: (805) 546-0005 FAX: (805) 546-0005

FOR:
 CHEVRON SITE #351 325
 260 PEACEFUL VALLEY LANE
 SHANDON, CALIFORNIA

EROSION CONTROL DETAILS
 SHEET: **6 of 7**
 DATE: 03/2011
 APPROVED BY: T. PORTER
 CHECKED BY: S. SMITH
 DRAWN BY: 21102237

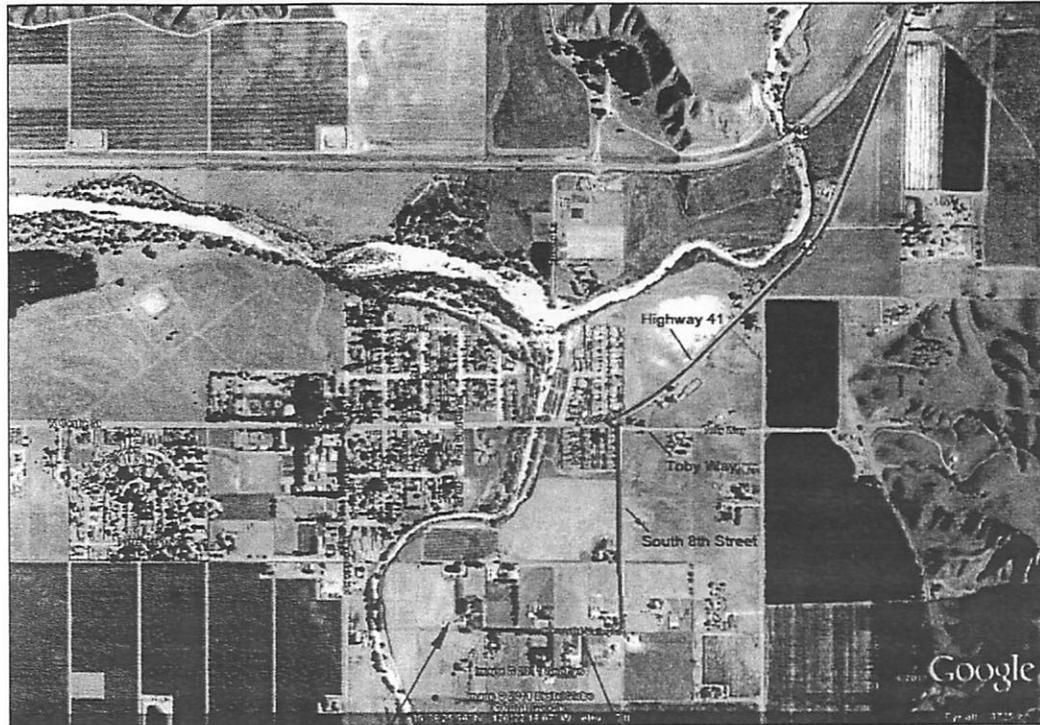
FILED IN: Cal 2008chev0051325-2601 Peaceful Valley Lane Grading Plan.dwg (Rev. 03/15/2012) at 14:53 Layout: Erosion Control

PROJECT
 Grading Permit / PMT2011-01565
 Chevron Environmental Management

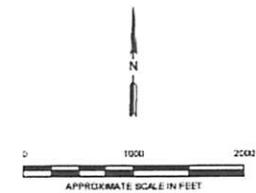


EXHIBIT
 Title Sheet

~ to Disposal Facility



Chevron Site No. 351305
260 Peaceful Valley Lane
Shandon, California



REVISION	DATE	DESCRIPTION	REVISED	CHECKED	APPROVED
	3/2011	FINAL SUBMITTAL	SCS		TP



FOR:
CHEVRON SITE #351305
260 PEACEFUL VALLEY LANE
SHANDON, CALIFORNIA

JOB NUMBER: 21182297
DRAWN BY: S SMITH

OFFSITE HAUL ROUTE

CHECKED BY: T PORTER
APPROVED BY: T PORTER

SHEET:
7 of 7
DATE: 6/20/11

FILEPATH:\C:\d\25002\Chevron\351305 260 Peaceful Valley Lane\Grading Plan\260 Peaceful Valley Lane Grading Plan.dwg (sheet) (Mar 15, 2012 at 14:04) Layout: Offsite Traffic Plan

PROJECT
Grading Permit / PMT2011-01565
Chevron Environmental Management



EXHIBIT
Title Sheet



SAN LUIS OBISPO COUNTY HEALTH AGENCY

JAN 25 2011

Public Health Department

2191 Johnson Avenue
San Luis Obispo, California 93401
805-781-5500 • FAX 805-781-5543

January 20, 2011

Jeff Hamm

Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer

ConocoPhillips
Ed Ralston
76 Broadway
Sacramento, CA 95818

**REMEDIAL ACTION PLAN, 260 PEACEFUL VALLEY LANE, SHANDON,
CALIFORNIA
COP RM&R SITE NO. 04836**

Dear Mr. Ralston,

I received and reviewed the Remedial Action Plan (RAP) for the subject site prepared by Stantec, dated October 29, 2010, Project No. 211403171.

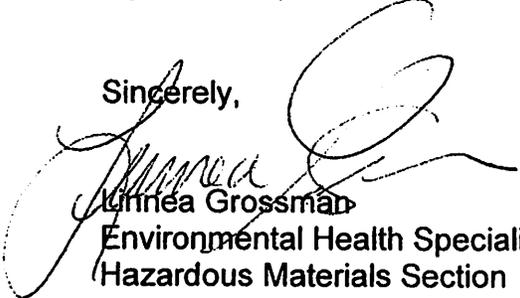
The RAP is approved for implementation with these conditions:

1. Benzene, toluene, ethylbenzene and xylenes (BTEX) must be analyzed using EPA method 8021B, collected via En Core or En Core-like samplers.
2. Soil samples must be analyzed for Title 22 metals using EPA method 6010B/7400.
3. Ensure all required permits are obtained before work starts.
4. Submit the remedial action implementation report (RAIR) that includes any hazardous waste manifests within 45 days of project completion.

Please notify me at the phone number below least 48-hours before sampling activities are to occur so that I may arrange my schedule to be on site.

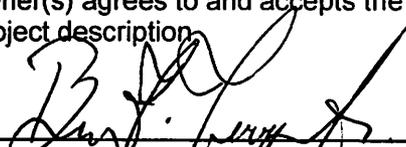
If you have questions, please contact me at (805) 781-4917.

Sincerely,

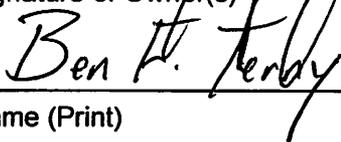

Virginia Grossman
Environmental Health Specialist III
Hazardous Materials Section

Cc: Steve Little, P.G., Stantec

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



Signature of Owner(s) 6/11/2013
Date



Name (Print)



SAN LUIS OBISPO COUNTY HEALTH AGENCY

JAN 25 2011

Public Health Department

*2191 Johnson Avenue
San Luis Obispo, California 93401
805-781-5500 • FAX 805-781-5543*

January 20, 2011

*Jeff Hamm
Health Agency Director*

*Penny Borenstein, M.D., M.P.H.
Health Officer*

ConocoPhillips
Ed Ralston
76 Broadway
Sacramento, CA 95818

**REMEDIAL ACTION PLAN, 260 PEACEFUL VALLEY LANE, SHANDON,
CALIFORNIA
COP RM&R SITE NO. 04836**

Dear Mr. Ralston,

I received and reviewed the Remedial Action Plan (RAP) for the subject site prepared by Stantec, dated October 29, 2010, Project No. 211403171.

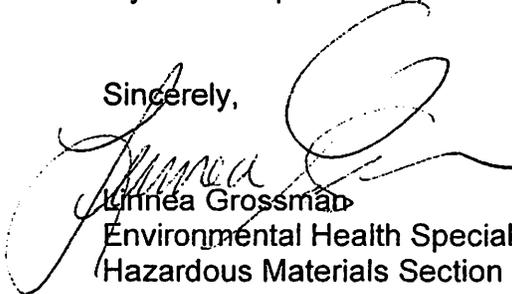
The RAP is approved for implementation with these conditions:

1. Benzene, toluene, ethylbenzene and xylenes (BTEX) must be analyzed using EPA method 8021B, collected via En Core or En Core-like samplers.
2. Soil samples must be analyzed for Title 22 metals using EPA method 6010B/7400.
3. Ensure all required permits are obtained before work starts.
4. Submit the remedial action implementation report (RAIR) that includes any hazardous waste manifests within 45 days of project completion.

Please notify me at the phone number below least 48-hours before sampling activities are to occur so that I may arrange my schedule to be on site.

If you have questions, please contact me at (805) 781-4917.

Sincerely,


Annina Grossman
Environmental Health Specialist III
Hazardous Materials Section

Cc: Steve Little, P.G., Stantec



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

MEMORANDUM

Date: September 11, 2012
To: Holly Phipps, Project Manager
From: Glenn Marshall, Development Services Engineer *GM*
Subject: **Public Works Comments on PMT2011-01565, Chevron MUP, Shandon**

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. Peaceful Valley Road and 8th Street are not a County maintained roads, they are private gravel roads. The project planner should consider the following:
- Project notification limits be extended beyond that required by law to include all residents that must use Peaceful Valley Road and 8th Street for access.
 - Restricting construction hours and days (and possibly number of daily trips) to minimize hauling impacts to the existing residents along Peaceful Valley Road and 8th Street north to Toby Way.
 - Requiring ongoing dust control along Peaceful Valley Road and 8th Street.
 - We recommend that Peaceful Valley Road and 8th Street be maintained by the applicant during remediation operations then reconstructed prior to project final.
- B. Toby Way and East Centre Street are County maintained roads (East Centre Street [formally SR 41] was recently acquired from the State when SR 41 was realigned towards McMillan Canyon Road). There is an existing "short cut" at the intersection of Toby Way and East Centre Street that, if used, could further damage the edges of pavement. Conditions are being recommended to restrict the haul route to using the roads and not the "short cut".
- C. A portion of the project site is located within the 100-year flood limits of San Juan Creek.

- i. Shall remove all temporary cold patches and perform final pavement repairs in accordance with County Standard Drawing R-3 and to the satisfaction of the County Public Works Inspector.
 - ii. Shall remove all other temporary encroachments as recommended in the Transportation Management Plan.
3. **On-going condition of approval (valid for the life of the permit)**, the applicant shall be responsible for providing dust control along those sections of Peaceful Valley Road and 8th Street used by construction vehicles to access the project site.
4. **On-going condition of approval (valid for the life of the permit)**, the applicant shall be responsible for maintaining those sections of Peaceful Valley Road and 8th Street used by construction vehicles to access the project site. Upon completion of construction activities those sections of Peaceful Valley Road and 8th Street shall be restored, if necessary, to a condition equal to or better than preconstruction conditions.
5. **Prior to permit final**, the applicant shall be responsible to restore those sections of Peaceful Valley Road and 8th Street to a condition equal to or better than preconstruction conditions.
6. **Prior to permit final**, the applicant shall finalize all provisions and conditions of the project Encroachment Permit to the satisfaction of the Department of Public Works.

Drainage

7. **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Public Works that all proposed work complies with the County's flood hazard construction standards, Section 22.14.060. (A portion of the project site is located within a FEMA Flood Hazard Zone A designation as shown on FIRM Map Number 06079C0475F).
8. **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.
9. **On-going condition of approval (valid for the life of the permit)**, 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.