



NEGATIVE DECLARATION & NOTICE OF DETERMINATION

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

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

ENVIRONMENTAL DETERMINATION NO. ED11-174

DATE: September 12, 2013

PROJECT/ENTITLEMENT: Vic & Jennifer Oquendo Minor Use Permit (DRC2012-00081) and Grading Permit (PMT2011-01576)

APPLICANT NAME: Vic & Jennifer Oquendo
ADDRESS: 191 Carrisa Way, Santa Margarita, CA, 93453
CONTACT PERSON: Ken Haggard **Telephone:** 805-438-4452

PROPOSED USES/INTENT: A request to grade for a 5,730 square foot (sf) three-story single-family residence with an attached garage, pool, improvements to an existing driveway and related site improvements. The project will result in the disturbance of approximately 1.66 acres, including approximately 3,165 cubic yards of cut and 960 cubic yards of fill and on a 455 acre parcel

LOCATION: The project is located in the Rural Lands land use category and is located 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: California Department of Fish and Game
Regional Water Quality Control Board

STATE CLEARINGHOUSE REVIEW: YES NO

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

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS 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 <input type="checkbox"/> <i>Lead Agency</i>			
<input type="checkbox"/> <i>Responsible Agency</i> approved/denied the above described project on _____, and has made the following determinations regarding the above described project:			
The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.			
This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.			
	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
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**Project Title & No. Oquendo Grading Permit and Minor Use Permit
ED11-174 (PMT2011-01576) (DRC2012-00081)**

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

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input 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
Prepared by (Print)

Holly Phipps
Signature

7/24/13
Date

Steven McMasters
Reviewed by (Print)

Steven McMasters
Signature

Ellen Carroll,
Environmental Coordinator
(for) 7/24/13
Date

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: A request by Vic and Jennifer Oquendo for a Grading Permit (PMT2011-01576) and Minor Use Permit (DRC2012-00081) to grade for a 5,730 square foot (sf) three-story single-family residence with an attached garage, pool, improvements to an existing driveway and related site improvements. The project will result in the disturbance of approximately 1.66 acres, including approximately 3,165 cubic yards of cut and 960 cubic yards of fill and on a 455 acre parcel. The project is located on the south side Highway 58, approximately 0.8 mile east of the intersection of Highway 58 and La Panza Road, approximately 18 miles east of the community of Santa Margarita. The project is located in the Rural Lands land use category and is located in the Shandon-Carrizo planning area.

The project site consists of two parcels totaling 455 acres. The site will be accessed via a long existing driveway located primarily on APN: 037-391-044 which already is developed with a single family residence. The single-family residence will be located on APN: 037-391-047.

Per Title 22, Section 22.08.030 a Minor Use Permit is required because the project involves more than 1 acre of grading.

ASSESSOR PARCEL NUMBER(S): 037-391-045, 037-391-044

Latitude: 35 degrees 27' 19" N Longitude: 120 degrees 22' 8" W **SUPERVISORIAL DISTRICT # 5**

B. EXISTING SETTING

PLANNING AREA: Shandon/Carrizo, Rural

VEGETATION: Grasses , scattered oaks
, chaparral

LAND USE CATEGORY: Rural Lands

PARCEL SIZE: 455 acres (APN: 037-391-044
is 288 acres, APN: 037-
391-045 is 167 acres)

COMBINING DESIGNATION(S): None

TOPOGRAPHY: Gently sloping to
to steeply sloping

EXISTING USES: Single Family House (037-391-044); undeveloped (037-391-045)



SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Rural Lands/agricultural uses single-family residence(s)	<i>East:</i> Residential Rural/ agricultural uses, single-family residence(s),
<i>South:</i> Agriculture; agricultural uses	<i>West:</i> Agriculture; agricultural uses, 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 - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is located south of Highway 58, also known as Carrisa Highway. This area is rural in nature, consisting of rolling undeveloped land that is predominantly surrounded by the Agriculture land use category, with smaller areas zoned Rural Lands. There are private roads and scattered residences visible in this area of Highway 58.

The site is 455 acres, with a ridge running roughly east-west through the north-east corner, steeply sloping down to the south, where the topography is gently sloping. The proposed project includes grading to allow a three-story single-family residence with an attached garage, improvements to an existing road and related site improvements. The design of the residence is so that will be set back into the hillside so that it does not exceed two-stories at any point.

A Visual Analysis was completed on by San Luis Sustainability Group on February 23, 2013. The residence will be located a bit south along a ridge in the north-east corner of the site. Poles were placed at the proposed height of the ridge and the site was then studied from the surrounding area and nine points selected for analysis. A digital model was used to generate the building images for the Visual Analysis.

Impact. The Visual Analysis concluded that the proposed residence will be most visible at two viewpoints. These views were shown in the Visual Analysis as KVA1 (view from intersection of Shell Creek Road and HWY 58) and KVA9 (view from HWY 58, west of proposed building) and these views are approximately 1.75 miles and 1.54 miles away from where the house would sit (San Luis Sustainability Group, 2013). The proposed single-family residence and accessory structures are similar to the existing development within the vicinity of the project; however based on the location of the residence it has the potential to impact the views as seen from HWY. 58. Additionally, the project has the potential to impact the night sky by introducing an additional visible source of light into a rural area.

Mitigation/Conclusion. To help the building recede into the existing landscape and minimize visual impacts, building colors should be muted earth tones colors. Darker colors are particularly important on the East and West facades of the structure. Dark earth tones for the roofing would help the structure blend in with the existing, native vegetation and tree cover. The proposed metal roofing



should be non-reflective and earth tone in color (San Luis Sustainability, 2013).

To minimize visual impacts associated with the proposed project, the applicant has agreed to incorporate the following measures into the project:

The applicant shall provide an exterior lighting plan. The plan will include the height, location, and intensity of all exterior lighting. All lighting fixtures will be shielded so that neither the lamp nor the related reflector interior surface is visible from HWY 58. All lighting poles, fixtures, and hoods will be dark colored. High intensity luminaires such as floodlights or spots shall be avoided.

To help the building recede into the existing landscape, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. The proposed metal roofing materials shall be non-reflective and earth tone color. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County.)

Landscaping at the East and West facades will further reduce the amount of the structure that can be seen. Plantings strategically located downslope from the proposed structure will also reduce the view from off site.

The implementation of these measures will mitigate aesthetic impacts to a level of insignificance.

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

Setting. The project site is all located within the Rural Lands land use category. Historically some grazing has occurred on site and on the property to the north. Zoning to the north, east and west is zoned Agriculture.

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. As Land Conservation Act contracts are terminated, landowners may request to remove their properties from an agricultural preserve and to change the land use category from Agriculture to another category, consistent with the *Rules of Procedure to Implement the California Land Conservation Act of 1965*. This property is not enrolled in a Land Conservation Act contract.

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

Land Use Category: Rural Lands

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland, Prime Farmland if irrigated

In Agricultural Preserve? Yes, Shandon AG Preserve Area

Under Williamson Act contract? No

The soil types and characteristics on the subject property include:

Arbuckle fine sandy loam (2 - 9% slope). This gently sloping coarse loamy 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: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

Balcom-Calleguas complex (50 - 75 % slope).

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

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

Cieneba-Andregg coarse sandy loams (30 -75 % slope).

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

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

Santa Lucia-Gazos complex (50 - 75 % slope).

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

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

Vista coarse sandy loam (9 - 15 % slope). This moderately sloping coarse loamy soil is considered not well drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock. The soil is considered Class IV without irrigation and the Class is not rated when irrigated.

Impact. The project is located within the Rural Lands land use category. The proposed project is a request to grade to allow for the construction of a single family residence and associated improvements. The residence would be accessed from an existing access road that is both paved and gravel. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. The proposed project will have less than a significant impact to agriculture resources and/or operations therefore, 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 the 2012 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures

are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

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.

Impact. As proposed, the project will result in the disturbance of approximately 1.66 acres. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. 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.

Mitigation/Conclusion. No mitigation measures are necessary are required beyond what is required by ordinance.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 & Wildlife 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 following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Grasses, Quercus douglasii (Blue oak)

Name and distance from blue line creek(s): No "Blue line" tributaries are located on site.

Habitat(s): Valley Oak Woodland, Blue Oak Woodland

Vegetation

The California Natural Diversity Data Base (CNDDDB) revealed the recorded occurrences of 20 species within a 10-mile radius of the project site (Sage Institute Inc. September 2012). The special-status plant species occurrences recorded in the CNDDDB are commonly associated with a specific soil type, habitat, and/or elevation range that dictates the range or microhabitat of the species.

The CNDDDB search revealed the recorded occurrences of 13 special-status wildlife species within a 10-mile radius of the project site (Sage Institute Inc. September 2012).

San Joaquin Kit Fox - The CNDDDB identified this area as important habitat for the San Joaquin Kit Fox, a federally listed endangered species and a state listed threatened species.

Vernal Pool Region - The project site occurs within the Carrizo Vernal Pool Region, as designated by the California Department of Fish and Wildlife. The project site is in an area designated as critical habitat for the vernal pool fairy shrimp (*Branchinecta lynchi*), a small aquatic crustacean that is listed as a federal threatened species and is associated with vernal pool habitat. Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species.

Birds - The CNDDDB includes occurrences for wide-ranging resident and migratory birds species known from the region of the project site. Raptors, such as golden eagles and prairie falcons, may use the area for foraging however no suitable nesting habitat is available on site. Suitable habitat for loggerhead shrikes is available in surrounding scrub lands and grasslands. However, no loggerheads shrikes were observed within the study area (Sage Institute Inc. September 2012).

Impact.

San Joaquin Kit Fox - A Kit Fox Habitat Evaluation was completed for the project on July 27, 2012 by Sage Institute and the evaluation form was reviewed by Brandon Anderson of the California Department of Fish and Wildlife on May 29, 2013. The evaluation, complete with Mr. Brandon's (California Department of Fish and Wildlife, May 29, 2013) changes, resulted in a score of 76, which requires that all impacts to kit fox habitat be mitigated at a ratio of 3 acres conserved for each acre impacted (3:1). The project will result in the permanent disturbance of 1.66 acres of kit fox habitat. Total compensatory mitigation required for the project is 4.98 acres, based on (3) times (1.66) acres impacted.

Vernal Pool Region - A site visit of the project site was made on July 27, 2012 by Sage Institute to inspect the project site's topography for the potential to support vernal pool habitat (e.g., low-elevation areas, depressions, natural or man-made ponded areas, etc.). At this time, no evidence of vernal pools or potential areas for ponded water was observed in areas that would be affected by the proposed project. No wetland dependent special status species were observed within the project area. Therefore, there was no indication of impacts to habitat suitable for supporting fairy shrimp, or sensitive aquatic animal or plant species associated with vernal pools.

California Silvery Legless Lizard - The California silvery legless lizard is mostly associated with sand soils in grassland, coastal scrub, or chaparral habitats. The grassland surrounding and throughout the southern extent of the project area represents suitable grassland habitat for this species and impacts could occur if present during construction (Sage Institute).

San Joaquin Pocket Mouse - The San Joaquin pocket mouse is a species typically found in grasslands and blue oak savannas with friable soils. There is suitable habitat for this species within the study area and impacts could occur if present during construction (Sage Institute).

Birds - The CNDDDB includes occurrences for wide-ranging resident and migratory bird species known in the region of the project site. Raptors, such as golden eagles and prairie falcons, may use the area for foraging; however, no suitable nesting habitat is available on site. Suitable habitat for loggerhead

shrikes is available in the surrounding scrublands and grasslands. However, no loggerhead shrikes were observed within the study area. The proposed project has the potential to impact sensitive bird species and those species protected by the Migratory Bird Treaty Act and/or the Fish and Wildlife Code.

Mitigation/Conclusion. The following impacts to special status plants and animals were identified based on the various surveys that have been conducted on the project site:

San Joaquin Kit Fox - The applicant will be required to mitigate the loss of **1.66** acres at a **3:1** ratio for a total of **4.98** acres of kit fox habitat. It is recommended that specific measures be implemented to effectively mitigate impacts to San Joaquin kit fox. The applicant will be required to mitigate the loss kit fox habitat by one of the following ways:

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

To prevent inadvertent harm to kit fox, the applicant has agreed to retain a biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures.

California silvery legless lizards - Potential impacts to this species can be mitigated by preconstruction survey that shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods in attempt to capture and relocate as many legless lizards as possible before construction.

San Joaquin Pocket Mouse - Potential impacts to this species can be mitigated by preconstruction survey that shall be conducted by a qualified biologist familiar with San Joaquin pocket mice and survey methods in attempt to capture and relocate as many San Joaquin pocket mice as possible before construction.

Birds - The applicant will be required to protect sensitive bird species and those species protected by the Migratory Bird Treaty Act and/or the Fish and Wildlife Code by the following summarized ways:

- Avoid vegetation clearing and earth disturbance during the typical nesting season;
- If avoiding construction during nesting season is not feasible, a qualified biologist shall survey the area one week prior to activity beginning on the site. If nesting birds are located, they shall be avoided until they have successfully fledged.
- A buffer zone of 50 feet will be placed around all non-sensitive bird species, a 500-foot buffer zone for raptors, and all activity will remain outside of that buffer until a County approved biologist has determined that the young have fledged.

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

5. CULTURAL RESOURCES -
Will the project:

	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"/>

5. CULTURAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 Obispeno Chumash and Salinan. No historic structures are present and no paleontological resources are known to exist in the area. The area for proposed development is located over 1,500 feet from a blue line creek. Potential for the presence of cultural resources related to the Native Americans increases the closer to reliable water sources.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. 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 checked="" type="checkbox"/>	<input 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"/>

6. GEOLOGY AND SOILS -

Will the project:

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

g) Other: _____

* Per Division of Mines and Geology Special Publication #42

Setting. The following relates to the project's geologic aspects or conditions:

- Topography: Gently to steeply sloping
- Within County's Geologic Study Area?: No
- Landslide Risk Potential: Low to high
- Liquefaction Potential: Low to 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 to moderate
- Other notable geologic features? None

The proposed residence is within an area of the property mapped as having high landslide potential, and is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO section 22.14.07 to evaluate the area's geological stability). A Geotechnical Engineering Report was prepared for the project (Beacon Geotechnical, Inc., December 20, 2010), which concluded that the area adjacent to the proposed residence has indications of moderate landslide potential. The report suggests that drainage from the project be "properly contained and directed away from open slopes.

On July 15, 2013, an update to the Geotechnical Report (dated December 20, 2010) for Landslide Potential was submitted. The report concluded that due to the lack of evidence, the potential for landslides is judged to be low at the project site.

These reports were peer reviewed by the County Geologist (Brian Papurello, July 2013) who concluded that the site's geologic conditions are reasonably modeled and represented.

Impact. As proposed, the project will result in the disturbance of approximately 72,480 sf (1.66 acres). Ground disturbance associated with the proposed project has the potential to result in sedimentation and erosion impacts if proper measures are not implemented. Grading on the slopes on the property could result in exacerbating unstable slope conditions if drainage is not properly handled.

Mitigation/Conclusion. Pursuant to County Ordinance, the applicant is required to comply with the submitted geology reports, prepare a drainage plan. A sedimentation and erosion control plan is required prior to issuance of construction permits. In addition, since soil disturbance would exceed one acre the project will be subject to the National Pollutant Discharge Elimination System (NPDES) program, and a SWPPP is required. Appropriate Best Management Practices (BMP) would be implemented to minimize indirect impacts. To minimize the potential for sediment and pollutant discharge into drainages, the applicant has agreed to prepare an erosion and sedimentation control plan incorporating Best Management Practices (BMPs). Measures shall include delineation of grading limits, use of temporary construction fencing, and use of materials (e.g., silt fencing, wattles, haybales, etc.) to retain soil onsite and to contain incidental spills.

Implementation of ordinance and state-required plans and reports, and the BMPs associated with the above referenced plans would mitigate potential geologic and soils impacts to less than significant.

These measures are included in Exhibit B – Mitigation Summary Table.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. With regards to potential fire hazards, the subject project is within the "high" to "very high" Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 15 to 20 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan. The proposed project was referred to California Department

of Forestry/County Fire (CAL FIRE). No significant fire safety impacts were identified; however, the applicant is required to comply with a series of local and state fire safety regulations and measures, which are enforced by CAL FIRE (Clint Bullard, April 10, 2012).

Mitigation/Conclusion. Standard fire safety measures identified by CAL FIRE include but not limited to defensible space and building setbacks, use of fire-resistant building materials, construction of a fire suppression water system, installation of sprinklers and portable fire extinguishers in buildings, and improvements to the primary access road. The proposed development would be inspected by CAL FIRE prior to operation.

Based on compliance with standard regulations and requirements, no significant impacts as a result of hazards or hazardous materials are anticipated and no additional mitigation measures beyond that required by code or ordinance are necessary.

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

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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Other:</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 to the west)

Fire: Cal Fire (formerly CDF)

Hazard Severity: High to Very High **Response Time:** 15-20 minutes

Location: Approximately 14 miles to the north

School District: Atascadero Unified School District.

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

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

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

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

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

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

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

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

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Provide for adequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with an applicable congestion management program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in a change in air traffic patterns that may result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area (Highway 58) is operating at acceptable levels.

Referrals were sent to County Public Works/Caltrans. Public Works reviewed the proposed project on May 3, 2013, standard stock conditions will apply. No significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit. 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.

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

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

- ✓ Sufficient land area (refer to County’s Land Use Ordinance or Plumbing Code;
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

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

- shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth’s surface.
- steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent.
- slow percolation**, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch.

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

- ✓ The project has sufficient land area per the County’s Land Use Ordinance to support an on-site system;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with

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

14. WATER & 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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 project proposes to obtain its water needs from on-site well. The project is not located within the Paso Robles Ground Water Basin. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is gently to steeply sloping. The "blue line" tributaries of Shell Creek and Indian Creek are not located greater than 1,500 feet from the project site. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

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

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

Within the 100-year Flood Hazard designation? No

Closest creek? Tributaries of Shell and Indian Creek Distance? >1,000 feet

Soil drainage characteristics: Not well drained to moderately drained

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 the project's soil erodibility is as follows:

Soil erodibility: Low to moderate

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) 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 – Water Quality/Hydrology

With regards to project impacts on water quality the following conditions apply: Approximately 1.66 acres of site disturbance.

- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast



Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;

Water Quantity

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

- Indoor: 0.41 acre feet/year (AFY);
- Outdoor: 0.15 AFY;
- Total Use: 0.56 AFY;
- Total Water Use: 0.56 AFY

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

Based on the latest Annual Resource Summary Report, the project's water source is adequate to provide for the project's water needs. The project will result in the creation of approximately 1.66 acres impervious area which has the potential to increase runoff resulting in potential for downstream flooding impacts.

Mitigation/Conclusion. The applicant will be required to provide a drainage and erosion and sedimentation control plan (see "Geology/Soils" section). No specific measures above the measures required in the Geology/Soils section and the standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will reduce impacts to surface water quality to less than significant levels.

The applicant shall implement Low Impact Development designs to help promote groundwater re-charge. Such as, roof runoff should be directed to landscape areas (rain gardens) and / or vegetated drainage swales. Runoff should not be allowed to cross surfaces that have the potential to contain pollutants such as parking areas.

Standard drainage and erosion control measures will be required for the proposed project along with the measures listed in Exhibit B – Mitigation Summary Table will provide sufficient measures to adequately protect surface and groundwater quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be potentially inconsistent with any habitat or community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

15. LAND USE - Will the project:

Inconsistent Potentially Inconsistent Consistent Not Applicable

- d) *Be potentially incompatible with surrounding land uses?*
- e) *Other:* _____

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 - Will the project:

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

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

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	No Comment
<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 checked="" type="checkbox"/>	Air Pollution Control District	No Comment
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	No Comment
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	In File
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	No Comment
<input type="checkbox"/>	Community Service District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

** "No

comment" or "No concerns"-type

responses are usually not attached

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

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



- Water Quality Control Plan (Central Coast Basin – Region 3) streams, contours, etc.)
 GIS mapping layers (e.g., habitat, Other

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

- Geotechnical Engineering Report, Beacon Geotechnical, Inc., Oquendo Residence, December 20, 2010.
- Geotechnical Engineering Report Update – Landslide Potential, Beacon Geotechnical, Inc., Oquendo Residence, July 15, 2013.
- Visual Analysis, San Luis Sustainability Group, Oquendo Residence, February 23, 2013.
- Biological Resources Assessment, Oquendo Residence, Sage Institute Inc., September 14, 2012.



Exhibit B - Mitigation Summary Table

Visual

- VS-1 At the time of application for construction permit, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, and chimneys etc. The proposed metal roofing materials shall be non-reflective material and shall be of earth tone colors. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County.)
- VS-2 At the time of application for construction permits, the applicant shall provide an exterior lighting plan. The plan will include the height, location, and intensity of all exterior lighting. All lighting fixtures will be shielded so that neither the lamp nor the related reflector interior surface is visible from HWY 58. All lighting poles, fixtures, and hoods will be dark colored. High intensity luminaires such as floodlights or spots shall not be used.
- V-3 Upon application for construction permits, the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The plans shall be developed and signed by a licensed landscape architect and shall show screen planting for the purpose of screening of the structures as follows:
- a. The screen plants shall be strategically located downslope from the proposed structure (at the East and West facades of the structure).
 - b. Screen planting shall include evergreen trees capable of growing to a minimum height of 35 feet tall. Trees shall be planted from a minimum fifteen-gallon container size.
 - c. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.
- V-4 Prior to final inspection for the single-family residence, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the 5 year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. If it is determined that the success criteria has not been met then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.

Biological Resources

San Joaquin Kit Fox

The Kit Fox Habitat Evaluation for Oquendo Grading Permit, (PMT2011-01576) on July 27, 2012 by Sage Institute, indicates the project will impact 1.72 acres of San Joaquin kit fox habitat (revised grading plans show 1.66 acres of disturbance). The evaluation form was reviewed by Brandon Sanderson of the California Department of Fish and Wildlife on May 29, 2013. The evaluation, complete with Mr. Sanderson's changes, resulted in a score of 76 which requires that all impacts to kit fox habitat be mitigated at a ratio of 3 acre conserved for each acre impacted (3:1). Total compensatory mitigation required for the project is 4.98, based on 3 times 1.66 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

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

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **4.98** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the County.

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

- b. Purchase **4.98** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$12,450.00**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BR-2 Prior to issuance of 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 monitoring 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-3 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-4 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
- BR-5 Prior to issuance of 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-6 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-7 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-8 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-9 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-10 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-11 Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

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

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

Birds

BR-12 To protect sensitive bird species and those species protected by the Migratory Bird Treaty Act and/or the Fish and Wildlife Code, the Owners shall avoid vegetation clearing and earth disturbance during the typical nesting season (February 15 – August 31). If avoiding construction during this season is not feasible, a qualified biologist shall survey the area one week prior to activity beginning on the site. If nesting birds are located, they shall be avoided until they have successfully fledged. A buffer zone of 50 feet will be placed around all non-sensitive bird species, a 500-foot buffer zone for raptors, and all activity will remain outside of that buffer until a County approved biologist has determined that the young have fledged. If special-status bird species are located, no work will begin until an appropriate buffer is determined by consultation with the County, the local California Department of Fish and Wildlife biologist, and/or the U. S. Fish and Wildlife Service.

BR-13 Prior to issuance of construction and/or grading permits, the applicant shall clearly show all occupied nests on project plans, and these nest shall be mapped using GIS or survey equipment. The mapped locations shall be placed on a copy of the grading plans and all other applicable construction documents with a 500-foot buffer indicated. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

BR-14 Prior to issuance of construction and/or grading permits, occupied nests of special status bird species that are within 500 feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success, check for project compliance with buffer zone maintenance, and to monitor the effectiveness of the buffer.

California legless lizard

BR-15- Prior to issuance of a grading permit, the applicant shall complete a focused preconstruction survey (to include hand raking and/or placement of untreated cover boards six months in advance of construction in attempt to capture and relocate as many California legless lizards as possible before construction) for California legless lizards to be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If California legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- a. California legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- b. Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate legless lizards as specified above.
- c. A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

San Joaquin Pocket Mouse

BR-16 Prior to issuance of grading permit, the applicant shall complete a focused preconstruction survey for San Joaquin Pocket Mouse to be conducted in proposed work areas immediately prior to ground-breaking activities. The survey should be conducted on foot by a qualified biologist with approval from California Department of Fish and Wildlife to relocate San Joaquin Pocket mice out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If San Joaquin Pocket mice are found to be present in the work areas, the following steps shall be taken:

- a. San Joaquin pocket mice shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- b. Construction monitoring shall be required for all new ground-breaking activities located within the mapped potential San Joaquin Pocket Mouse habitat. Construction monitors shall capture and relocate San Joaquin Pocket mice as specified above.
- c. A letter report shall be submitted to the County and CDFW within 30 days of San Joaquin Pocket mice relocation, or as directed by CDFW.

Geology and Soils

GS-1 Prior to issuance of construction and/or grading permits, the applicant shall submit final plans demonstrating compliance with the Engineering Geology Review (Beacon Geotechnical, Inc., December 20, 2012) and Geotechnical Engineering Report Update –Landslide Potential (Beacon Geotechnical, Inc., July 15, 2013).

GS-2 Prior to issuance of construction and/or grading permits, the applicant shall submit an erosion and sedimentation control plan in compliance with County Ordinance Section 22.52.120.

GS-3 Prior to issuance of construction and/or grading permits, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board.

Water

W-1 At the time of application for construction permits, the applicant shall show 3 stormwater runoff reduction measures. Such measures include but not limited to:

- o Rain gardens;
- o Porous paving system;
- o Vegetative swales;
- o Pavement disconnection or;
- o Other, as approved by the County Planning Department in consultation with Public Works.



These measures shall be implemented prior to final inspection or occupancy, whichever occurs first.



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

July 24, 2013

Agent: Ken Haggard
16550 Oracle Oak Way
Santa Margarita, CA 93453

SUBJECT: DEVELOPER'S STATEMENT FOR OQUENDO GRADING PERMIT / PMT2011-01576 and MINOR USE PERMIT / DRC2012-00081

Dear Mr. Haggard:

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) 781-5600.

Sincerely,

Holly Phipps
Project Manager

Co of SLO Planning Department
805-781-1162
hphipp@co.slo.ca.us

Date: July 24, 2013

DEVELOPER'S STATEMENT FOR
OQUENDO GRADING PERMIT / PMT2011-01576 and
MINOR USE PERMIT / DRC2012-00081

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

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

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

VS-1 At the time of application for construction permit, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, and chimneys etc. The proposed metal roofing materials shall be non-reflective material and shall be of earth tone colors. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County.)

Monitoring: Required prior to issuance of construction permit (**Measures VS-1 –VS-3**). Compliance will be verified by the Department of Planning and Building.

VS-2 At the time of application for construction permits, the applicant shall provide an exterior lighting plan. The plan will include the height, location, and intensity of all exterior lighting. All lighting fixtures will be shielded so that neither the lamp nor the related reflector interior surface is visible from HWY 58. All lighting poles, fixtures, and hoods will be dark colored. High intensity luminaires such as floodlights or spots shall not be used.

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- V-4 Prior to final for the single-family residence, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the 5 year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. If it is determined that the success criteria has not been met then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.

Monitoring: Compliance will be verified by the County Division of Environmental and Resource Management in consultation with the Planning Department

Biological Resources

San Joaquin Kit Fox

The Kit Fox Habitat Evaluation for Oquendo Grading Permit, (PMT2011-01576) on July 27, 2012 by Sage Institute, indicates the project will impact 1.72 acres of San Joaquin kit fox habitat (revised grading plans show 1.66 acres of disturbance). The evaluation form was reviewed by Brandon Sanderson of the California Department of Fish and Game on May 29, 2013. The evaluation, complete with Mr. Sanderson's changes, resulted in a score of 76 which requires that all impacts to kit fox habitat be mitigated at a ratio of 3 acre conserved for each acre impacted (3:1). Total compensatory mitigation required for the project is 4.98, based on 3 times 1.66 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

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- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 4.98 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

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

- b. Purchase 4.98 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$12,450.00. This fee is calculated based on the current cost-per-acre of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BR-2 Prior to issuance of 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 monitoring 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.

<p>Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management in consultation with the Department of Planning and Building.</p>

- BR-3 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-4 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
- BR-5 Prior to issuance of 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-6 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-7 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-8 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-9 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-10 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-11 Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

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

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

Monitoring (San Joaquin Kit Fox Measures BR-3 – BR-11): 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 Regarding Kit Fox

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: Mrs. Holly Phipps
(805) 781-1162
E-mail: hhipps@co.slo.ca.us

The Nature Conservancy
ATTN: Tonja Glenn
201 Mission Street, 4th Floor
San Francisco, CA 94105
(415) 281-0483

Palo Prieto Conservation Bank
c/o Dan Meade
Althouse & Meade, Inc.
1875 Wellsona Road
Paso Robles, CA 93446
(805) 467-1041
FAX (805) 467-1021
E-mail: dan@alt-me.com

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

Birds

BR-12 To protect sensitive bird species and those species protected by the Migratory Bird Treaty Act and/or the Fish and Wildlife Code, the Owners shall avoid vegetation clearing and earth disturbance during the typical nesting season (February 15 – August 31). If avoiding construction during this season is not feasible, a qualified biologist shall survey the area one week prior to activity beginning on the site. If nesting birds are located, they shall be avoided until they have successfully fledged. A buffer zone of 50 feet will be placed around all non-sensitive bird species, a 500-foot buffer zone for raptors, and all activity will remain outside of that buffer until a County approved biologist has determined that the young have fledged. If special-status bird species are located, no work will begin until an appropriate buffer is determined by consultation with the County, the local California Department of Fish and Wildlife biologist, and/or the U. S. Fish and Wildlife Service.

Monitoring (Measures BR-12 – BR-17): 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.

BR-13 Prior to issuance of construction and/or grading permits, the applicant shall clearly show all occupied nests on project plans, and these nest shall be mapped using GIS or survey equipment. The mapped locations shall be placed on a copy of the grading plans and all other applicable construction documents with a 500-foot buffer indicated. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

BR-14 Prior to issuance of construction and/or grading permits, occupied nests of special status bird species that are within 500 feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success, check for project compliance with buffer zone maintenance, and to monitor the effectiveness of the buffer.

California legless lizard

BR-15-Prior to issuance of a grading permit, the applicant shall a complete a focused preconstruction survey (to include hand raking and/or placement of untreated cover boards six months in advance of construction in attempt to capture and relocate as many California legless lizards as possible before construction) for California legless lizards to be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If California legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- a. California legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- b. Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate legless lizards as specified above.
- c. A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

San Joaquin Pocket Mouse

BR-16 Prior to issuance of grading permit, the applicant shall complete a focused preconstruction survey for San Joaquin Pocket Mouse to be conducted in proposed work areas immediately prior to ground-breaking activities. The survey should be conducted on foot by a qualified biologist with approval from California Department of Fish and Wildlife to relocate San Joaquin Pocket mice out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If San Joaquin Pocket mice are found to be present in the work areas, the following steps shall be taken:

- a. San Joaquin pocket mice shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- b. Construction monitoring shall be required for all new ground-breaking activities located within the mapped potential San Joaquin Pocket Mouse habitat. Construction monitors shall capture and relocate San Joaquin Pocket mice as specified above.
- c. A letter report shall be submitted to the County and CDFW within 30 days of San Joaquin Pocket mice relocation, or as directed by CDFW.

Geology and Soils

GS-1 Prior to issuance of construction and/or grading permits, the applicant shall submit final plans demonstrating compliance with the Engineering Geology Review (Beacon Geotechnical, Inc., December 20, 2012) and Geotechnical Engineering Report Update – Landslide Potential (Beacon Geotechnical, Inc., July 15, 2013).

Monitoring: Required prior to issuance of a grading and/or construction permit (Measures GS-1 – GS-3). Compliance will be verified by the County Division of Environmental and Resource Management.

GS-2 Prior to issuance of construction and/or grading permits, the applicant shall submit an erosion and sedimentation control plan in compliance with County Ordinance Section 22.52.120.

GS-3 Prior to issuance of construction and/or grading permits, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board.

Water

W-1 At the time of application for construction permits, the applicant shall show 3 stormwater runoff reduction measures. Such measures include but not limited to:

- o Rain gardens;
- o Porous paving system;
- o Vegetative swales;
- o Pavement disconnection or;
- o Other, as approved by the County Planning Department in consultation with Public Works.

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

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) 30 July 2013

Date

Victor Oquendo

Name (Print)



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: May 3, 2013
To: Holly Phipps, Development Review
From: Frank Honeycutt, Development Services
Subject: **Public Works Comments on DRC2012-00081, Oquendo MUP, Santa Margarita, APN 037-391-044 and 045**

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

Public Works Comments:

- A. The project proposes driveway improvements and grading on slopes exceeding 20%. A grading and Drainage plan is required to be prepared by a registered civil engineer and it will be reviewed at the time of Building Permit submittal. The applicant should review Chapter 22.52 of the Land Use Ordinance prior to future submittal of development permits.
- B. The driveway joins the property to SR 58. Caltrans should review the driveway to ensure it meets their standards and should issue an encroachment permit as appropriate.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits**, the applicant shall submit plans to Caltrans to secure an Encroachment Permit to construct or reconstruct the site driveway in accordance with Caltrans Encroachment Permit Standards.

Drainage

2. **At the time of application for construction permits**, the applicant shall submit complete drainage calculations for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance. All drainage must be retained or detained on-site and the design of the basin shall be approved by the Department of Public Works.

Stormwater Pollution Prevention

3. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to LUO Section 22.10.155 for Stormwater Management. Applicable projects shall submit the following to the County for review and approval: Stormwater Quality Plan; Conservation of natural areas narrative; Stormwater pollutant of concerns narrative; Drainage Plan; Erosion and Sedimentation Control Plan; Mechanism in place for long-term maintenance of BMPs; and Calculations for treatment control BMPs



DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

RECEIVED APR 05 2013

DATE: 4/4/2013

TO: Col Fire

FROM: Holly Phipps, Development Review

PROJECT DESCRIPTION: DRC2012-00081 OQUENDO- Minor Use Permit for grading over more than one acre. 160 acre site located off Carrisa Hwy, east of Santa Margarita.

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

GRADING PREVIOUSLY REVIEWED AND FIRE SAFETY PLAN PROVIDED UNDER PMT 2011-01575/76 (RESIDENCE AS WELL)
4/16/13 [Signature] 543-4244
 Date Name BULLARD Phone



CAL FIRE – SAN LUIS OBISPO FIRE SAFETY PLAN



Date: April 10, 2012

Project Numbers: PMT2011-01575/01576	Project Location: 185 Carrisa Highway (Hwy. 58)
Project City: Santa Margarita, CA.	Cross Street: La Panza Road / O'Donovan Rd.
Owner Name: Vic & Jennifer Oquendo	Owner Address: 191 Carrisa Highway
City, State, Zip: Santa Margarita, CA. 93453	Owner Phone(s): (805)201-2227
Agent Name: San Luis Sustainability Group	Agent Address: 16550 Oracle Way
City, State, Zip: Santa Margarita, CA. 93453	Agent Phone(s): (805)438-4452 or 458-0859
Project Notes: 5,730 square foot single family residence with 739 square foot attached garage and 2,155 square feet of decking. Residential fire sprinklers required throughout entire structure including the pool house portion. All decking must meet requirements of Chapter 7A – (2010 California Building Code).	

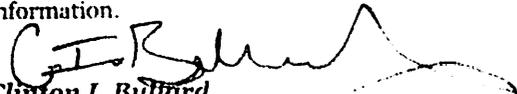
The following **checked** items are required to be completed prior to final inspection of this project. When you have completed each item checked, initial and date that they are completed. When all items checked are completed please call for a fire department final inspection, **(805) 543-4244, extension #3429**. Inspections will be completed on the following Tuesday for South County areas and Thursday for North County areas. Please have your County issued permit card on site and visible.

This project is located approximately **10-15** minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project **is** located in State Responsibility Area for wildland fires. It is designated as a **Very High** Fire Hazard Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

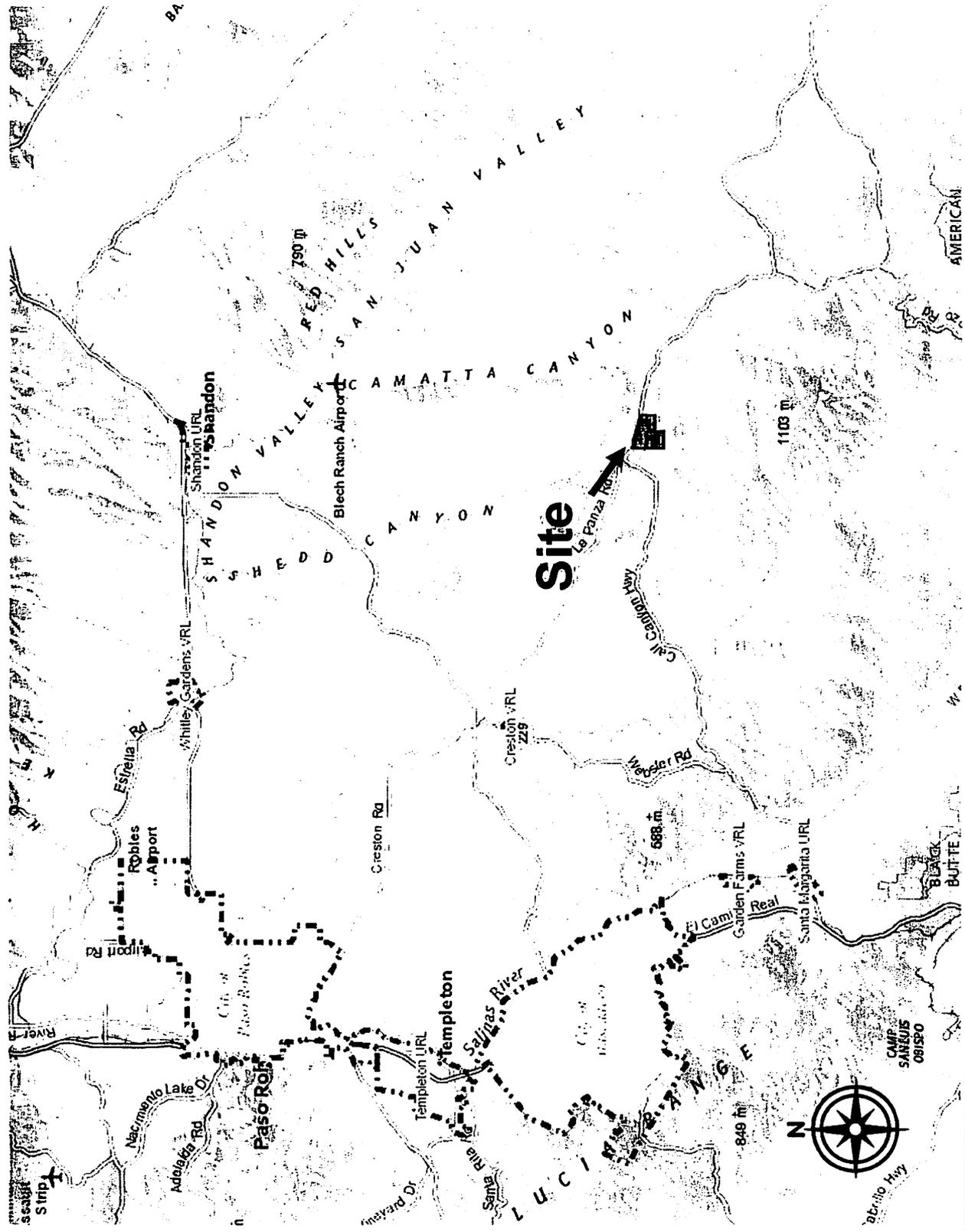
The following standards are required:	Done
<input checked="" type="checkbox"/> 30-foot building setback from property line required for parcels 1 acre in size or larger **Note: All setbacks are subject to County Planning Department approval.	
<input checked="" type="checkbox"/> A fire sprinkler system is required for this project per local Fire Code.	
<input checked="" type="checkbox"/> Fire alarm bell must be installed and working at final inspection.	
<input checked="" type="checkbox"/> Spare sprinkler heads (2 of each type) & a sprinkler wrench shall be included in red box mounted in garage or near riser.	
<input checked="" type="checkbox"/> A water storage tank is required that gravity feeds a residential fire connection	
<input checked="" type="checkbox"/> 10,000 gallons of minimum water storage is required for fire protection ** Note: If a residential sprinkler system is installed, the water storage capacity shall be calculated by an approved Fire Protection Engineer (FPE).	
<input checked="" type="checkbox"/> Automatic Fill, Sight Gauge & Venting System required	
<input checked="" type="checkbox"/> Minimum 4-inch plumbing: Schedule 40 PVC or Iron Pipe	
<input checked="" type="checkbox"/> System gravity drain required	
<input checked="" type="checkbox"/> Fire connection shall be located on the approach to the structure(s)	
<input checked="" type="checkbox"/> Fire connection must be located not less than 50 feet & no more than 150 feet from the structure	
<input checked="" type="checkbox"/> Fire connection must be located 10-12 feet from the edge of the driveway/road & 24-36" above finished grade	
<input checked="" type="checkbox"/> Fire connection outlet valve must be a 2-1/2" brass National Standard male thread with brass or plastic cap. The outlet must face toward the driveway at a 90° angle.	
<input checked="" type="checkbox"/> If fire connection has less than 20 psi, then the word "DRAFT" will be clearly and permanently marked on the fire connection	
<input checked="" type="checkbox"/> Must maintain a 3 foot clear space around the circumference of the connection at all times	
<input checked="" type="checkbox"/> Blue dot reflector must be located near fire connection, visible to approaching vehicles	
<input type="checkbox"/> A fire hydrant is required that can deliver 750 gallons per minute for 2 hours.	
<input type="checkbox"/> Must submit a completed CAL FIRE Community Water System Verification Form	
<input type="checkbox"/> Must have two 2 1/2" outlets and one 4" outlet with National Standard threads	
<input type="checkbox"/> Must be located within 8 feet of the roadway	
<input type="checkbox"/> Place a blue dot road reflector on roadway, just off center, on the side of the hydrant	
<input type="checkbox"/> Hydrant must be located within 250 feet of the residence.	
<input type="checkbox"/> Must maintain a 3 foot clear space around the circumference of the hydrant at all times	

<input checked="" type="checkbox"/> A 24-foot wide access road is required. (An access road provides access to more than one legal parcel) All Existing and/or proposed access roads must provide a minimum edge to edge driving surface of no less than 24-feet.	
<input checked="" type="checkbox"/> All weather surface capable of supporting 20 tons	
<input checked="" type="checkbox"/> 10 feet of fuel modification is required on both sides of road	
<input checked="" type="checkbox"/> Must provide an unobstructed vertical clearance of not less than 13'6"	
<input checked="" type="checkbox"/> Where road exceeds a 12% grade, it must be a nonskid surface	
<input checked="" type="checkbox"/> If road exceeds a 16% grade, it must be certified by an engineer	
<input checked="" type="checkbox"/> Road must be named & posted using the County standard signage	
<input checked="" type="checkbox"/> Driveway must be 16 feet wide. The proposed driveway plans show a width of 12 feet with turnouts. CAL FIRE/County Fire does not approve of this proposal due to the extreme length of the driveway and the Fire Hazard Severity Zone. An on site review of existing/proposed conditions must be conducted to properly address this matter.	
<input checked="" type="checkbox"/> All weather surface capable of supporting 20 tons	
<input checked="" type="checkbox"/> Where driveway exceeds a 12% grade, it must be a nonskid surface	
<input checked="" type="checkbox"/> If driveway exceeds a 16% grade, it must be certified by an engineer	
<input checked="" type="checkbox"/> 10 feet of fuel modification is required on both sides of the driveway	
<input checked="" type="checkbox"/> Must provide an unobstructed vertical clearance of not less than 13'6"	
<input checked="" type="checkbox"/> Driveways exceeding 300 feet require a fire engine turnaround within 50 feet of the residence structure	
<input checked="" type="checkbox"/> Driveways exceeding 800 feet require a turnout(s) at midpoint and no more than 400 feet apart (Exception: 16' wide driveways)	
<input type="checkbox"/> Bridge is required to support a fire engine load weight of 20 tons	
<input type="checkbox"/> Bridge must have a sign indicating load & vertical clearance limits at entrances	
<input type="checkbox"/> One-lane bridge: minimum 10', turnouts at both ends, one-way signs, clear visibility	
<input checked="" type="checkbox"/> Gate entrance shall be 2 feet wider than width of traffic lane & located 30 feet from roadway.	
<input checked="" type="checkbox"/> Center line of lane turning radius must be at least 25 feet	
<input checked="" type="checkbox"/> Electric gates shall be maintained operational at all times and shall provide Fire Department emergency access via a "Knox" switch. A Knox application must be requested from the Prevention Bureau. Manual gates may be secured by a padlock.	
<input checked="" type="checkbox"/> 100 feet of vegetation clearance is required for defensible space	
<input checked="" type="checkbox"/> Maintain a fire clearance of 30 feet around all buildings & structures	
<input checked="" type="checkbox"/> Within the area of 30'-100' from structures, additional fire reduction measures shall be required.	
<input checked="" type="checkbox"/> Remove limbs located within 10 feet of chimney & trim dead/dying limbs that overhang the roof. Leaves, needles, or dead growth shall be removed from the roof	
<input checked="" type="checkbox"/> Minimum separation from buildings & property lines for LPG above ground tanks is: 10 feet for 125-500 gallon container; 25 feet for 501-2,000 gallon container	
<input checked="" type="checkbox"/> Maintain a minimum vegetation clearance of 10 feet around LPG tanks or containers	
<input checked="" type="checkbox"/> A Class A non-combustible roof is required that meets all requirements of Chapter 7A of the 2010 California Building Code.	
<input checked="" type="checkbox"/> This project must meet all requirements of Chapter 7A of the 2010 California Building Code for Fire-Resistance-Rated Construction. Please contact the SLO County Planning & Building Dept. for more information at (805) 781-5600.	
<input checked="" type="checkbox"/> Each residence requires separate address numbers, assigned by the SLO County Planning Dept. Please contact (805) 781-5157 for more information.	
<input checked="" type="checkbox"/> Highly visible permanent address numbers shall be placed at the driveway entrance and on directional signs at each T or Y intersection (minimum 6" letter/number height, 1/2 inch stroke). Reflectorized numbers are highly recommended!	
<input checked="" type="checkbox"/> Highly visible address numbers shall be placed on the residence(s). (Minimum 6" letter/number height with 1/2 inch stroke).	
<input type="checkbox"/> Smoke detectors are required in all sleeping areas & in hallways leading to sleeping areas.	
Comments: Both address numbers must be properly located throughout the project site.	

When all of the fire safety requirements have been completed, please call the Fire Prevention Bureau at (805) 543-4244, extension #3429 to arrange for your final inspection. Visit our website at www.calfireslo.org for more information.


Clinton I. Bullard
Fire Inspector

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



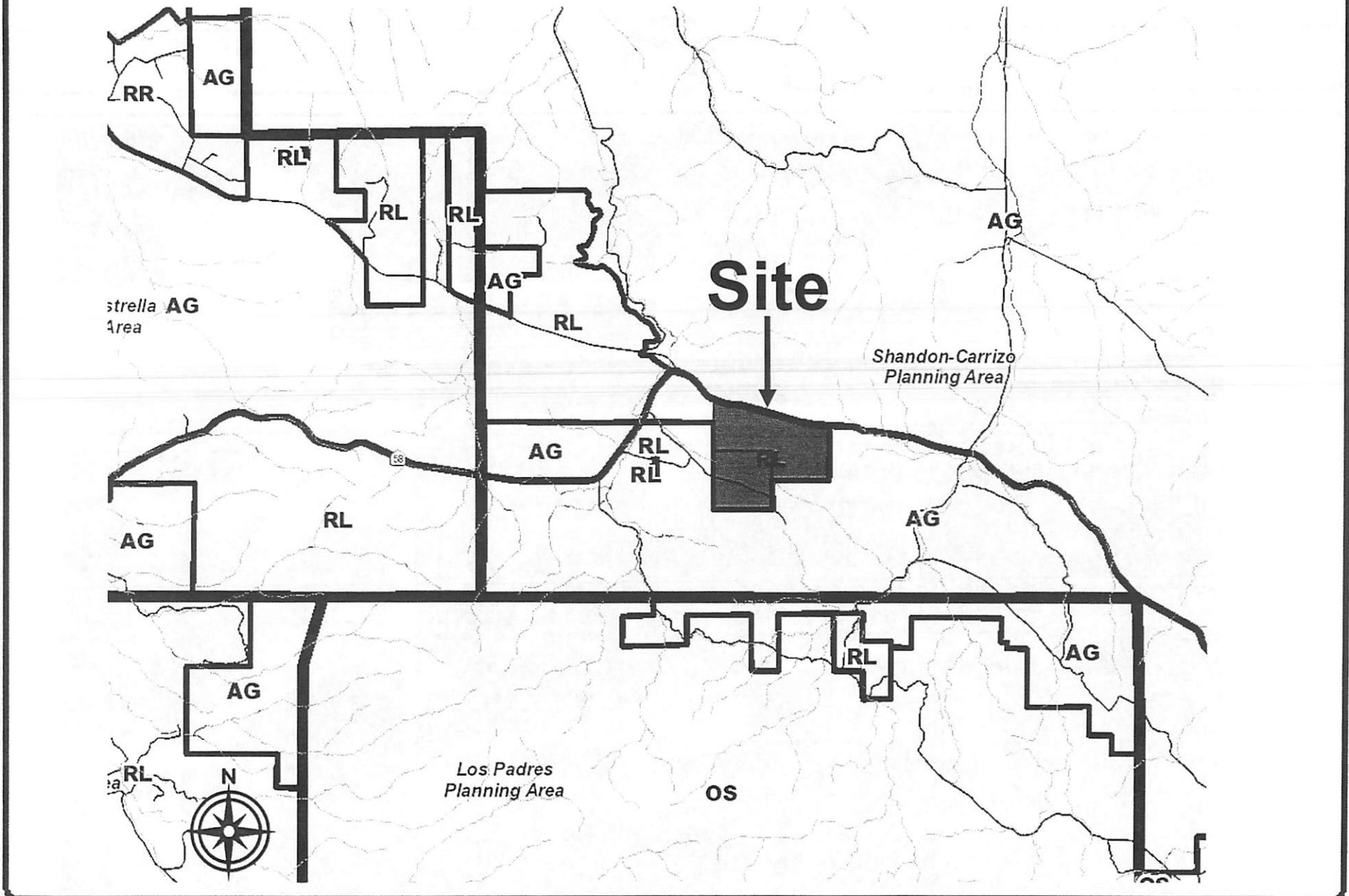
PROJECT

Minor Use Permit
Oquendo DRC2012-00081



EXHIBIT

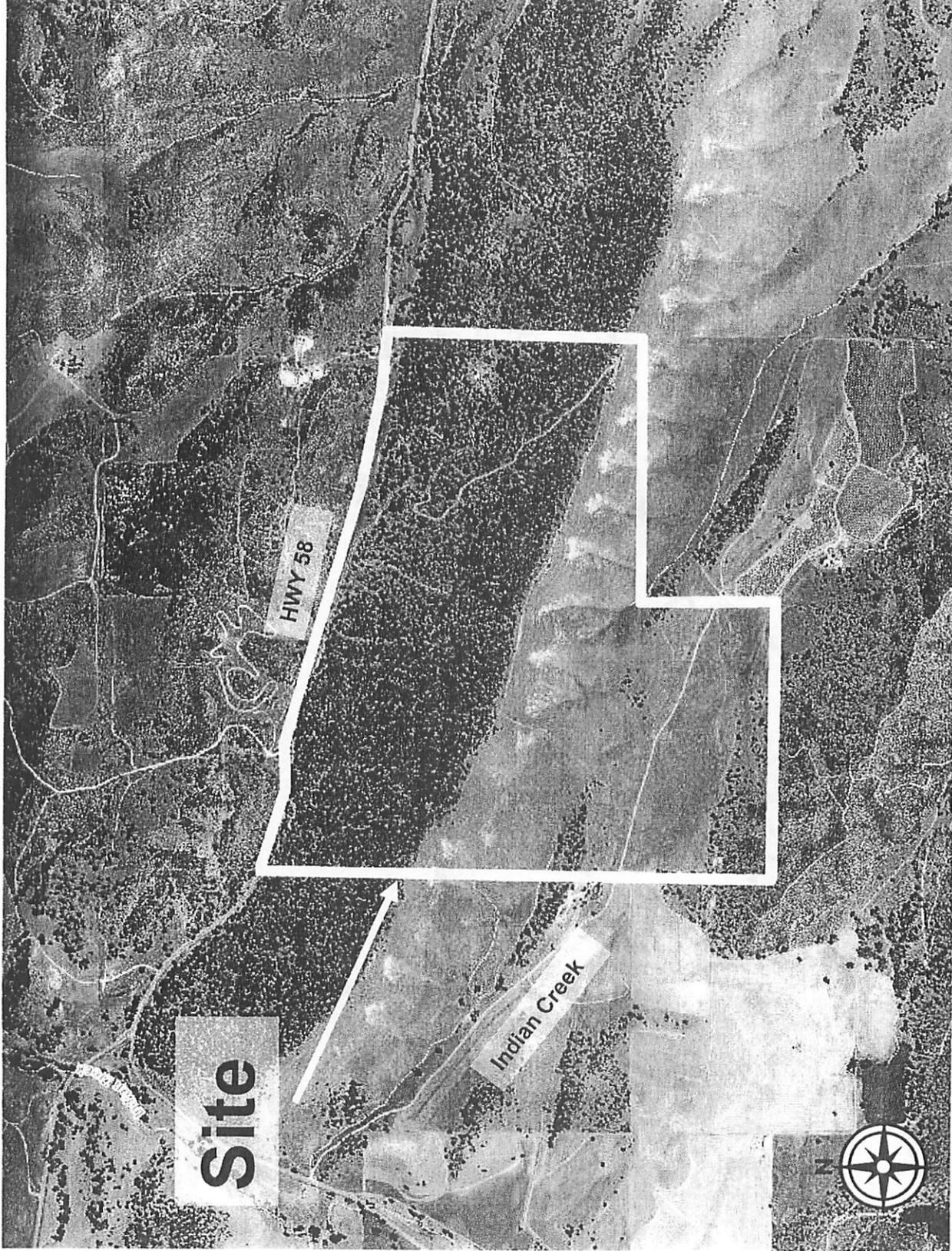
Vicinity Map



PROJECT
Minor Use Permit
Oquendo DRC2012-00081



EXHIBIT
Land Use Category Map

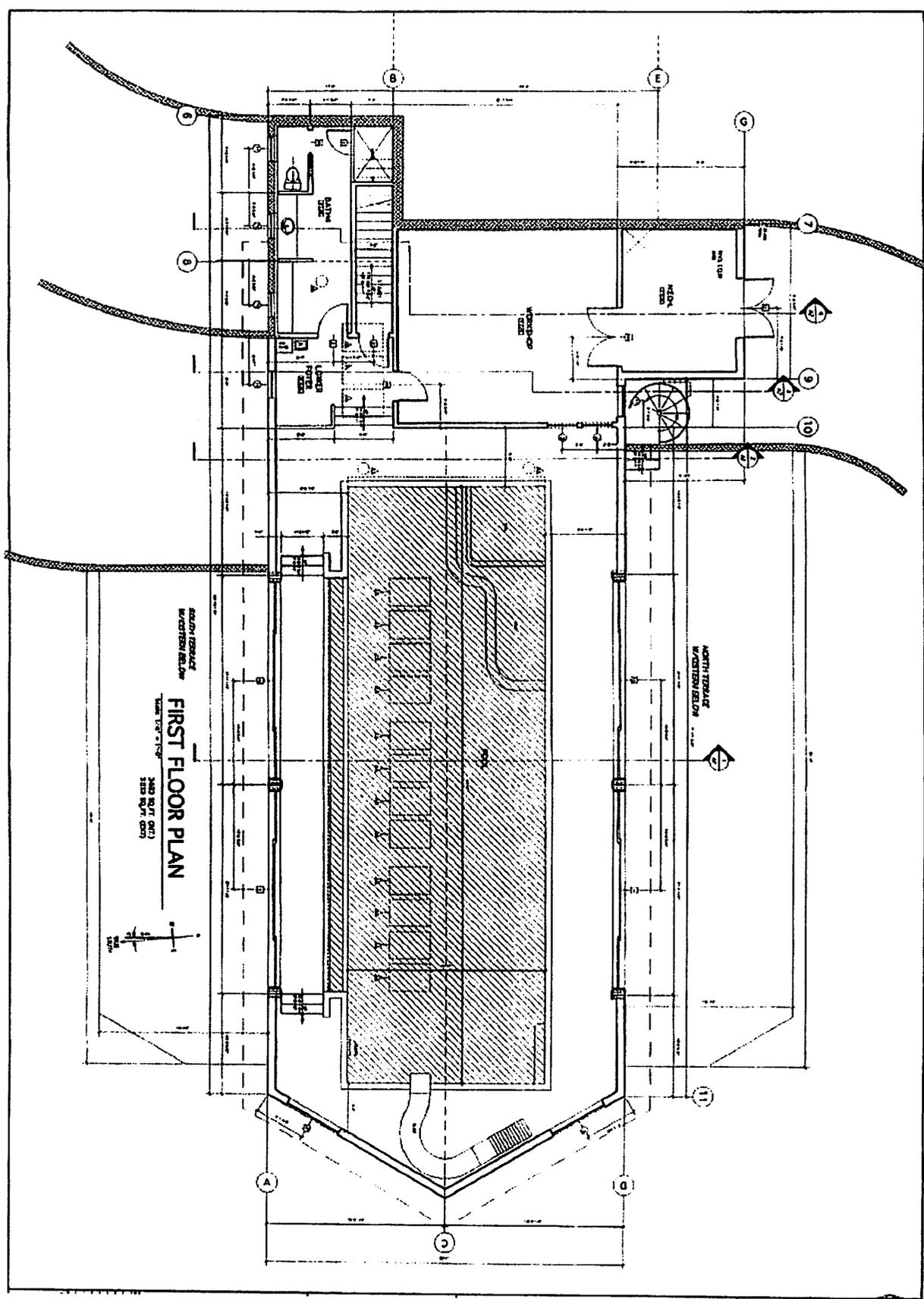


PROJECT

Minor Use Permit
Oquendo DRC2012-00081

EXHIBIT

Aerial Photograph

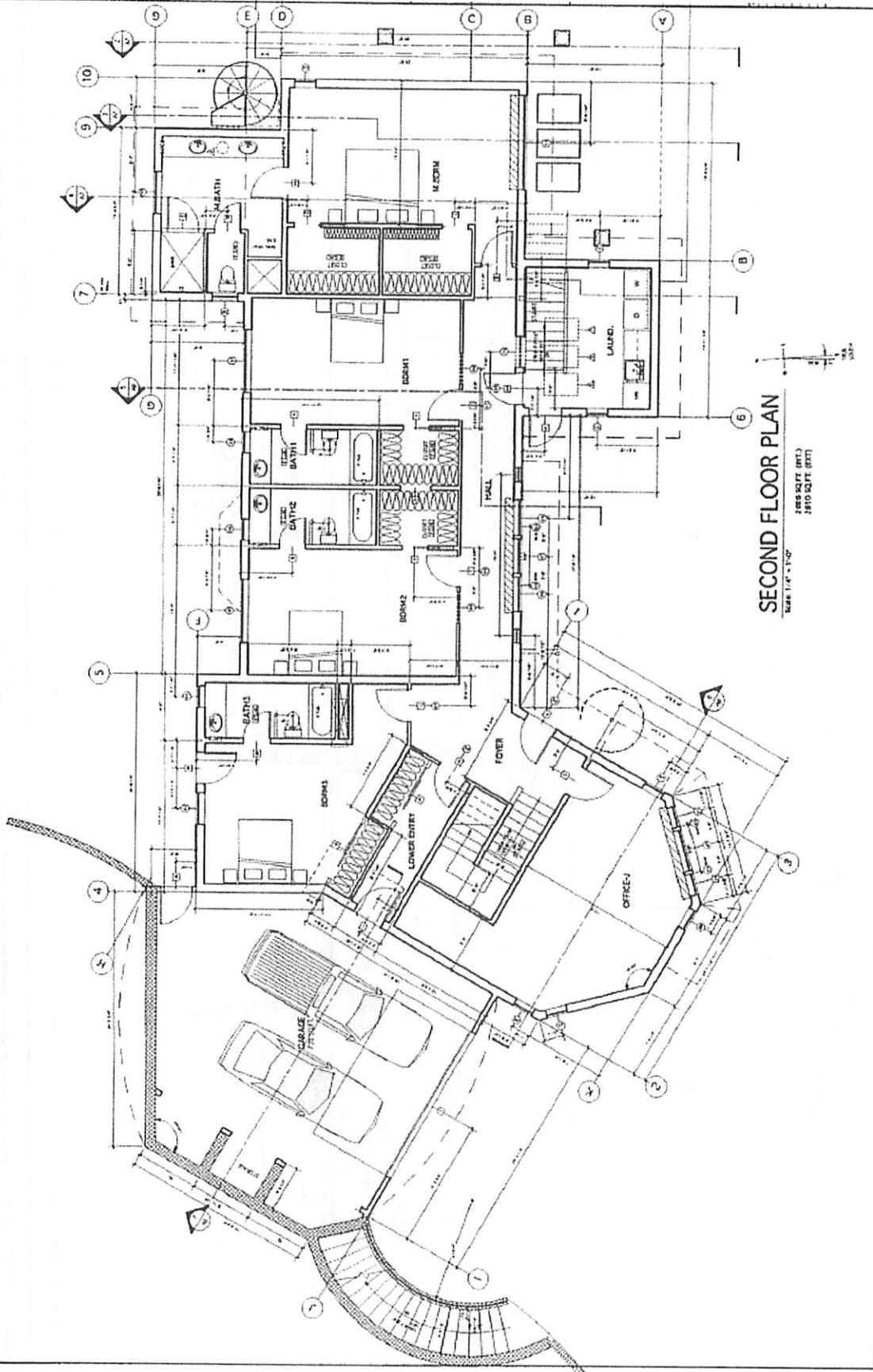


FIRST FLOOR PLAN
3400 S.F. (NET)
3220 S.F. (GROSS)

PROJECT
Minor Use Permit
Oquendo DRC2012-00081



EXHIBIT
First Floor Plan



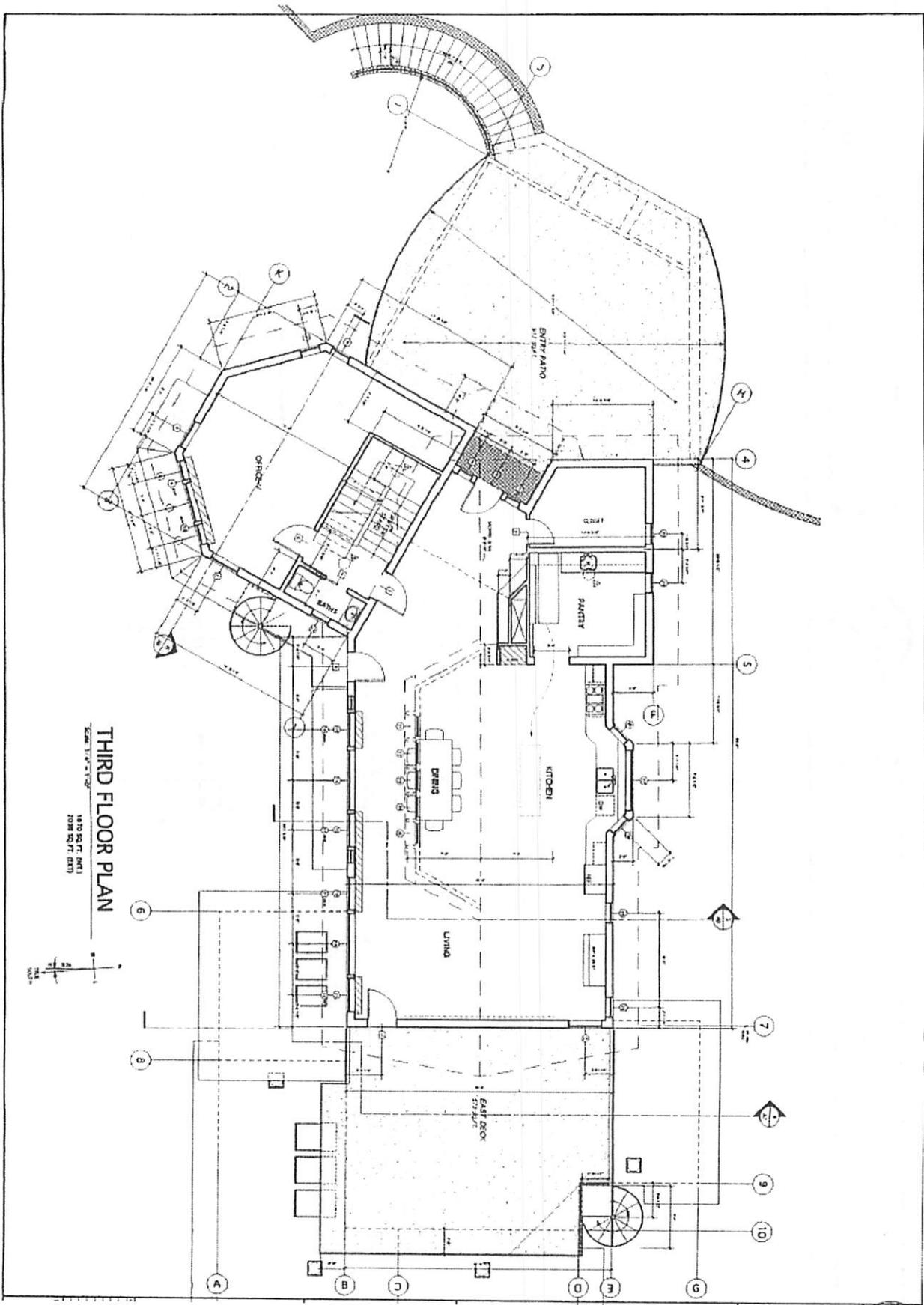
PROJECT

Minor Use Permit
Oquendo DRC2012-00081

EXHIBIT

Second Floor Plan





THIRD FLOOR PLAN

SCALE: 1/4" = 1'-0"
1870 SQ. FT. (INT.)
2038 SQ. FT. (EXT.)

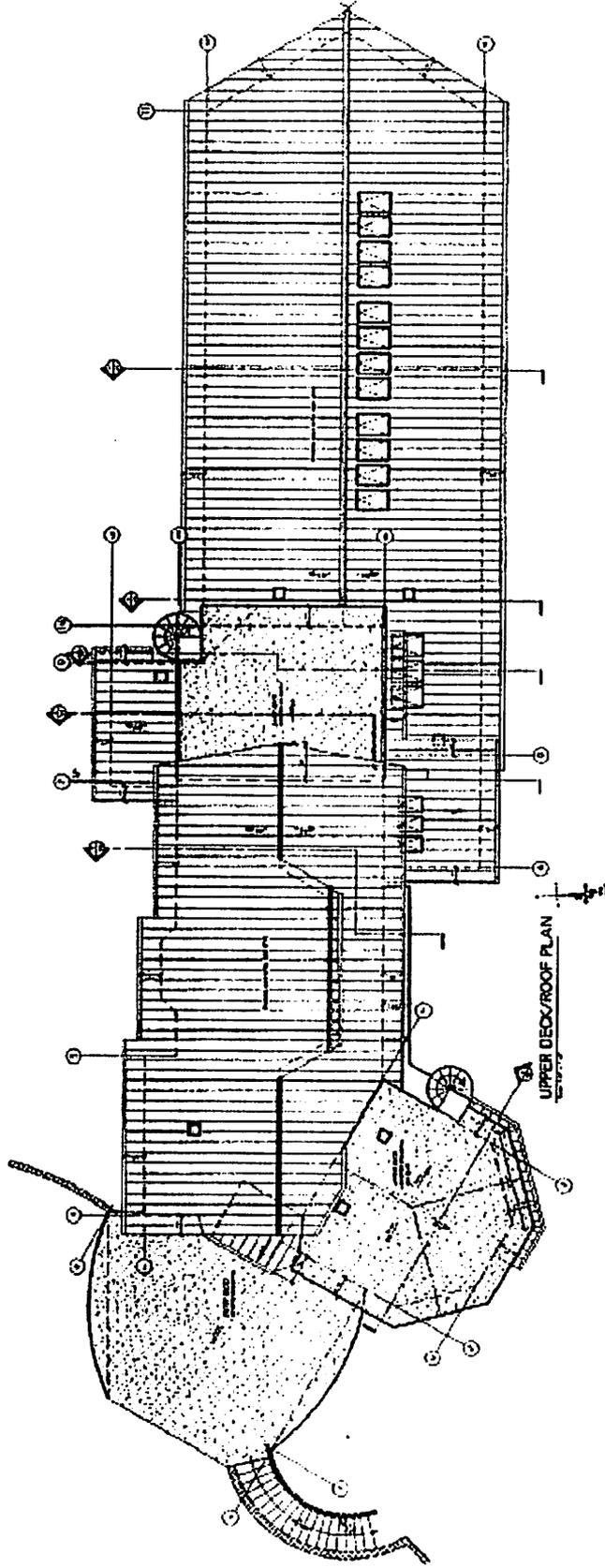
PROJECT

Minor Use Permit
Oquendo DRC2012-00081

EXHIBIT

Third Floor Plan





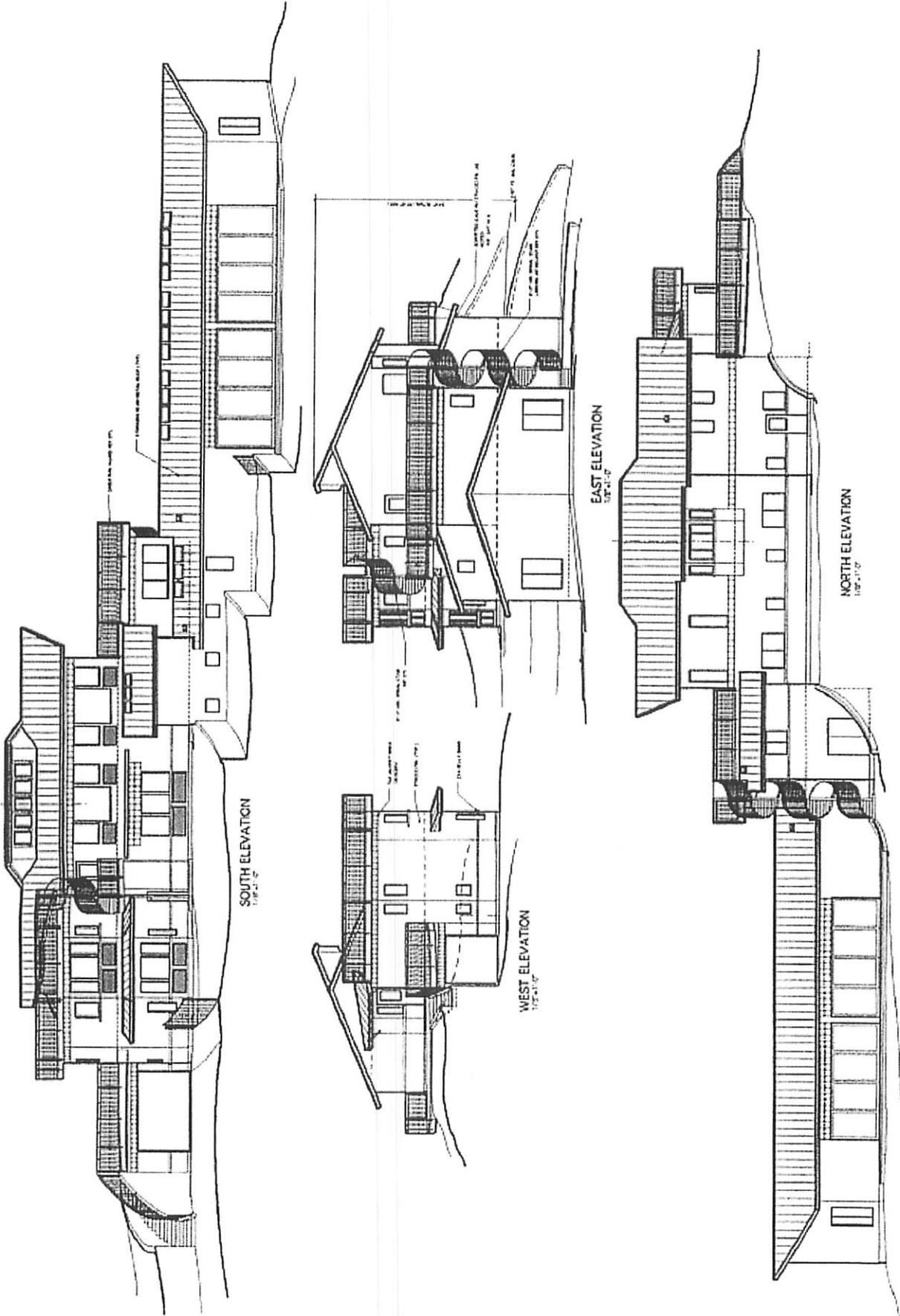
PROJECT

Minor Use Permit
Oquendo DRC:2012-00081



EXHIBIT

Upper Deck/Roof Plan



PROJECT

Minor Use Permit

Oquendo DRC2012-00081

EXHIBIT

Elevations

