

# Negative Declaration & Notice Of Determination

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

**ENVIRONMENTAL DETERMINATION NO. ED13-049**

**DATE:** November 7, 2013

**PROJECT/ENTITLEMENT:** Moats Minor Use Permit; DRC2012-00073

**APPLICANT NAME:** Michael Moats  
**ADDRESS:** 2719 Lorencita Drive, Santa Maria, CA 93455  
**CONTACT PERSON:** Tricia Knight

**Telephone:** (805)-448-4221

**PROPOSED USES/INTENT:** Request by Michael Moats for a Minor Use Permit to allow for the removal of three existing panel antennas and a 36 foot monopole, and installation of a new 53 foot simulated eucalyptus tree pole supporting eight new LTE panel antennas and eight new Remote Radio Units (RRUs). The project would also install two equipment racks on a new concrete slab at the base of the simulated eucalyptus tree. The proposed project would result in the disturbance of approximately 500 square feet on a 5 acre parcel. The proposed project is within the Residential Rural land use category

**LOCATION:** The proposed project is located at 1571 Scenic View Way, approximately 1,000 feet south of Eucalyptus Road, two miles northwest of the community of Nipomo.

**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>

**STATE CLEARINGHOUSE REVIEW:** YES  NO

**OTHER POTENTIAL PERMITTING AGENCIES:**

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

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. November 21,2013**

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

## Notice of Determination

**State Clearinghouse No. N/A**

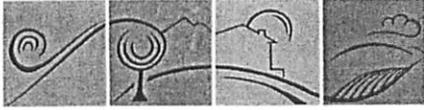
This is to advise that the San Luis Obispo County \_\_\_\_\_ as  *Lead Agency*  
 *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

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

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

<b>Signature</b>	Stephanie Fuhs	<b>Date</b>	County of San Luis Obispo
	<b>Project Manager Name</b>		<b>Public Agency</b>





# Initial Study Summary – Environmental Checklist

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

(ver 5.1) Using Form

## Project Title & No. Moats Minor Use Permit ED13-049 (DRC2012-00073)

**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 type="checkbox"/> Geology and Soils           | <input type="checkbox"/> Recreation                 |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Air Quality            | <input type="checkbox"/> Noise                       | <input type="checkbox"/> Wastewater                 |
| <input type="checkbox"/> Biological Resources   | <input type="checkbox"/> Population/Housing          | <input type="checkbox"/> Water /Hydrology           |
| <input type="checkbox"/> Cultural Resources     | <input type="checkbox"/> Public Services/Utilities   | <input type="checkbox"/> Land Use                   |

### DETERMINATION: (To be completed by the Lead Agency)

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

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

Stephanie Fuhs  
Prepared by (Print)

Signature

Date

10/29/13

Airlin Singewald  
Reviewed by (Print)

Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

Date

10/29/13

**Project Environmental Analysis**

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

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Current Planning Division, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Michael Moats for a Minor Use Permit to allow for the removal of three existing panel antennas and a 36 foot monopole, and installation of a new 53 foot simulated eucalyptus tree pole supporting eight new LTE panel antennas and eight new Remote Radio Units (RRUs). The project would also install two equipment racks on a new concrete slab at the base of the simulated eucalyptus tree. The proposed project would result in the disturbance of approximately 500 square feet on a 5 acre parcel. The proposed project is within the Residential Rural land use category and is located at 1571 Scenic View Way, approximately 1,000 feet south of Eucalyptus Road west of the community of Nipomo.

**ASSESSOR PARCEL NUMBER(S):** 092-161-023

Latitude: 35° 1' 1.7364" N Longitude: -120° 43' 15.7506" W

**SUPERVISORIAL DISTRICT # 4**

**B. EXISTING SETTING**

**PLANNING AREA:** South County (Inland), rural

**TOPOGRAPHY:** Gently sloping

**LAND USE CATEGORY:** Residential Rural

**VEGETATION:** Grasses, shrubs scattered trees

**COMBINING DESIGNATION(S):** None

**PARCEL SIZE:** approximately 5 acres

**EXISTING USES:** Single-family residence(s), cell site

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Residential Rural; single-family residence(s)	<i>East:</i> Residential Suburban; residential
<i>South:</i> Residential Rural; single-family residence(s)	<i>West:</i> Residential Rural; single-family residence(s)

## **C. ENVIRONMENTAL ANALYSIS**

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



# COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

## 1. AESTHETICS

<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located on Scenic View Way, an area of predominately residential suburban and residential rural development. The property is five acres and is adjacent to 2.5 to five acre parcels to the east and west with some larger parcels zoned residential rural with agricultural uses to the north, across Eucalyptus Road.

The topography of the site is gently sloping upward from Eucalyptus Road and Scenic View Way. Vegetation on the property consists of primarily grasses, with some shrubs and smaller trees that appear to have been planted as visual mitigation for the existing cell site. There are some scattered pines and eucalyptus along Scenic View Way to the west of the property.

The subject parcel is developed with a single family residence and an existing wireless communications facility consisting of a 36 foot monopole, panel antennas and ground-mounted equipment cabinets. The existing monopole is visible from Eucalyptus Road, Via Alta Mesa and Scenic View Way.

Regulatory Setting

**The Land Use Ordinance establishes the following screening standard for wireless communications facilities:**

*All facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to resemble rural, pastoral architecture (ex: windmills, barns, trees) or other features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.*

**Conservation and Open Space Element Policy VR 9.3 states:**

*Locate, design and screen communications facilities, including towers, antennas, and associated equipment and buildings in order to avoid views of them in scenic areas, minimize their appearance and visually blend with the surrounding natural and built environments.*

Locate such facilities to avoid ridge tops where they would silhouette against the sky as viewed from major public view corridors and locations.

**Conservation and Open Space Element Policy VR 9.4 states:**

Encourage collocation of communications facilities (one or more carriers sharing a site, tower, or equipment) when feasible and where it would avoid or minimize adverse visual effects.

**Impact.** The existing antennas and 36 foot monopole will be removed and replaced with the proposed 53 foot faux eucalyptus tree with eight antennas. The original proposal was for an 85 foot pole, but the applicant lowered the height to 53 feet to be more in scale with the surrounding vegetation along Scenic View Way.

The proposed project could have a potentially significant impact on visual resources since it would introduce a new use that is visually incompatible with the character of the surrounding agricultural landscape. The applicant submitted photo-simulations of the proposed facility from key viewing angles Scenic View Way, Eucalyptus Road and Via Alta Mesa. The photo-simulations demonstrate that the site will be visible from each of these road. However, since the facility is designed to appear like a eucalyptus tree, it would blend with the surrounding landscape and would not attract attention. This design is consistent with the goals of the County's communications facilities ordinance.

**Mitigation/Conclusion.** Although the proposed communications facility is not a use that is inherently compatible with the character of the surrounding rural/agricultural landscape, the proposed project is a stealth design that would blend with existing natural features of the landscape (particularly, the existing row of eucalyptus trees to the west). Since the proposed facility would visually blend with the landscape, it would not be readily discernible as a wireless communications facility. This is consistent with the visual screening standard for wireless communications facilities which requires facilities to either be completely screened by vegetation or disguised to resemble natural or built features of the landscape. In order to reduce visual impacts, the project is subject to mitigation measures that require the applicant to use the most realistic appearing faux eucalyptus structure, with an organic and non-symmetrical form and realistic bark texture and foliage colors. In addition, the applicant is required to submit material and color test samples of all visual elements of the mono-eucalyptus pole. These measures, discussed in detail in the mitigation summary table (Exhibit B), would reduce the project's potential visual 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**2. AGRICULTURAL RESOURCES**  
**Will the project:**

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

e) *Other:* \_\_\_\_\_

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

Land Use Category: Residential Rural

Historic/Existing Commercial Crops: None

State Classification: Not Prime Farmland

In Agricultural Preserve? Yes: Nipomo Mesa AG Preserve Area

Under Williamson Act contract? No

The project is located on the following soil type:

Oceano sand (0 - 9 % slope). This nearly level to gently sloping sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated.

The subject parcel also contains the following soil type:

Oceano sand, (9 - 30 % slope). This moderately sloping sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities, steep slopes. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

**Impact.** The project is located in a predominantly non-agricultural area with some agricultural operations occurring to the north across Eucalyptus Road. Replacement of the existing pole and antennas with a new mono-eucalyptus pole is not expected to interfere with these operations. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** Based on the above discussion, and the proposed facility being unmanned, no mitigation measures are considered necessary.

**3. AIR QUALITY**  
**Will the project:**

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

a) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*

b) *Expose any sensitive receptor to substantial air pollutant concentrations?*

c) *Create or subject individuals to objectionable odors?*

d) *Be inconsistent with the District's Clean Air Plan?*

### 3. AIR QUALITY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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"/>
<b>GREENHOUSE GASES</b>				
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 type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

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

**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 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 CO<sub>2</sub>/year (MT CO<sub>2</sub>e/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 CO<sub>2</sub>e/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 500 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

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

This project is for removal of an existing 36 foot pole and antennas and replacement with a 53-foot mono-eucalyptus pole and eight antennas. 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 significant impacts are anticipated and no mitigation measures are necessary.

#### 4. BIOLOGICAL RESOURCES

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species* or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 &amp; Wildlife or U.S. Fish &amp; Wildlife Service?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* 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, shrubs, ornamentals

Name and distance from blue line creek(s): n/a

Habitat(s): None

Site's tree canopy coverage: <10%.

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

Sand mesa manzanita (*Arctostaphylos rudis*) has been found about within one mile of the site to the southeast. This evergreen shrub is generally found on sandy soils in chaparral and coastal scrub areas between the 25 and 230-meter (80 to 760 foot) elevations (Tibor 2001). The blooming period is November-February. The sand mesa manzanita is considered rare by CNPS (List 1B, RED 2-2-3).

The project site occurs within the Santa Barbara Vernal Pool Region, as designated by the California Department of Fish and Game. 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.

**Impact.** The proposal involves removing an existing pole antenna and replacing it with a faux eucalyptus and placing two new equipment cabinets on a concrete slab within an existing disturbed, developed area of the site. The site does not support any manzanita or other native vegetation.

A site visit of the project site was made on March 20, 2013 by project planner, Stephanie Fuhs, 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. The topography on the project site is such that water would not pool in a manner consistent with the characteristics of vernal pools or seasonal wetlands. Therefore, there was no indication of habitat suitable for supporting fairy shrimp, or sensitive aquatic animal or plant species associated with vernal pools.

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

## 5. CULTURAL RESOURCES

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

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

**Impact.** 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. Eight reports have been within ¼ of the project site with no resources found. Due to the limited scope of work which are limited to previously disturbed and developed areas of the site, impacts to historical or paleontological resources are not expected.

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

## 6. GEOLOGY AND SOILS

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input 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
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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* Per Division of Mines and Geology Special Publication #42

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

Topography: Gently sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

**Impact.** As proposed, the project will result in the disturbance of approximately 500 square feet in previously disturbed and developed areas of the site where the existing cell site is located. No significant impacts are expected to occur.

**Mitigation/Conclusion.** Under Chapter 18 of the California Building Code, the project will be required to submit a soils engineering report with the construction permit application and to implement the recommendations of the report. There is no evidence that measures above what will already be required by ordinance or codes are needed.

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

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not within a 'high' or 'very high' severity risk area for fire. The project is not within the Airport Review area.

With regards to potential fire hazards, the subject project is within the "High" Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety. The proposed project does not present a significant fire safety risk, as it is an unmanned communications facility that does not involve structures for human habitation.

**Impact.** The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency response or evacuation plan. The applicant submitted a radio frequency report (*Sitesafe; February 15, 2013*) for the project. The report concluded that the proposed facility would comply with applicable FCC standards for radiation emissions. For a person anywhere at ground level, the maximum ambient radiation exposure due to the proposed communications facility would be less than 5% of the applicable public exposure limit. These results include several "work-case" assumptions and therefore are expected to overstate actual power density levels.

**Mitigation/Conclusion.**

Due to their mounting locations, the proposed panel antennas would not be accessible to the general public, and so no mitigation measures are necessary to comply with FCC public exposure guidelines. The project would require verification from the responsible fire agency that all conditions have been met prior to final approval. The Department of Environmental Health indicated that the project would require a hazardous materials business plan (Leslie Terry; March 25, 2013). No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary above what is already required by existing ordinance or regulation.

**8. NOISE**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The proposed unmanned wireless communications facility is not considered a sensitive noise receptor. The nearest sensitive noise receptor to the site is the existing residence on the property which is approximately 170 feet to the east of the existing cell facility. 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.

As a standard condition of approval to ensure the project will not conflict with any sensitive noise receptors, HVAC units if installed as part of the equipment, shall be sound attenuated to meet

applicable County and State exterior noise standards. The project shall be maintained in compliance with the County Noise Element (including emergency generators). Any back-up or emergency generators shall have a noise baffle cover and shall not exceed a maximum noise level of 65 dbl. at a distance of 50 feet from the generator. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

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

## 9. POPULATION/HOUSING

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

**Impact.** The proposed project is not anticipated to induce growth, create the need for new housing, or use a substantial amount of fuel or energy to construct and maintain. The proposed wireless communications facility would not result in a need for a significant amount of new housing or displace existing housing. No significant population and housing impacts are anticipated.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are considered necessary.

## 10. PUBLIC SERVICES/UTILITIES

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

## 10. PUBLIC SERVICES/UTILITIES

*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Police: County Sheriff

Location: Oceano (Approximately 6 miles to the north)

Fire: Cal Fire (formerly CDF)

Hazard Severity: High

Response Time: 5-10 minutes

Location: Approximately 2 miles to the northeast

School District: Lucia Mar Unified School District.

For additional information regarding fire hazard impacts, go to the 'Hazards and Hazardous Materials' section

**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. The project would not affect service levels related to schools or solid wastes because it does not involve the construction of buildings for human habitation. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

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

## 11. RECREATION

*Will the project:*

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

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

**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.

<b>12. TRANSPORTATION/CIRCULATION</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<i>Will the project:</i>				
<b>a) Increase vehicle trips to local or areawide circulation system?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b) Reduce existing "Level of Service" on public roadway(s)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d) Provide for adequate emergency access?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>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.)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>f) Conflict with an applicable congestion management program?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>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?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>h) Result in a change in air traffic patterns that may result in substantial safety risks?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>i) Other: _____</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Referrals were sent to County Public Works/Caltrans/SLOCOG. No significant traffic-related concerns were identified.

The project is subject to the South County Road Fee Area 1 which addresses cumulative impacts to County roads in the area. This fee provides the means to collect "fair share" monies from new development to help fund certain regional road improvements that will be needed once the area reaches "buildout". The project will be subject to this fee.

**Impact.** After construction, the proposed unmanned wireless communications facility is estimated to generate about one vehicle trips every six to eight weeks for routine maintenance. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

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

### 13. WASTEWATER

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

**Setting/Impact.** The proposed project consists of an unmanned wireless communications facility and would not generate wastewater or require wastewater disposal.

**Mitigation/Conclusion.** Given that the proposed facility will not generate wastewater, impacts would be less than significant and no mitigation measures are necessary.

### 14. WATER & HYDROLOGY

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>QUALITY</b>				
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 14. WATER & HYDROLOGY

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>QUANTITY</b>				
h) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>

**Setting.** The proposed unmanned wireless communications facility only requires water for irrigation associated with landscaping that was part of the original approval for the existing cell site on the property. The existing vegetation appears to be well established and drought tolerant variety.

The topography of the project is gently sloping upward from Eucalyptus Road. The closest creek from the proposed development is over two miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

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

Within the 100-year Flood Hazard designation? No

Closest creek? Santa Maria River      Distance? 2+ miles

Soil drainage characteristics: Well drained

### Impact – Water Quality/Hydrology

With regards to project impacts on water quality the following conditions apply:

- ✓ Approximately 500 square feet 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 is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ 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.

Based on the latest Annual Resource Summary Report, the project’s water source is adequate to

provide for the project's water needs. OR (when in rural area outside of known groundwater basins) Based on available water information, there are no known constraints to prevent the project from obtaining its water demands.

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

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

**15. LAND USE**

*Will the project:*

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

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

The project is consistent with applicable Land Use Ordinance standards, which require new wireless communications facilities to either be completely screened with vegetation or to incorporate a stealth design that blends with the character of the surrounding landscape.

The proposed project is subject to the following Planning Area Standard(s) as found in the County's LUO:

1. LUO Section 22.112.020 South County Planning Area – Inland
2. LUO Section 22.112.020 B Edge of Nipomo Mesa
3. LUO Section 22.112.040 G 2 RR-South Mesa Edge
4. LUO Section 22.112.020 F Nipomo Mesa Water Conservation Area

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

<b>16. MANDATORY FINDINGS OF SIGNIFICANCE</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<i>Will the project:</i>				
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

## Exhibit A - Initial Study References and Agency Contacts

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

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
☒	County Public Works Department	<b>Attached</b>
☒	County Environmental Health Division	<b>Attached</b>
☐	County Agricultural Commissioner's Office	<b>Not Applicable</b>
☐	County Airport Manager	<b>Not Applicable</b>
☐	Airport Land Use Commission	<b>Not Applicable</b>
☒	Air Pollution Control District	<b>None</b>
☐	County Sheriff's Department	<b>Not Applicable</b>
☐	Regional Water Quality Control Board	<b>Not Applicable</b>
☐	CA Coastal Commission	<b>Not Applicable</b>
☐	CA Department of Fish and Wildlife	<b>Not Applicable</b>
☒	CA Department of Forestry (Cal Fire)	<b>None</b>
☐	CA Department of Transportation	<b>Not Applicable</b>
☐	Community Services District	<b>Not Applicable</b>
☒	Other <u>South County Advisory Council</u>	<b>Not Applicable</b>
☐	Other _____	<b>Not Applicable</b>

*\*\* "No comment" or "No concerns"-type responses are usually not attached*

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

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>☒ Project File for the Subject Application</li> <li><u>County documents</u></li> <li>☐ Coastal Plan Policies</li> <li>☒ Framework for Planning (Coastal/Inland)</li> <li>☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:               <ul style="list-style-type: none"> <li>☒ Agriculture Element</li> <li>☒ Conservation &amp; Open Space Element</li> <li>☐ Economic Element</li> <li>☐ Housing Element</li> <li>☒ Noise Element</li> <li>☒ Parks &amp; Recreation Element/Project List</li> <li>☒ Safety Element</li> </ul> </li> <li>☒ Land Use Ordinance (Inland/Coastal)</li> <li>☐ Building and Construction Ordinance</li> <li>☒ Public Facilities Fee Ordinance</li> <li>☐ Real Property Division Ordinance</li> <li>☒ Affordable Housing Fund</li> <li>☐ Airport Land Use Plan</li> <li>☐ Energy Wise Plan</li> <li>☒ South County (Inland) Area Plan and Update EIR</li> </ul> | <ul style="list-style-type: none"> <li>☐ Design Plan</li> <li>☐ Specific Plan</li> <li>☒ Annual Resource Summary Report</li> <li>☐ Circulation Study</li> <li><u>Other documents</u></li> <li>☒ Clean Air Plan/APCD Handbook</li> <li>☒ Regional Transportation Plan</li> <li>☒ Uniform Fire Code</li> <li>☒ Water Quality Control Plan (Central Coast Basin – Region 3)</li> <li>☒ Archaeological Resources Map</li> <li>☒ Area of Critical Concerns Map</li> <li>☒ Special Biological Importance Map</li> <li>☒ CA Natural Species Diversity Database</li> <li>☒ Fire Hazard Severity Map</li> <li>☒ Flood Hazard Maps</li> <li>☒ Natural Resources Conservation Service Soil Survey for SLO County</li> <li>☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)</li> <li>☐ Other</li> </ul> |
|--|--|

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

***Radio Frequency Site Compliance Report, SiteSafe, February 15, 2013***

***Photo-Simulations, AT&T, July 24, 2013***

## Exhibit B - Mitigation Summary Table

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

### Aesthetics

- V-1. **At the time of application for construction permits**, the construction drawings shall reflect the following specifications:
- a. The mono-eucalyptus shall be designed to match the colors and textures of the bark and leaves of the adjacent eucalyptus trees. Realistic bark texture shall run the entire length of the mono-eucalyptus.
  - b. Plans, specifications and estimates shall require the submittal of material and color test samples of all visible elements of the mono-eucalyptus to the County Department of Planning and Building for review and approval. The plans, specifications and estimates and construction schedule shall provide for revisions and corrections to the test samples prior to preparation of the final plans.
  - c. The mono-eucalyptus shall be designed and constructed to appear as an organic, non-symmetrical form, with varying branch lengths and shapes.
  - d. The coaxial cables and cable tray shall be located below the fence line and shall not be visible to the public.
- V-2. **At the time of application for construction permits**, the applicant shall submit accurate, scaled engineering and architectural drawings of the mono-eucalyptus tree exactly as proposed. Plans shall not include generic illustrations of a mono-eucalyptus tree. The drawings shall include elevations and plan views. Once approved, mono-eucalyptus tree plans shall be specifically used (in conjunction with approved color and material samples and other related documents) as a basis for assessing condition compliance during construction. The plans, specifications and estimates and construction schedule shall provide for revisions and corrections to the mono-eucalyptus tree engineering and architectural plans prior to preparation of the final plans.
- V-3. **Prior to issuance of a construction permit**, the applicant shall submit material and color test samples of all visible elements of the mono-eucalyptus to the County Department of Planning and Building for review and approval. This submittal shall include both photographs of actual existing mono-eucalyptus trees constructed by the selected vendor, as well as physical samples of the faux foliage and branch materials to be used. The mono-eucalyptus shall be constructed of the highest quality, most durable and realistic appearing faux foliage and branches. The color of the faux foliage shall be field matched with the existing adjacent eucalyptus trees.

**DEVELOPER'S STATEMENT FOR THE  
MOATS/HARNEY MINOR USE PERMIT DRC2012-00073**

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

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

**Aesthetics**

V-1. **At the time of application for construction permits**, the construction drawings shall reflect the following specifications:

- a. The mono-eucalyptus shall be designed to match the colors and textures of the bark and leaves of the adjacent eucalyptus trees. Realistic bark texture shall run the entire length of the mono-eucalyptus.
- b. Plans, specifications and estimates shall require the submittal of material and color test samples of all visible elements of the mono-eucalyptus to the County Department of Planning and Building for review and approval. The plans, specifications and estimates and construction schedule shall provide for revisions and corrections to the test samples prior to preparation of the final plans.
- c. The mono-eucalyptus shall be designed and constructed to appear as an organic, non-symmetrical form, with varying branch lengths and shapes.
- d. The coaxial cables and cable tray shall be located below the fence line and shall not be visible to the public.

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

V-2. **At the time of application for construction permits**, the applicant shall submit accurate, scaled engineering and architectural drawings of the mono-eucalyptus tree exactly as proposed. Plans shall not include generic illustrations of a mono-eucalyptus tree. The drawings shall include elevations and plan views. Once approved, mono-eucalyptus tree plans shall be specifically used (in conjunction with approved color and material samples and other related documents) as a basis for assessing condition compliance during construction. The plans, specifications and estimates and construction schedule shall provide for revisions and corrections to the mono-eucalyptus tree engineering and architectural plans prior to preparation of the final plans.

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

V-3. **Prior to issuance of a construction permit**, the applicant shall submit material and color test samples of all visible elements of the mono-eucalyptus to the County Department of Planning and Building for review and approval. This submittal shall include both photographs of actual existing mono-eucalyptus trees constructed by the selected vendor, as well as physical samples of the faux foliage and branch materials to be used. The mono-eucalyptus shall be constructed of the highest quality, most durable and realistic appearing faux foliage and branches. The color of the faux foliage shall be field matched with the existing adjacent eucalyptus trees.

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

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

Michel Harney  
Signature of the Applicant

10/24/13  
Date

Michele Harney  
Name (Print)



4

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 3/19/2013

TO: Env. Health

FROM: Airlin Singewald, Development Review

12330  
MAR 25 2013

PROJECT DESCRIPTION: DRC2012-00073 MOATS- Development Plan to upgrade existing cell site with new simulated eucalyptus "tree", new LTE panel antennas, and equipment racks. 5 acre site located off Scenic View Way in Nipomo. APN: 092-161-023.

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.

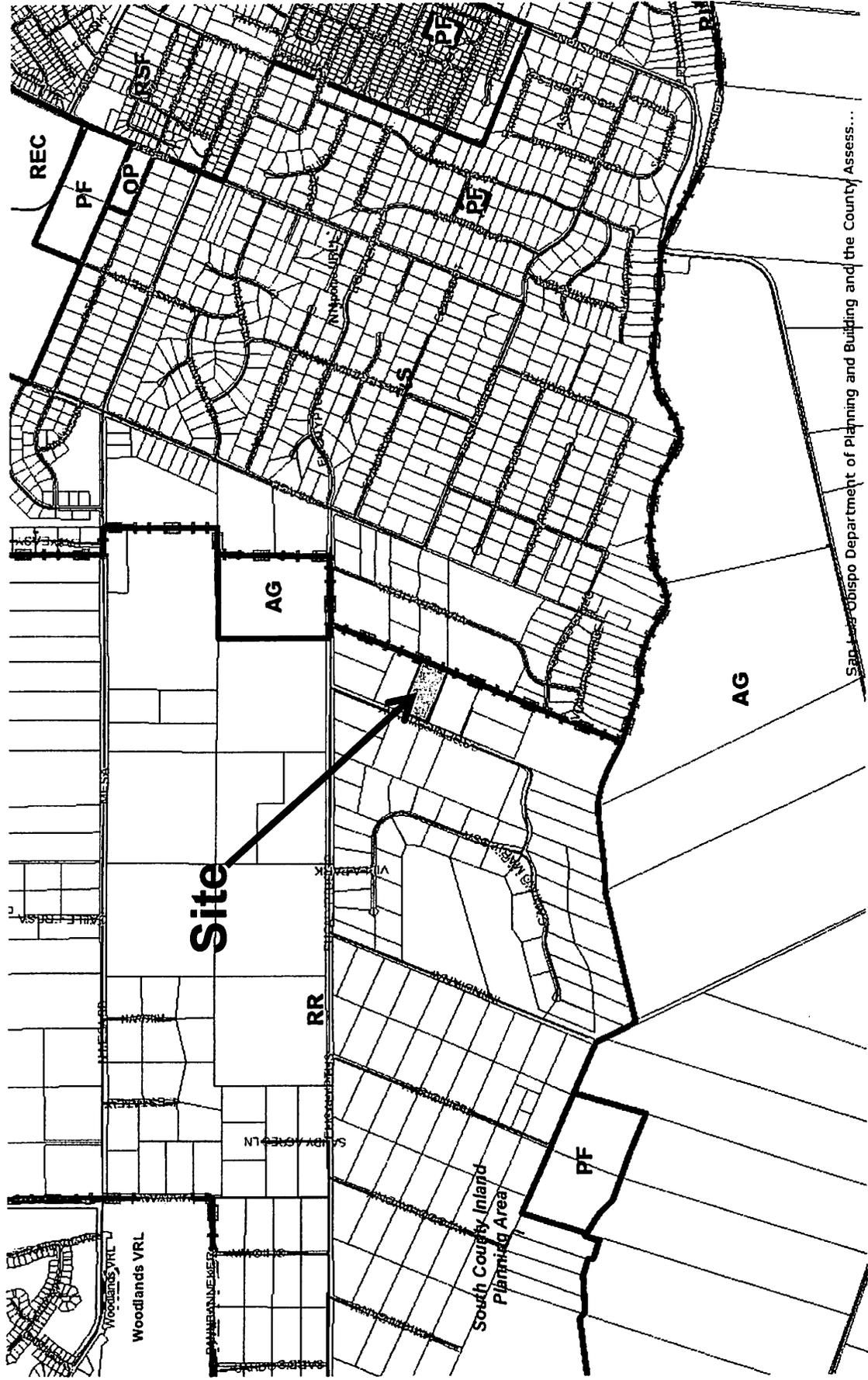
IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

- Should aesthetic modifications result in a change in the storage location or reportable quantities of any hazardous materials, applicant shall amend all appropriate permits and plans with this office. \_\_\_\_\_
- Please call (805)781-5544 and speak with inspector responsible for site if you have any questions. \_\_\_\_\_

3/25/13  
Date

YD  
Name

5551  
Phone



**PROJECT**

Moats Minor Use Permit  
DRC2012-00073

**EXHIBIT**

Vicinity/Land Use Category Map





PROJECT

Moats Minor Use Permit  
DRC2012-00073

EXHIBIT

Aerial

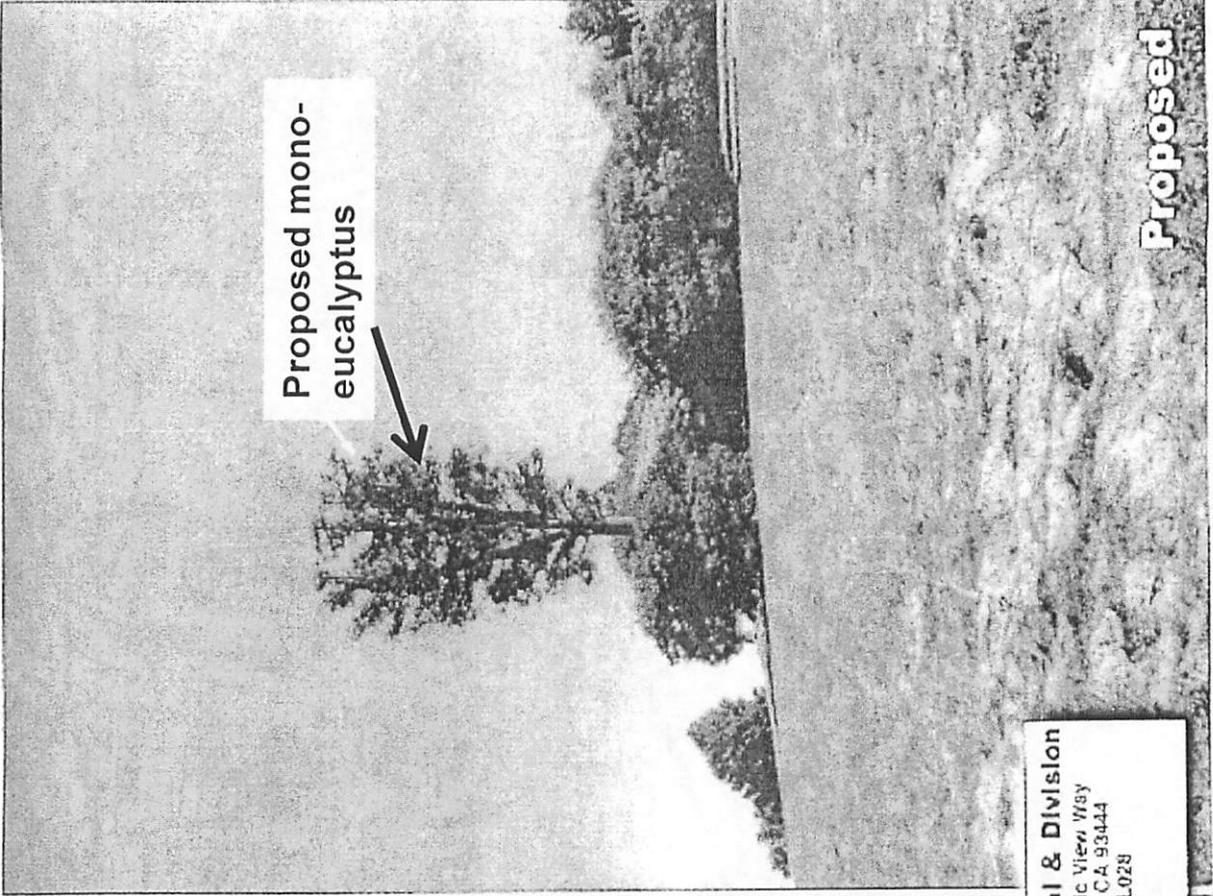
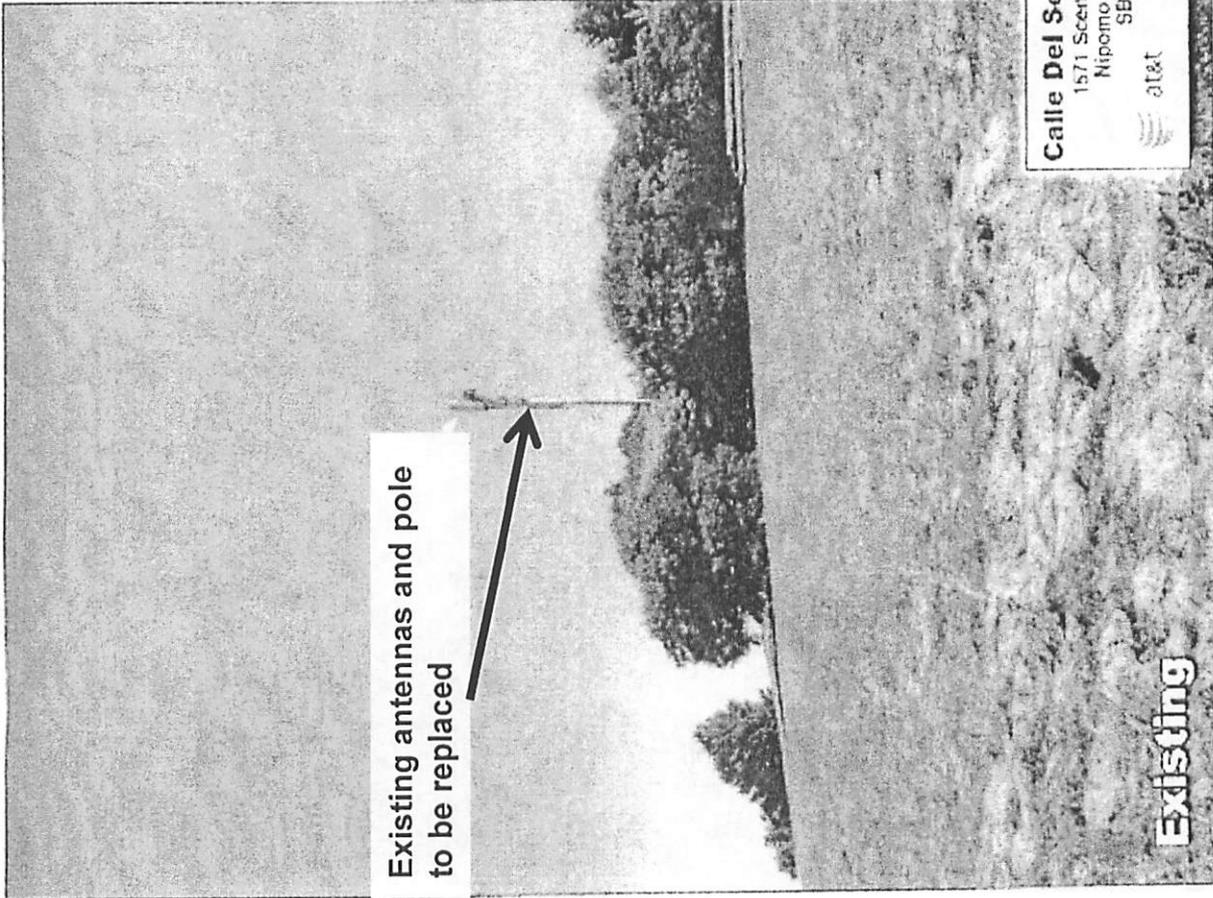




PROJECT  
Moats Minor Use Permit  
DRC2012-00073

EXHIBIT  
Enlarged Aerial





**Calle Del Sol & Division**  
1571 Scenic View Way  
Nipomo, CA 93444  
SBL028  
at&t

PROJECT

Moats Minor Use Permit  
DRC2012-00073

EXHIBIT

Photo Simulations

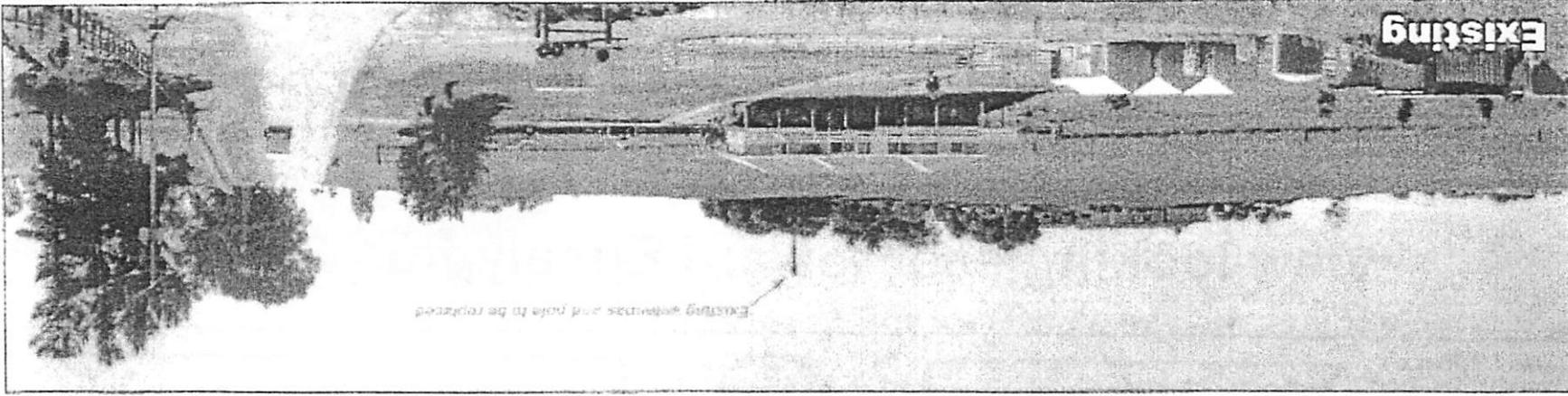
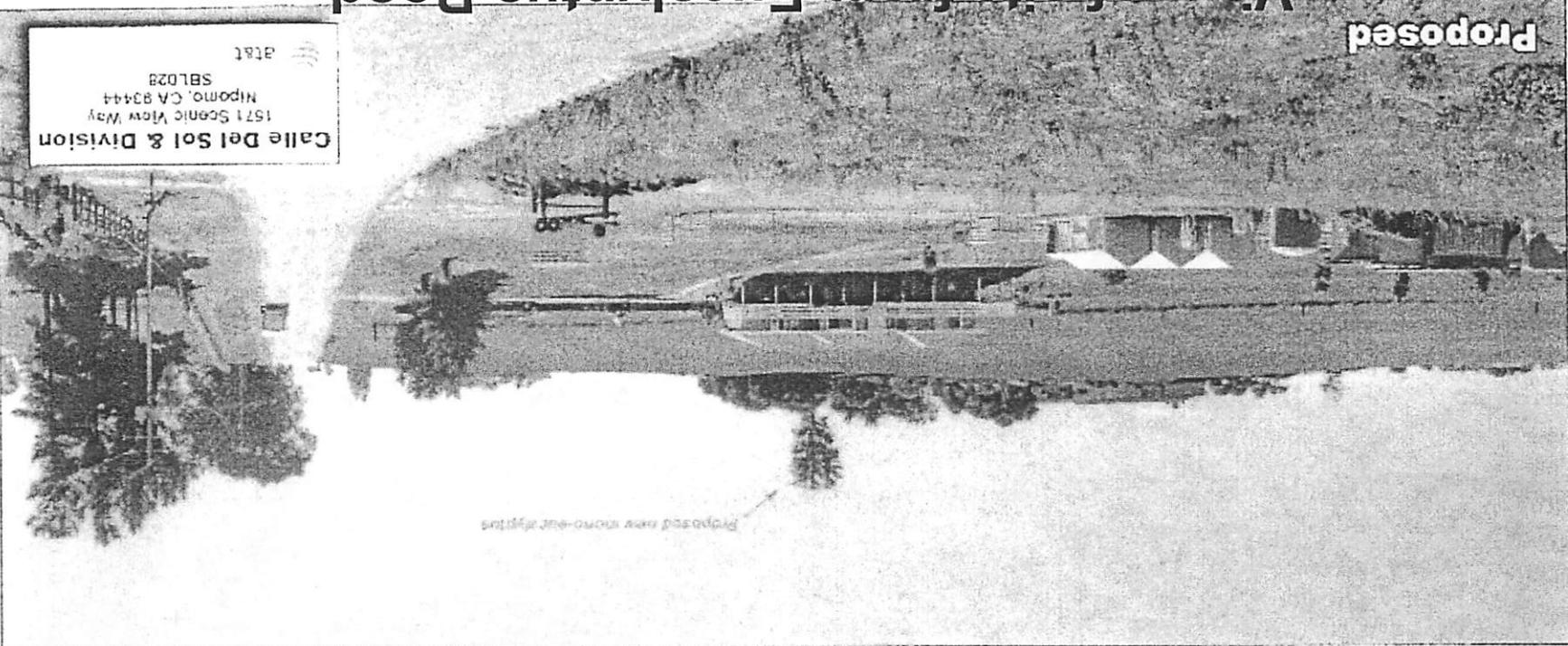


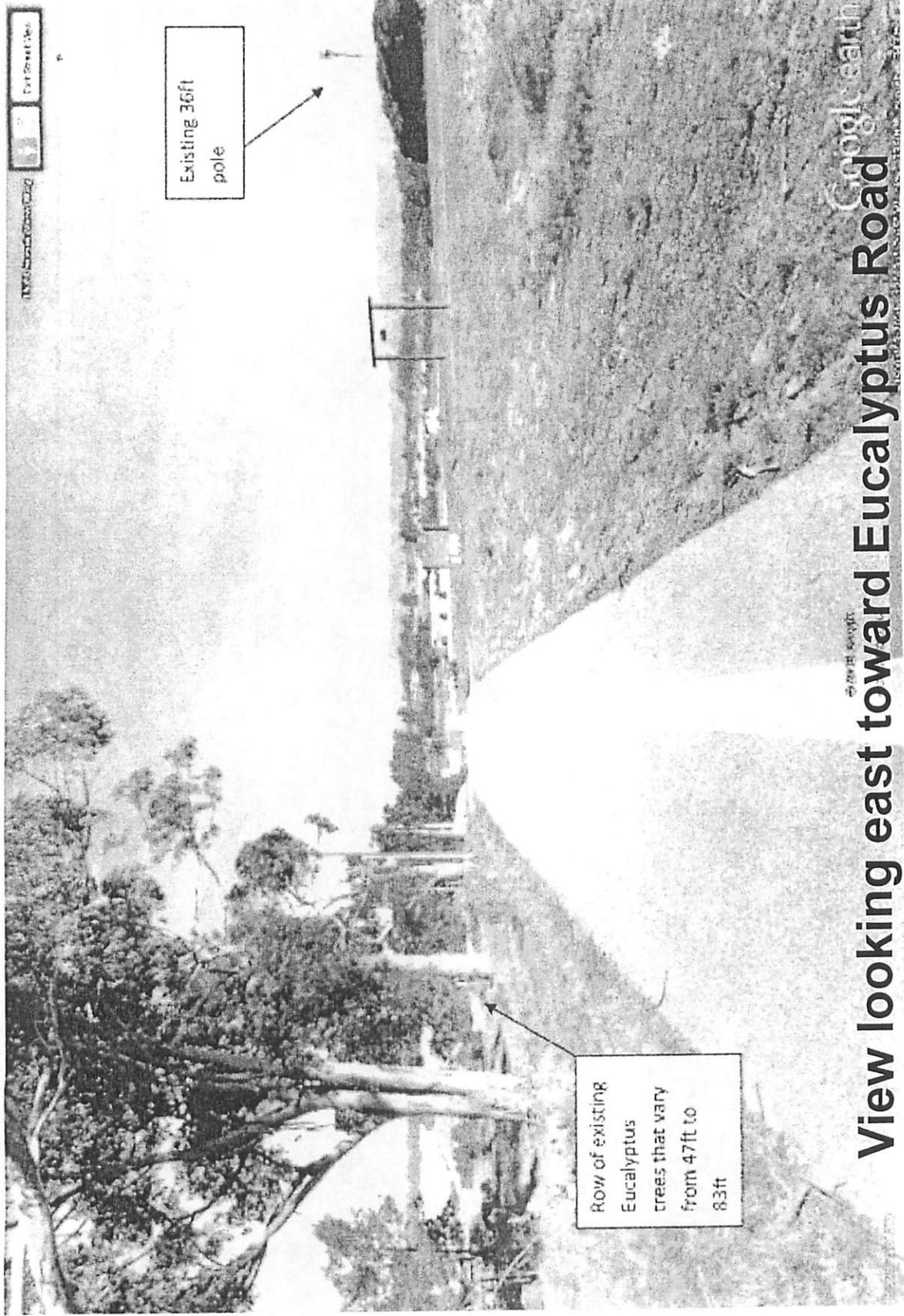


EXHIBIT  
Photo Simulations

PROJECT  
Moats Minor Use Permit  
DRC2012-00073

# View of site from Eucalyptus Road





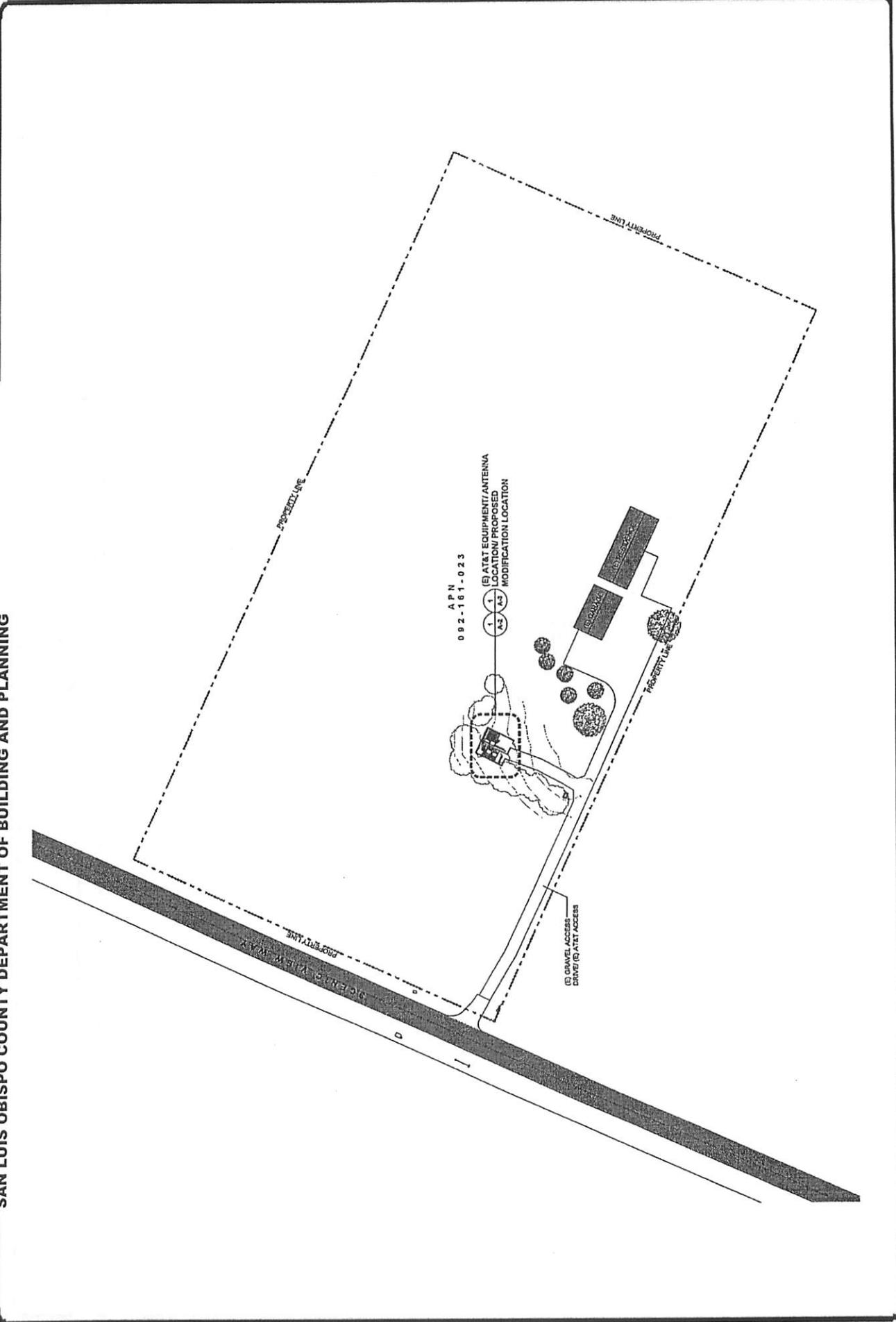
View looking east toward Eucalyptus Road

PROJECT

Moats Minor Use Permit  
DRC2012-00073

EXHIBIT

Site Photo



PROJECT

Moats Minor Use Permit  
DRC2012-00073

EXHIBIT

Overall Site Plan







