



# NEGATIVE DECLARATION & NOTICE OF DETERMINATION

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

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

**ENVIRONMENTAL DETERMINATION NO.** ED12-169

**DATE:** January 16, 2014

**PROJECT/ENTITLEMENT:** PSHH Conditional Use Permit; DRC2012-00047

**APPLICANT NAME:** People's Self Help Housing

**ADDRESS:** 3533 Empleo St. San Luis Obsipo, CA 93401

**CONTACT PERSON:** Lauren Luker

**Telephone:** 805-541-6294

**PROPOSED USES/INTENT:** A request by People's Self Help Housing (PSHH) for a Conditional Use Permit to allow for construction of an approximately 26,100 square foot, 30-unit apartment project, consisting of five structures. The project will result in the disturbance of approximately 1.25 acres of a 2.01 acre parcel. The project will be accessed via a private access easement from Las Tablas Road through an existing PSHH multi-family complex.

**LOCATION:** The project is located at 399 Las Tablas Road, approximately 500 feet west of the Highway 101/Las Tablas Road intersection, in the community of Templeton. The site is in the Salinas River planning area.

**LEAD AGENCY:** County of San Luis Obispo  
Dept of Planning & Building  
976 Osos Street, Rm. 200  
San Luis Obispo, CA 93408-2040

**Website:** <http://www.sloplanning.org>

**OTHER POTENTIAL PERMITTING AGENCIES:** Regional Water Quality Control Board  
California Department of Fish and Game

**STATE CLEARINGHOUSE REVIEW:** YES  NO

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

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. (2 wks from above DATE)**

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

## Notice of Determination

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

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

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

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

Holly Phipps

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**



# Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
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(ver 5.0) Using Form

**Project Title & No.** People's Self Help Housing (PSHH) Conditional Use Permit DRC2012-00047 / ED12- 169

**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 type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" 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 checked="" 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

11/7/13  
Date

Murry Wilson  
Reviewed by (Print)

*Murry Wilson*  
Signature

Ellen Carroll,  
Environmental Coordinator (for) 11/7/13  
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 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:** A request by People's Self Help Housing (PSHH) for a Conditional Use Permit to allow for the construction of a 26,100 square foot, 30-unit apartment complex, consisting of "five" structures ranging in size from 3,885 to 3,970 square feet each. The project will result in the disturbance of approximately 1.25 acres of a 2.01 acre parcel. The project will be accessed via a private access easement from Las Tablas Road through an existing PSHH multi-family apartment complex. The proposed project is within the Residential Multi-Family land use category and is located at 399 Las Tablas Road, approximately 500 feet west of the Highway 101/Las Tablas Road intersection, in the community of Templeton. The site is in the Salinas River planning area.

**ASSESSOR PARCEL NUMBER(S):** 040-289-049

Latitude: 35 degrees 32 ' 59.99" N Longitude: 120 degrees 43' 11.99"W **SUPERVISORIAL DISTRICT # 1**

**B. EXISTING SETTING**

**PLANNING AREA:** Salinas River, Templeton

**TOPOGRAPHY:** Nearly level to moderately sloping

**LAND USE CATEGORY:** Residential Multi-Family

**VEGETATION:** Riparian, Grasses, Shrubs, scattered oaks

**COMBINING DESIGNATION(S):** None

**PARCEL SIZE:** 2.01 acres

**EXISTING USES:** Undeveloped

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Residential Multi-Family; multi-family residences	<i>East:</i> Office and Professional; undeveloped
<i>South:</i> Residential Single Family; church	<i>West:</i> Office and Professional; offices

**C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant

environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.



## COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

### 1. AESTHETICS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located in the community of Templeton, which is a designated urban area. The site is also within the Residential Multi-Family zone. This area immediately surrounding the project site is currently characterized by a mix of multi-family and medical office development; with an undeveloped parcel zoned office/professional directly to the east and a church to the south (across the creek corridor which follows the southwestern property boundary).

The project site is located immediately west of Highway 101 and Bennett Way. The project site is visible from both the north and southbound traveler along Bennett Way the partially from Highway 101. The site is currently undeveloped. The southwestern property boundary follows a densely vegetated seasonal stream, a tributary to Toad Creek. The project site also contains three large Valley Oak trees as well as annual grasslands.

The Templeton Community Design Plan includes guidelines which serve to provide criteria for proposed development within the community. These guidelines include both site planning and architectural guidelines consistent with the community vision for the town of Templeton.

**Impact.** The proposed project complies with the design guidelines of the Templeton Community Design Plan. The style and layout of the proposed development is consistent with other developments in the surrounding area. Based on the location of the proposed project as viewed from public areas, the project has the potential to result in aesthetic impacts. The project has the potential to impact the night sky by introducing an additional residential use and associated night lighting into this area.

#### Mitigation/Conclusion.

Visual impacts will be minimized from portions of the site where natural landforms of the site can shield views of the proposed development from public areas. Additionally, building designs will use earth tone colors and landscaping has been proposed by the applicant that will help to soften the view as seen from Bennett Way and Highway 101. A lighting plan will also be implemented to minimize impacts associated with exterior lighting associated with the proposed project. To minimize aesthetic



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

- Implementation of a lighting plan;
- Implementation of a landscaping / screening plan; and
- Implementation of colors and materials using earth tones.

Incorporation of the mitigation measures listed above and described in detail in Exhibit B - Mitigation Summary Table, will mitigate potential aesthetic impacts to a less than significant level.

**2. AGRICULTURAL RESOURCES**

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land, 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"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located in the community of Templeton, which is designated as an urban area in the San Luis Obispo County General Plan. Additionally, the project site is designated with the Residential Multi Family land use category, which anticipates comparatively dense residential development. No agricultural uses occur in the immediate vicinity. The site has not recently been used for agricultural production.

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

<u>Land Use Category:</u> Residential Multi Family	<u>Historic/Existing Commercial Crops:</u> None
<u>State Classification:</u> Not farmland of Statewide Importance	<u>In Agricultural Preserve?</u> Templeton AG Preserve Area
	<u>Under Williamson Act contract?</u> No

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

Lockwood-Concepcion complex (2 - 9% slope).

Lockwood. This gently sloping soil is considered well drained. The soil has moderate erodibility and moderate 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.

**Concepcion.** This gently sloping soil is considered very poorly 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.

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

**3. AIR QUALITY**

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input 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 type="checkbox"/>

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



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

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

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

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated 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 1.25 acres of a 2.01



acre parcel. 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 will be subject to Section 22.52.160 – Construction Procedures, which requires fugitive dust control measures for all projects involving grading or site disturbance. The project is in close proximity (~500 feet from convalescent home) 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 a 30-unit apartment complex. 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 beyond the fugitive dust control measures required by Section 22.52.160. These measures will be required as a condition of approval and will reduce potential impacts to a less than significant level.

#### 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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



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biological concerns:

On-site Vegetation: Annual grasslands with scattered oaks and riparian.

Name and distance from blue line creek(s): 40 feet west of a seasonal creek that is located adjacent to the project site which is a tributary to Toad Creek that flows into Salinas River.

Habitat(s): California annual grassland, riparian, anthropogenic, and ruderal

Site's tree canopy coverage: Less than 10%.

A preliminary biological report was prepared for the project (Althouse and Meade, Inc., January 2013). The property was surveyed on three separate dates in December 2012. The report details the plant and animal species that have the potential to exist on the property along with the specific findings during the field inspections. Additional field surveys were conducted in April 2013 (during the blooming season) to meet the County guidelines for biological reports and to determine the extent / presence of three special status species: Salinas Milk-vetch, San Luis Obispo Owl's Clover and Salinas Valley Goldfields.

The spring botanical survey conducted in April 2013 identified 54 species, subspecies, varieties, or hybrids of vascular plants on the project site. The list includes 22 species native to California and 32 introduced (naturalized or planted) species. No special status plant species were detected in the on the project site during the appropriately timed botanical surveys. Native plant species account for approximately 40 percent of the taxa within the Study Area and introduced species account for approximately 60 percent.

In addition, the property contain potential habitat for several sensitive animal species: Silvery Legless Lizard, Pallid Bat, Ferruginous Hawk, Oak Titmouse, Lawrence's Goldfinch, White-tailed Kite, Monterey Dusky-footed Woodrat, and American Badger. Of these eight species, only the Titmouse was observed on the subject property.

Wildlife species detected on the project site include 1 amphibian, 22 birds, and 4 mammals. Several Steller's jays and scrub jays were observed foraging on the project site during the biologist's site visit, and expect that song birds and raptors nest are located in trees within the project site and in the vicinity. Several small to medium inactive nests were observed in riparian trees and one small stick nest was found in a large valley oak. A western gray squirrel was observed in a tree nest within the riparian zone just outside of the project site.

Habitats include: California annual grassland (1.05 acres), riparian (0.22 acres), anthropogenic (0.30) and ruderal (0.42).

An un-named seasonal creek is located along the southwestern property line which is a tributary to Toad Creek that eventually flows to the Salinas River. Riparian vegetation from this un-named creek continues onto the project site along the southwestern portion of the property.

**Impact.** Construction of the project will result in the removal of three large valley oak trees. These trees can provide habitat and nesting areas for many bird species. The remainder of the oak trees and riparian vegetation occurring on the site will be avoided by the proposed 30-foot setback from the canopy edge of those trees (along the riparian corridor). This setback will avoid any impacts to the on-site riparian habitat.

Based on the spring botanical survey, (Althouse and Meade, Inc., April 2013) no impacts to special status plant species are expected to occur.

The project could result in potential impacts to the animal species listed above without the inclusion of appropriate avoidance and minimization measures. These impacts can be mitigated to a level of insignificance with inclusion of the mitigation measures summarized below.

**Mitigation/Conclusion.** In order to reduce biological impacts of the project to a level of insignificance, mitigation measures are proposed to limit tree removal to periods outside of the nesting

season unless a survey is conducted by a County approved biologist; providing a minimum 30-foot setback from the edge of riparian vegetation; implementation of low impact development (LID) measures to lessen impacts to the adjacent creek (associated with water quality); replacing trees removed at a 4:1 ratio and impacted trees at a 2:1 ratio; pre-construction surveys for silvery legless lizard, pallid bat, special status birds, woodrat and badger. Implementation of the above referenced mitigation measures (see Exhibit B – Mitigation Summary Table for a detailed list of mitigation measures) with reduce potential impacts to a less than significant level.

## 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"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash and Salinan. The project is within 300 feet of a blue line creek. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

**Impact.** A Phase I (surface) survey was conducted (Cultural Resource Management Services, December 2012). There were some small areas of Monterey chert cobbles and fragments found on the subject property, however, these were not considered significant or warranted mitigation during construction. No further evidence of archaeological resources was present during the survey. Impacts to historical are not expected since the site is undeveloped. There is a potential for significant paleontological resources to exist in this area and construction activities could unearth significant fossil resources based on the underlying soil geologic formations.

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

The applicant has agreed to submit and implement a paleontological resources monitoring plan and apply mitigation measures including data recovery if significant resources are found (refer to Exhibit B for a complete list of measures). Implementation of the monitoring plan would mitigate potential impacts to paleontological resources to less than significant.

## 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"/>



## 6. GEOLOGY AND SOILS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 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 type="checkbox"/>	<input checked="" 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: Nearly level to moderately sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: High

Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Moderate

Other notable geologic features? None

**Impact.** As proposed, the project will result in the disturbance of approximately 1.25 acres of a 2.01 acre parcel. Earth disturbing activities including the removal of vegetation have the potential to result in soil erosion, loss of topsoil, or unstable soil conditions.

The slope where the disturbance will occur is nearly level to moderately sloping at the creek bank. Due to the topography of the project site and setbacks from the creek bank, the landslide risk is not considered significant.

**Mitigation/Conclusion.** Standard construction practices are expected to adequately address landslide safety concerns. There is no evidence that measures above what will already be required by ordinance or codes are needed.



Pursuant to County Ordinance, a sedimentation and erosion control plan is required prior to issuance of construction permits. 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. 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, state-required plans, and the BMPs associated with the above referenced plans would mitigate potential geologic and soils impacts to less than significant. These measures are also discussed in Section 14 and 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) <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"/>
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 type="checkbox"/>	<input checked="" 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"/>

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

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

*h) Other:* \_\_\_\_\_                  

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Conde 65962.5 ("Cortese List"). The project is not within a high severity risk area for fire. The project is not within the Airport Review area. The project is within 264 feet of Highway 101. The average fire response time for this area is 0-5 minutes.

**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.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures 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?*
- b) *Generate permanent increases in the ambient noise levels in the project vicinity?*
- c) *Cause a temporary or periodic increase in ambient noise in the project vicinity?*
- d) *Expose people to severe noise or vibration?*
- 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?*
- f) *Other:* \_\_\_\_\_

**Setting.** The proposed project is within close proximity (approximately 264 feet) to the following heavily-travelled roadways: Highway 101, and within an area that is projected to exceed the county's 60 decibel threshold.

**Impact.** As proposed, all future residents on the project site may be exposed to unacceptable levels from nearby Highway 101 (the site is within the 65 dbl area) which is considered a potentially significant impact. Indoor and outdoor activity areas could exceed the standards of the Noise Element / Ordinance.

There are three proposed outdoor areas (2-play areas and 1-Picnic/BBQ area) for the project. One play area is located behind two of the proposed buildings (with relation to Highway 101). These buildings will act as a barrier for the noise from the highway where no further mitigation is necessary. Additionally, this play area has a proposed a retaining wall that will partially surround it. The other two play areas have proposed retaining walls that will surround them. These walls, if of sufficient height, can mitigate noise impacts to a level of insignificance.

**Mitigation/Conclusion.** The project (Building 1 -5), being within the 65 dbA future decibel boundary (as identified in the County’s Noise Element), will be subject to additional building construction measures to insure acceptable interior noise levels can be achieved.

The applicant will demonstrate that the apartment buildings are designed to minimize interior noise exposure including, but not limited to the following features:

- a. Air conditioning or a mechanical ventilation system;
- b. Solid core exterior doors with perimeter weather stripping and threshold seals;
- c. Exterior finish stucco or brick veneer (or wood siding with plywood under layer); and / or
- d. Roof or attic vents baffled.

Upon completion of the structure(s), the applicant will provide certification from an engineer qualified in noise analysis that a noise level of 45 dbA or less can be maintained inside the residences with the windows and doors closed.

In addition, a 60 dbA will be achieved for outdoor activity areas, when build out of the area is considered. All outdoor areas, patios and picnic / BBQ areas shall be designed to achieve a 60 dBA to reduce noise impacts to a level of insignificance. In the event the acceptable noise level is not reached, additional measures will be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved. Implementation of the measures listed in Exhibit B – Mitigation Summary Table will reduce potential noise impacts to a less than significant level.

**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 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



## 11. RECREATION

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
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 type="checkbox"/>

**Setting.** The County's Parks and Recreation Element does not a potential trail going 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. The project has proposed 2-play areas, 1-picnic/BBQ area and open landscape areas for residents of this apartment complex to use.

**Impact.** The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources. There are three proposed play areas incorporated into the project's design to provide outdoor play areas for the residents of the project.

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

## 12. TRANSPORTATION/CIRCULATION

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>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.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 12. TRANSPORTATION/CIRCULATION

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<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 urban area as "D" or better. The existing road network in the area, including the project's access street(s) Las Tablas Road is operating at an acceptable level of service. The proposed project is located behind Rolling Hills Apartments and will take access via a private easement. 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. No traffic concerns were identified. As required by ordinance, the applicant shall be required to improvements if required to the existing access and be required to provide on-site circulation.

The project is located approximately 500 feet from Las Tablas Park and Ride. The project is within the Templeton Area A Circulation Fee 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" and addresses cumulative impacts to County roads in the area.

**Impact.** No significant traffic-related concerns were identified. The proposed project is estimated to generate about 300 trips per day, based on the Institute of Traffic Engineer's manual of 10 trips/unit. The project is located within the vicinity to a mixture of residential, commercial lots. The help reduce traffic trips and to promote alternative means of transportation, the applicant has agreed to incorporate on-site bike racks and bike lockers as required by ordinance.

This 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.** The project is located within Templeton Road Fee Area – A. The Templeton Circulation Fee Program will adequately address the project's contribution to area wide cumulative circulation impacts. Additionally, the applicant shall incorporate on-site bike racks and bike lockers.

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
<b>a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



### 13. WASTEWATER

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 will be served by the Templeton Community Services District (TCSD) for wastewater disposal. This system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project.

**Impact.** The project proposes to use a community system as its means to dispose of wastewater. Based on the proposed project, the proposed community system has the capacity to handle the project's additional effluent.

**Mitigation/Conclusion.** Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no impacts are anticipated 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>

## 14. WATER & HYDROLOGY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>QUANTITY</b>				
<b>h) Change the quantity or movement of available surface or ground water?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>i) Adversely affect community water service provider?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>k) Other: <u>Trash Containers</u></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to obtain its water needs from a community system (TCSD). Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level to moderately sloping. The closest creek from the proposed development is approximately on the adjacent property to the southwest. 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 erosion and sedimentation measures to be installed.

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

Within the 100-year Flood Hazard designation? No

Closest creek? unnamed blue creek which is a tributary to Salinas River Distance?  
Approximately 700 feet to the east on an adjacent parcel

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the the project's soil erodibility is as follows:

Soil erodibility: Moderate

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention

Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

### Impact – Water Quality/Hydrology

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

- ✓ Approximately 1.25 acres of site disturbance is proposed;
- ✓ 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;
- ✓
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ 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; and
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur.

### 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: 5.38 acre feet/year (AFY);  
Outdoor: 0.51AFY  
Total Use: 5.9 AFY  
Total Use w/ Conservation: 5.9 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 has the potential to impact water quality if storm water comes in contact with pollutants such as trash or sediment. **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. To ensure that storm water does not enter trash bins and then produce contaminated water run-off, the applicant shall design trash containers that will prevent storm water from entering (for example but not limited to: provide covers over the trash bins).

Pursuant to County Ordinance, a sedimentation and erosion control plan is required prior to issuance of construction permits. 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. 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, state-required plans, and the BMPs associated with the above referenced plans would mitigate potential water quality impacts to less than significant. These measures are also discussed in Section 6 and are included in Exhibit B – Mitigation Summary Table.

**15. LAND USE**

**Inconsistent      Potentially Inconsistent      Consistent      Not Applicable**

*Will the project:*

- 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?*
- b) *Be potentially inconsistent with any habitat or community conservation plan?*
- c) *Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?*
- 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**

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

*Will the project:*

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or*

**animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

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

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

For further information on CEQA or the county's environmental review process, please visit the County's web site at [www.sloplanning.org](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>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	None
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Wildlife	Not Applicable
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input type="checkbox"/>	Templeton Community Service District	Attached
<input checked="" type="checkbox"/>	Other <u>General Services - Parks</u>	None
<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 checked="" type="checkbox"/> Templeton Design Plan
<u>County documents</u>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input checked="" type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Templeton Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<u>Other documents</u>
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service
<input checked="" type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> Soil Survey for SLO County
<input type="checkbox"/> Airport Land Use Plan	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Energy Wise Plan	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Salinas River Area Plan and Update EIR	



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

**Preliminary Biological Report, Althouse and Meade, Inc., January 2013.**

**Spring Biological Report, Althouse and Meade, Inc., June 2013.**

**Cultural Resources Inventory Survey, Cultural Resource Management Services, September 2012.**

**Paleontological Assessment of Templeton Medical Plaza, Cogstone Resource Management, Inc., April 16, 2003, Templeton, San Luis Obispo County, California.**

## **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.

### **Aesthetic Resources**

VS-1 Prior to issuance of building permits for each structure, the applicant shall submit architectural elevations to the County Department of Planning and Building for review and approval. The elevations shall show exterior finish materials and colors, as follows:

- a. Exterior wall colors shall be limited to dark and/or muted earth-tones. Exterior colors shall be no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
- b. Roof colors shall be limited dark and/or muted earth tones, no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building. If natural copper roofing is utilized, it shall be pre-painted in dark brown/ green hues prior to installation. Samples shall be provided to County Planning for review and approval.

VS-2 Prior to issuance of building permits for each structure, 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 include trees and shrubs for the purpose of screening the structures as seen from Bennett Way and Highway 101.
- 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. Shrubs shall be planted among the screen trees. Shrubs shall be planted from five-gallon containers; and
- 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.

VS-3 At the time of application for construction permits, the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from Bennett Way and Highway 101. Security lighting shall be shielded so as not to create glare when viewed from Bennett Way. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

VS-4 Prior to occupancy or final inspection, whichever occurs first, the applicant shall implement the approved color board, showing exterior finish materials, colors, and height above the existing natural ground surface and the approved landscape / screening plan.

### **Biological Resources**



**BR-1 At the time of application for construction permits, the applicant shall show a minimum 30-foot setback from the edge of riparian vegetation.**

**BR-2 At the time of application for construction permits, the applicant shall show the three oak trees to be removed as part of the construction of the project. These trees shall be replaced at a 4:1 ratio for a total of 12 oak trees. Plans shall show the location of the replacement trees.**

**BR-3 Prior to final inspection of construction permits, the applicant shall replant twelve valley oak trees for the three trees removed. Replacement coast live oak trees shall be from one-gallon container sizes and placed in the proposed oak tree replacement areas. All newly planted oak trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring.**

Once trees have been planted and prior to final inspection of grading permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryperson, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

- BR-4 **At the time of application for construction permits**, the applicant shall show all native trees greater than five inches in diameter at breast height within 50 feet of site disturbance. Plans shall show if these trees are to be removed, impacted or preserved. No more than 3 Valley Oak trees can be impacted or removed.
- BR-5 **Prior to any site disturbance**, the applicant shall install tree fencing outside the root zone of any trees located within 50 feet of construction activities. If construction activities cannot avoid the root zone, construction activities will be conducted by hand with a monitor present.
- BR-6 **Prior to any site disturbance or tree removal**, to avoid potential impacts to nesting birds, tree removal associated with project activities shall be limited outside the bird nesting season, which is February 15th to September 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist, retained by the applicant, in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance and in consultation with CDFW and/or USFWS. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.
- BR-7 **Prior to any site disturbance**, a preconstruction survey for legless lizards shall be conducted in areas proposed for disturbance for areas that would affect potentially suitable habitat, as determined by the consulting biologist. If the results are negative, a letter will be sent to the County Planning and Building Department stating the findings. If the species is present, the following shall apply:
- Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
  - Construction monitoring shall be required for all new ground-breaking activities location within legless lizard habitat. Construction monitors shall capture and relocate legless lizards as specified above.
  - A letter report shall be submitted to the County and CDFW within 30 day of legless lizard relocation, or as directed by CDFW.
- BR-8 **Prior to issuance of construction and/or grading permit** and prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Wildlife, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.
- BR-9 **Prior to any site disturbance**, a pre-construction survey shall be conducted within 30 days of beginning construction work to identify if any woodrat nests are present. If the species is found, a 25-foot setback from identified nests will be required. No site disturbance is allowed within the setback. If nests are identified within the construction area, a biological monitor shall be present during construction activities in all areas identified as potential habitat for the species. The monitor shall be qualified to capture and relocate any special status species that



are found during construction. The monitor has the authority to stop work, as necessary, to capture and relocate the animals.

**BR-10 Prior to any site disturbance**, a pre-construction survey shall be conducted within 30 days for commencement of construction activities to identify if badgers are present. Results of this survey will be sent to the Department of Planning and Building. If potential dens are found, they will be inspected to determine if they are occupied. Inactive dens can be excavated to avoid use of the dens during construction. If active dens are found, no grading shall occur within 100 feet between February 1 and July 1. Between July 1 and February 1, if active dens are found, the consulting biologist can encourage the badger to vacate the den which could include live trapping a moving the animals to safe locations.

**BR-11** For the life of the project, a 30-foot setback for riparian vegetation shall be maintained. Exclusion fencing (like t-post) shall be installed at this boundary to prevent encroachment into this area. Clearing of riparian vegetation and the creeks shall be avoided. If any impacts are identified, the County and the CDFW shall be contacted (CDFW 1600 agreement may be required).

### **Cultural Resources**

**CR-1 Prior to issuance of grading and construction permits**, the applicant shall submit for the review and approval of the Environmental Coordinator, a detailed research design for a Paleontological Monitoring & Recovery Plan (PMRP). The PMRP shall be consistent with the Paleontological Assessment of Templeton Medical Plaza, Templeton, San Luis Obispo County, California (Cogstone; April 16, 2003) and shall be prepared by a qualified paleontologist approved by the Environmental Coordinator. The PMRP program shall include the following at minimum.

- a. List of personnel involved in the monitoring activities;
- b. Clear identification of what portions of the project (e.g. phases, areas of site, types of activities);
- c. Description of how the monitoring shall occur;
- d. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- e. Description of what resources are expected to be encountered;
- f. Description of circumstances that would result in the "work diversion" at the project site;
- g. Description of procedures for diverting work on the site and notification procedures;
- h. Description of monitoring reporting procedures;
- i. Disposition of collected materials;
- j. Proposed analysis of results of data recovery and collected materials, including timeline of final analysis results.

**CR-2 During ground disturbing construction activities**, the applicant shall implement the PMRP measures as delineated in the PMRP.

**CR-3 Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection**, whichever occurs first, the consulting paleontologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries

per the PMRP. If the analysis included in the PMRP program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.

## **Noise**

- N-1 The applicant will demonstrate that the apartment buildings are designed to minimize interior noise exposure including, but not limited to the following features:
- a. Air conditioning or a mechanical ventilation system;
  - b. Solid core exterior doors with perimeter weather stripping and threshold seals;
  - c. Exterior finish stucco or brick veneer (or wood siding with plywood under layer); and / or
  - d. Roof or attic vents baffled.

Upon completion of the structure(s), the applicant will provide certification from an engineer qualified in noise analysis that a noise level of 45 dbA or less can be maintained inside the residences with the windows and doors closed.

In addition, a 60 dbA shall be achieved for outdoor activity areas, when build out of the area is considered. In the event the acceptable noise level is not reached, additional measures will be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved.

## **Geology and Soils**

- GS-1 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.

## **Transportation**

- T-1 **Prior to occupancy of Building 1, 2, 3, 4, and 5 associated with this approval, the applicant shall incorporate on-site a bike rack and bike locker (for each building).**

## **Water and Hydrology**

- W-1. **Prior to issuance of the grading permit, the applicant shall submit a sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall include, but not be limited to, the following measures:**
- a. Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.



- b. Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water.
- c. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.
- d. Control of off-site effects: All grading activity shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

**W-2. At the time of application for construction permits, the applicant shall prepare a Storm Water Pollution Prevention Plan, per Regional Water Quality Control Board requirements, and an Erosion and Sedimentation Control Plan shall be prepared by a certified sediment and erosion control specialist, registered civil engineer, registered architect or landscape architect, certified California nurseryperson, or licensed landscape contractor. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the erosion and sedimentation control measures proposed. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan. The plan shall contain, but need not be limited to, all of the following information:**

- a. Grading limits shall be graphically defined on the plan and staked out before site disturbance begins.
- b. Estimates of sediment yields before, during, and after construction of the project for a three-year period or until revegetation is established.
- c. Proposed methods and a description of the practices to be used to protect exposed erodible areas during and after construction, including temporary and permanent mulching, seeding, or other recognized surface stabilization measures.
- d. Proposed temporary and final methods and a description of the practices to be used for cut or fill slopes to prevent erosive surface runoff, including earth or paved interceptors and diversions, energy absorbing structures, or devices and techniques to reduce the velocity of runoff water.
- e. Proposed methods and description of the temporary and final practices to retain sediment on the site, including: sediment basins and traps, vegetative filter strips, or other recognized measures; a schedule for their maintenance and upkeep; provisions for responsibility of maintenance; and design criteria for the trapping efficiency and storage capacities of sediment basins for flows from a ten-year storm.
- f. Proposed methods, application technique, seed and fertilizer rate, sequence, and description of final erosion control practices for revegetation of all surfaces disturbed by vegetation removal, grading, haul roads, or other improved surfaces authorized by approved plans. A schedule for maintenance and upkeep of revegetated areas shall be included.
- g. The type, location, and extent of pre-existing and undisturbed vegetation on the site. Descriptions of proposed methods to limit access routes and stabilize all access points, and to delineate clearing limits, easements, setbacks, sensitive areas, buffer areas and drainage courses.

**W-3 At the time of application for construction permits, the applicant shall show 2 stormwater runoff reduction measures. Such measures include but not limited to:**

- o Rain gardens;
- o Porous paving system;

- Vegetative swales;
- Pavement disconnection or;
- 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.

W-4 At the time of application for construction permits (Buildings 1-5), the applicant shall show on the plans location of all trash bins. The design of trash containers or location of the trash containers shall prevent storm water from infiltrating the trash bins.





SAN LUIS OBISPO COUNTY

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## DEPARTMENT OF PLANNING AND BUILDING

November 7, 2013

Agent: Lauren Luker  
444 Higuera St. Suite 201  
San Luis Obispo, CA, 93401

Subject: Developer's Statement / PSHH / CUP / DRC2012-00047

Dear Ms. Luker:

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 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.

Sincerely,

Holly Phipps, MCRP  
Project Manager

**DEVELOPER'S STATEMENT FOR THE  
PEOPLES SELF HELP HOUSING CONDITIONAL USE PERMIT (DRC2012-00047)**

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.

**Biological Resources**

BR-1. **At the time of application for construction permits**, the applicant shall show a minimum 30-foot setback from the edge of riparian vegetation.

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

BR-2. **At the time of application for construction permits**, the applicant shall show the three oak trees to be removed as part of the construction of the project. These trees shall be replaced at a 4:1 ratio for a total of 12 oak trees. Plans shall show the location of the replacement trees.

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

BR-3. **Prior to final inspection of construction permits**, the applicant shall replant twelve valley oak trees for the three trees removed. Replacement coast live oak trees shall be from one-gallon container sizes and placed in the proposed oak tree replacement areas. All newly planted oak trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring.

Once trees have been planted and prior to final inspection of grading permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nursery person, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

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

BR-4. **At the time of application for construction permits**, the applicant shall show all native trees greater than five inches in diameter at breast height within 50 feet of site disturbance. Plans shall show if these trees are to be removed, impacted or preserved. No more than 3 Valley Oak trees can be impacted or removed.

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

BR-5. **Prior to any site disturbance**, the applicant shall install tree fencing outside the root zone of any trees located within 50 feet of construction activities. If construction activities cannot avoid the root zone, construction activities will be conducted by hand with a monitor present.

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

BR-6. **Prior to any site disturbance or tree removal**, to avoid potential impacts to nesting birds, tree removal associated with project activities shall be limited outside the bird nesting season, which is February 15th to September 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist, retained by the applicant, in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance and in consultation with CDFW and/or USFWS. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

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BR-7. **Prior to any site disturbance**, a preconstruction survey for legless lizards shall be conducted in areas proposed for disturbance for areas that would affect potentially suitable habitat, as determined by the consulting biologist. If the results are negative, a letter will be sent to the County Planning and Building Department stating the findings. If the species is present, the following shall apply:

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

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BR-8. **Prior to issuance of construction and/or grading permit** and prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Wildlife, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

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BR-9. **Prior to any site disturbance**, a pre-construction survey shall be conducted within 30 days of beginning construction work to identify if any woodrat nests are present. If the species is found, a 25-foot setback from identified nests will be required. No site disturbance is allowed within the setback. If nests are identified within the construction area, a biological monitor shall be present during construction activities in all areas identified as potential habitat for the species. The monitor shall be qualified to capture and relocate any special status species that are found during construction. The monitor has the authority to stop work, as necessary, to capture and relocate the animals.

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

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CR-1. **Prior to issuance of grading and construction permits**, the applicant shall submit for the review and approval of the Environmental Coordinator, a detailed research design for a Paleontological Monitoring & Recovery Plan (PMRP). The PMRP shall be consistent with the Paleontological Assessment of Templeton Medical Plaza, Templeton, San Luis Obispo County, California (Cogstone; April 16, 2003) and shall be prepared by a qualified paleontologist approved by the Environmental Coordinator. The PMRP program shall include the following at minimum.

- a. List of personnel involved in the monitoring activities;
- b. Clear identification of what portions of the project (e.g. phases, areas of site, types of activities);
- c. Description of how the monitoring shall occur;
- d. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- e. Description of what resources are expected to be encountered;
- f. Description of circumstances that would result in the "work diversion" at the project site;
- g. Description of procedures for diverting work on the site and notification procedures;
- h. Description of monitoring reporting procedures;
- i. Disposition of collected materials;
- j. Proposed analysis of results of data recovery and collected materials, including timeline of final analysis results.

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

CR-2. **During ground disturbing construction activities**, the applicant shall implement the PMRP measures as delineated in the PMRP.

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

CR-3. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection**, whichever occurs first, the consulting paleontologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries per the PMRP. If the analysis included in the PMRP program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.

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

**Noise**

- N-1. The applicant will demonstrate that the apartment buildings are designed to minimize interior noise exposure including, but not limited to the following features:
- a. Air conditioning or a mechanical ventilation system;
  - b. Solid core exterior doors with perimeter weather stripping and threshold seals;
  - c. Exterior finish stucco or brick veneer (or wood siding with plywood under layer); and / or
  - d. Roof or attic vents baffled.
- 1) Upon completion of the structure(s), the applicant will provide certification from an engineer qualified in noise analysis that a noise level of 45 dbA or less can be maintained inside the residences with the windows and doors closed.
- 2) In addition, a 60 dbA shall be achieved for outdoor activity areas, when build out of the area is considered. In the event the acceptable noise level is not reached, additional measures will be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved.

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

**Geology and Soils**

- GS-1. 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.

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**Transportation**

- T-1. Prior to occupancy of Building 1, 2, 3, 4, and 5 associated with this approval, the applicant shall incorporate on-site a bike rack and bike locker (for each building).

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

## **Water and Hydrology**

- W-1. Prior to issuance of the grading permit, the applicant shall submit a sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall include, but not be limited to, the following measures:**
- a. **Slope surface stabilization:** Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.
  - b. **Erosion and sedimentation control devices:** In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water.
  - c. **Final erosion control measures:** During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.
  - d. **Control of off-site effects:** All grading activity shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

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

- W-2. At the time of application for construction permits, the applicant shall prepare a Storm Water Pollution Prevention Plan, per Regional Water Quality Control Board requirements, and an Erosion and Sedimentation Control Plan shall be prepared by a certified sediment and erosion control specialist, registered civil engineer, registered architect or landscape architect, certified California nurseryperson, or licensed landscape contractor. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the erosion and sedimentation control measures proposed. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan. The plan shall contain, but need not be limited to, all of the following information:**
- a. **Grading limits shall be graphically defined on the plan and staked out before site disturbance begins.**
  - b. **Estimates of sediment yields before, during, and after construction of the project for a three-year period or until revegetation is established.**
  - c. **Proposed methods and a description of the practices to be used to protect exposed erodible areas during and after construction, including temporary and permanent mulching, seeding, or other recognized surface stabilization measures.**
  - d. **Proposed temporary and final methods and a description of the practices to be used for cut or fill slopes to prevent erosive surface runoff, including earth or paved interceptors and diversions, energy absorbing structures, or devices and techniques to reduce the velocity of runoff water.**

- e. Proposed methods and description of the temporary and final practices to retain sediment on the site, including: sediment basins and traps, vegetative filter strips, or other recognized measures; a schedule for their maintenance and upkeep; provisions for responsibility of maintenance; and design criteria for the trapping efficiency and storage capacities of sediment basins for flows from a ten-year storm.
- f. Proposed methods, application technique, seed and fertilizer rate, sequence, and description of final erosion control practices for revegetation of all surfaces disturbed by vegetation removal, grading, haul roads, or other improved surfaces authorized by approved plans. A schedule for maintenance and upkeep of revegetated areas shall be included.
- g. The type, location, and extent of pre-existing and undisturbed vegetation on the site. Descriptions of proposed methods to limit access routes and stabilize all access points, and to delineate clearing limits, easements, setbacks, sensitive areas, buffer areas and drainage courses.

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

W-3. At the time of application for construction permits, the applicant shall show 2 stormwater runoff reduction measures. Such measures include but not limited to:

- a. Rain gardens;
- b. Porous paving system;
- c. Vegetative swales;
- d. Pavement disconnection or;
- e. 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.

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

W-4. At the time of application for construction permits (Buildings 1-5), the applicant shall show on the plans location of all trash bins. The design of trash containers or location of the trash containers shall prevent storm water from infiltrating the trash bins.

**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.

  
\_\_\_\_\_  
Signature of Owner(s)

11/13/13  
\_\_\_\_\_  
Date

Ken Triguero, VP  
\_\_\_\_\_  
Name(Print)

Peoples Self-Help Housing







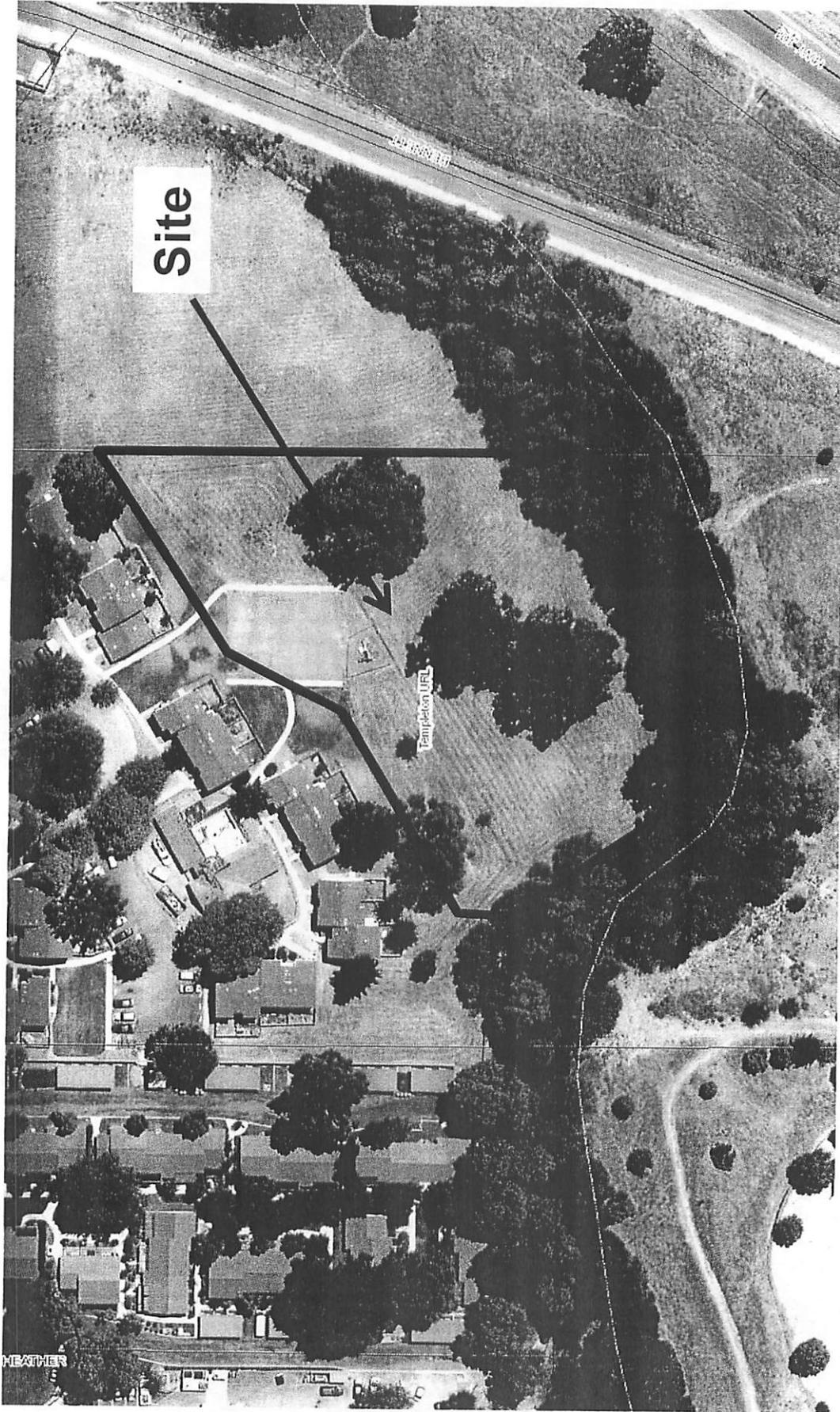
PROJECT

PSHH Conditional Use Permit  
DRC2012-00047

EXHIBIT

Aerial





PROJECT

PSHH Conditional Use Permit  
DRC2012-00047

EXHIBIT

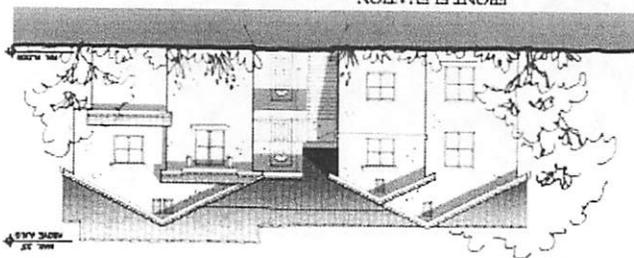
Enlarged Aerial



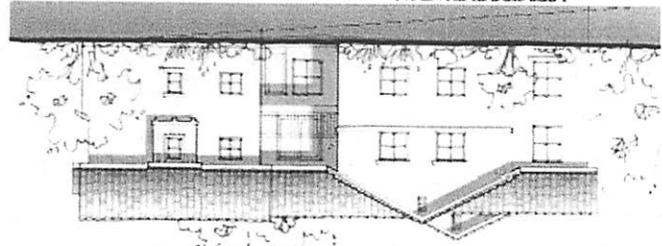


BUILDINGS 1 - 4

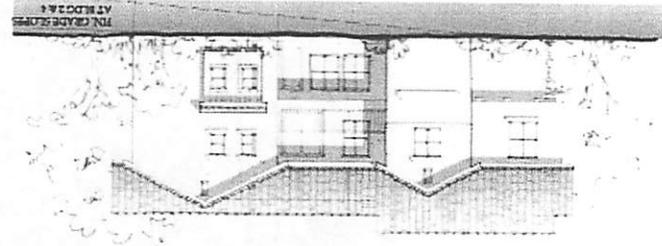
- ELEVATION MATERIALS
- ROOF: CONCRETE & TILE
  - WALLS: GRABIT PLASTER, INTERIAL COLOR
  - ACCENT WALLS: CHALK/THOUSANDS
  - TRIM: WOOD PAINTED
  - BASELINE: WOOD PAINTED
  - RAILINGS: POWDER COATED METAL



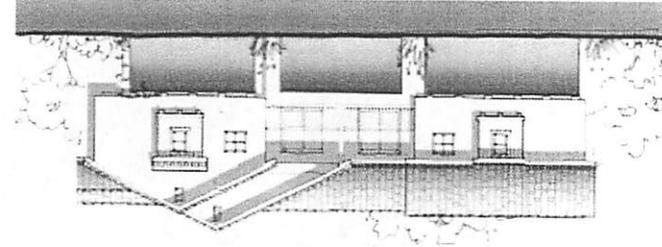
FRONT ELEVATION



LEFT SIDE ELEVATION



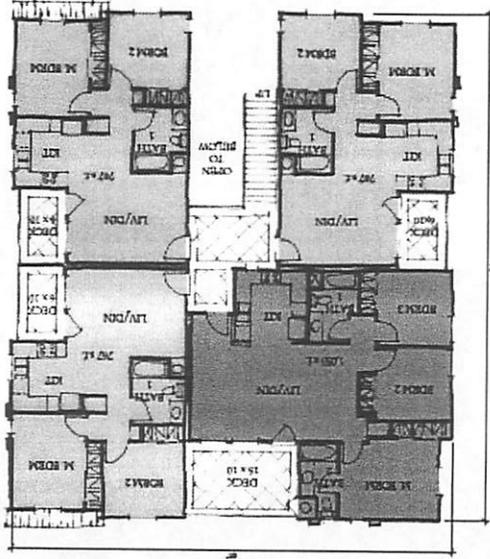
REAR ELEVATION



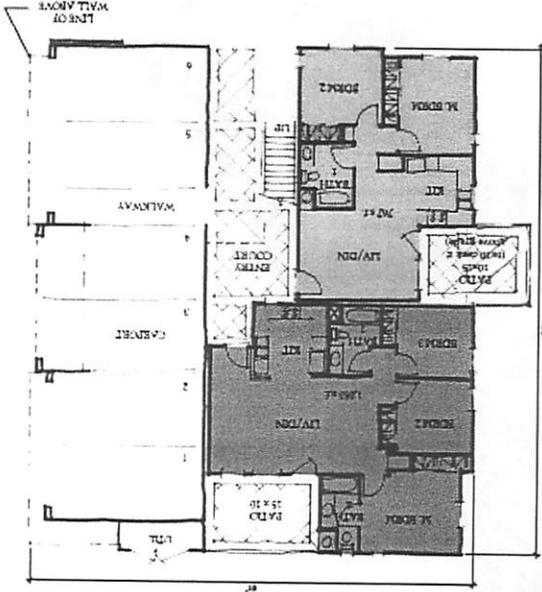
RIGHT SIDE ELEVATION

EXTERIOR ELEVATIONS

FLOOR PLANS



2nd FLOOR PLAN



1st FLOOR PLAN

Floor Plans/Elevations

EXHIBIT



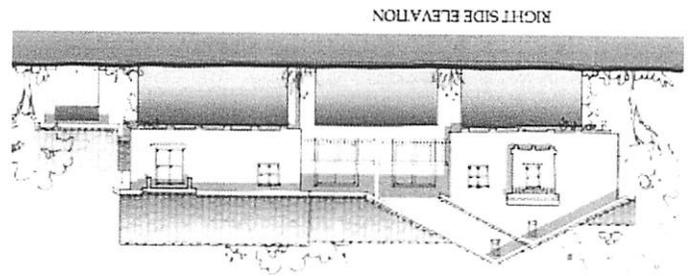
PROJECT PSHH Conditional Use Permit  
DRC2012-00047



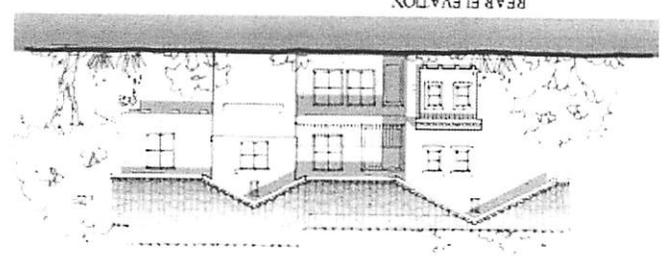
PROJECT  
PSHH Conditional Use Permit  
DRC2012-00047

EXHIBIT  
Floor Plans/Elevations

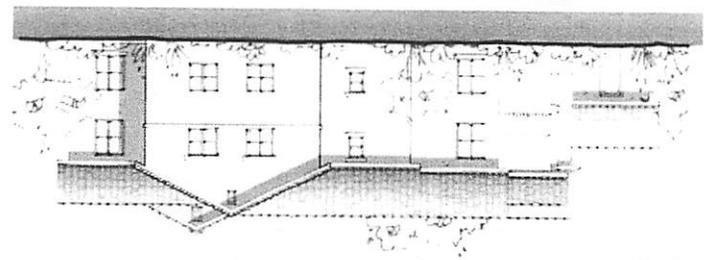
EXTERIOR ELEVATIONS



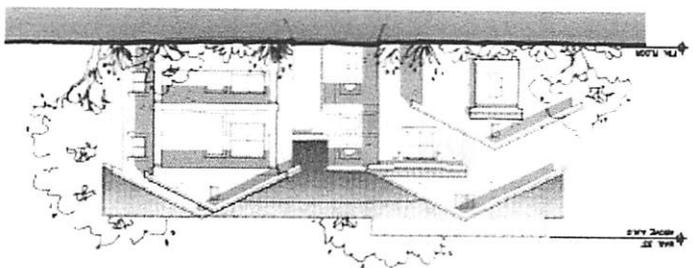
RIGHT SIDE ELEVATION



REAR ELEVATION

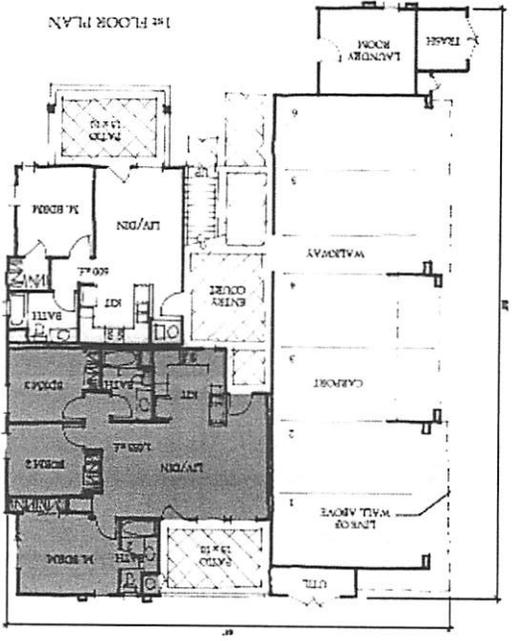
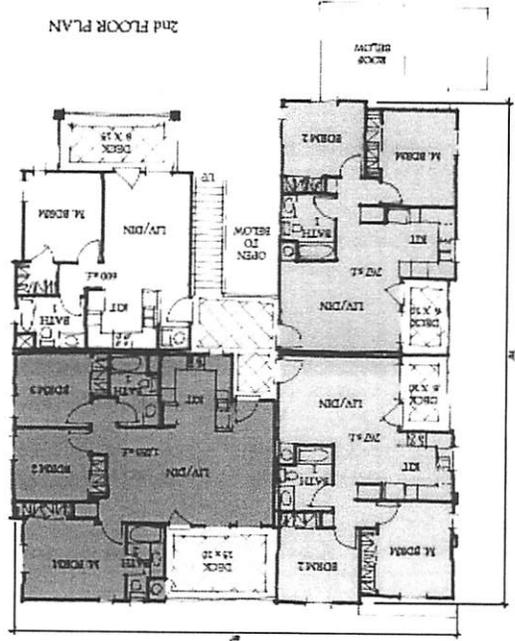


LEFT SIDE ELEVATION

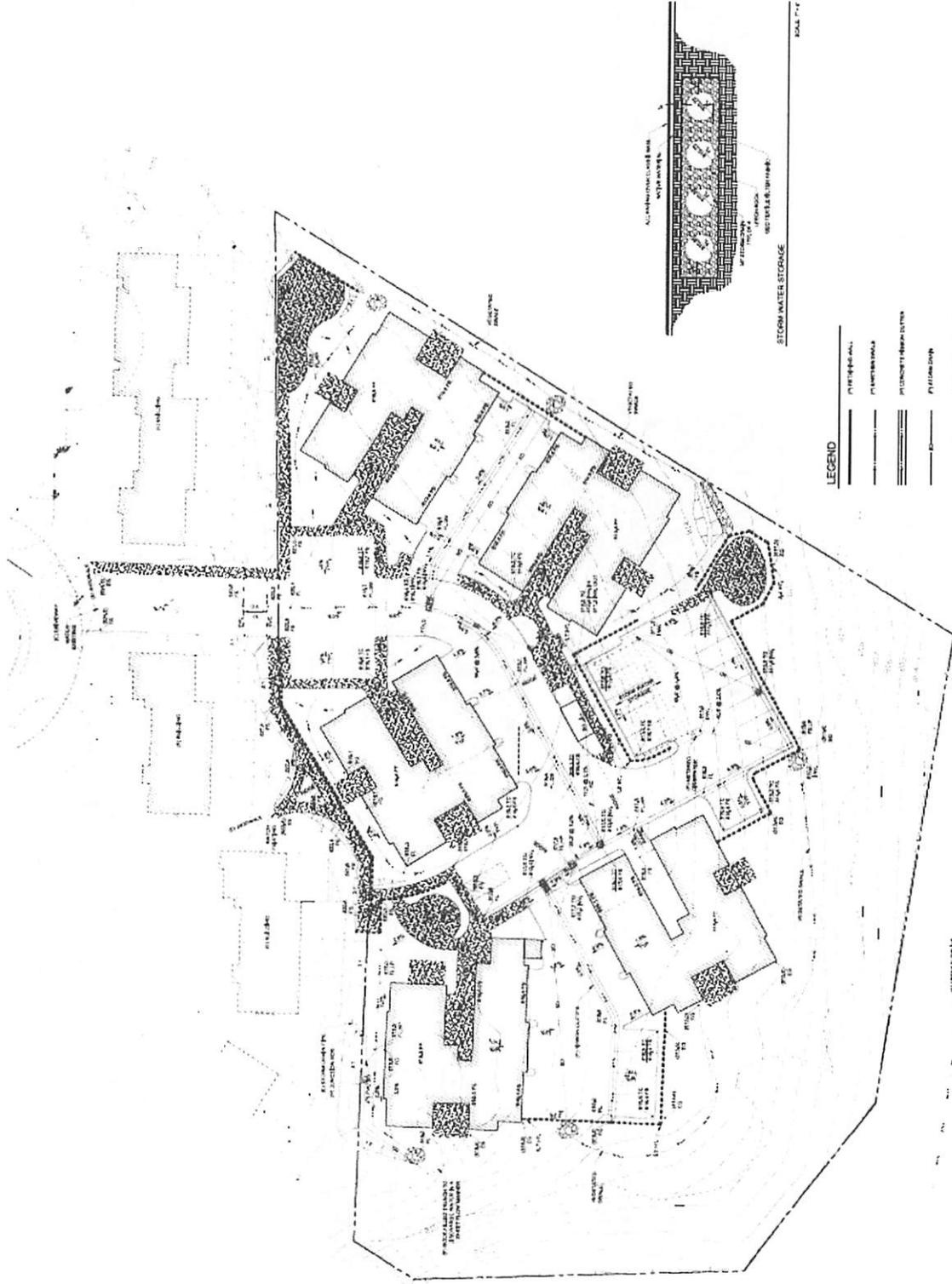


FRONT ELEVATION

FLOOR PLANS



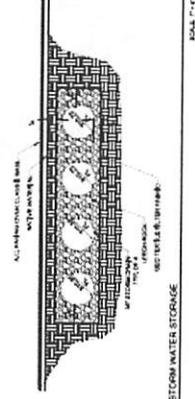
BUILDING 5  
ELEVATION MATERIALS  
ROOF: CONCRETE & TILE  
WALLS: GIPSUM PLASTER OVER INSULATION  
ACCENT WALLS: EXPOSED BRICKWORK  
TRIM: WOOD PAINTED  
FASADA: WOOD PAINTED  
RAILINGS: POWDER COATED METAL



SCALE 1"=20'

LEGEND

- PT 10' (10' DIA.)
- PT 12' (12' DIA.)
- PT 15' (15' DIA.)
- PT 18' (18' DIA.)
- PT 24' (24' DIA.)
- PT 30' (30' DIA.)
- PT 36' (36' DIA.)
- PT 42' (42' DIA.)
- PT 48' (48' DIA.)
- PT 54' (54' DIA.)
- PT 60' (60' DIA.)
- PT 66' (66' DIA.)
- PT 72' (72' DIA.)
- PT 78' (78' DIA.)
- PT 84' (84' DIA.)
- PT 90' (90' DIA.)
- PT 96' (96' DIA.)
- PT 102' (102' DIA.)
- PT 108' (108' DIA.)
- PT 114' (114' DIA.)
- PT 120' (120' DIA.)
- PT 126' (126' DIA.)
- PT 132' (132' DIA.)
- PT 138' (138' DIA.)
- PT 144' (144' DIA.)
- PT 150' (150' DIA.)
- PT 156' (156' DIA.)
- PT 162' (162' DIA.)
- PT 168' (168' DIA.)
- PT 174' (174' DIA.)
- PT 180' (180' DIA.)
- PT 186' (186' DIA.)
- PT 192' (192' DIA.)
- PT 198' (198' DIA.)
- PT 204' (204' DIA.)
- PT 210' (210' DIA.)
- PT 216' (216' DIA.)
- PT 222' (222' DIA.)
- PT 228' (228' DIA.)
- PT 234' (234' DIA.)
- PT 240' (240' DIA.)
- PT 246' (246' DIA.)
- PT 252' (252' DIA.)
- PT 258' (258' DIA.)
- PT 264' (264' DIA.)
- PT 270' (270' DIA.)
- PT 276' (276' DIA.)
- PT 282' (282' DIA.)
- PT 288' (288' DIA.)
- PT 294' (294' DIA.)
- PT 300' (300' DIA.)



PRELIMINARY GRADING AND DRAINAGE PLAN

PROJECT  
PSHH Conditional Use Permit  
DRC2012-00047

EXHIBIT  
Preliminary Grading Plan



