Negative Declaration & Notice Of Determination

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

ENVIRONMENTAL DETERMINATION NO. ED13-101 **DATE:** 2/13/14

PROJECT/ENTITLEMENT: FRANCIS MINOR USE PERMIT (DRC2013-00027)

APPLICANT NAME: Ron & Catherine Francis
ADDRESS: 1380 14th Street, Los Osos, CA 93402
CONTACT PERSON: Robert Crizer **Telephone: (805)528-4812**

PROPOSED USES/INTENT: Request to construct a 1,706 square foot single story single-family residence and an 864 square foot detached metal garage on a vacant lot in the community of Los Osos. The project will result in the disturbance of approximately 3,850 square feet on a 0.57 acre parcel

LOCATION: The proposed project is within the Residential Single Family land use category and is located at the corner of Via Vistosa and Bayview Heights Drive (1060 Bayview Heights Drive) in the community of Los Osos. The site is in the Estero 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

STATE CLEARINGHOUSE REVIEW: YES ☒ **NO** ☐

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Fish and Wildlife

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

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. (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.

	Schani Siong		County of San Luis Obispo
Signature	**Project Manager Name**	**Date**	**Public Agency**

Initial Study Summary – Environmental Checklist

PLANNING & BUILDING DEPARTMENT • COUNTY OF SAN LUIS OBISPO
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(ver 5.1)Using Form

Project Title & No. **Francis Minor Use Permit / Coastal Development Permit ED13-101 (DRC2013-00027)**

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.

☒ Aesthetics	☒ Geology and Soils	☐ Recreation
☐ Agricultural Resources	☒ Hazards/Hazardous Materials	☒ Transportation/Circulation
☐ Air Quality	☐ Noise	☐ Wastewater
☒ Biological Resources	☐ Population/Housing	☒ Water /Hydrology
☐ Cultural Resources	☒ Public Services/Utilities	☐ 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.

Schani Siong			2/4/14
Prepared by (Print)	Signature		Date
Murry Wilson		Ellen Carroll, Environmental Coordinator	2/4/14
Reviewed by (Print)	Signature	(for)	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: Request by Ron and Catherine Francis for a Minor Use Permit / Coastal Development Permit to allow the construction of a 1,706 square foot single-family residence and an 864 square foot pre-manufactured metal garage building on a vacant lot. The project will result in the disturbance of approximately 3,850 square feet on a 0.57 acre parcel. The proposed project is within the Residential Single Family land use category and is located at 1060 Bay View Heights in the community of Los Osos. The site is in the Estero planning area.

ASSESSOR PARCEL NUMBER(S): 074-323-031

Latitude: 35 degrees 18 ' 16.5492" N Longitude: -120 degrees 49' 45.2748" W

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: Estero, Los Osos

TOPOGRAPHY: Nearly level to gently sloping

LAND USE CATEGORY: Residential Single Family

VEGETATION: Ruderal / Chaparral Shrubs

COMBINING DESIGNATION(S):
Coastal Appealable Zone Archaeolgically Sensitive
Local Coastal Plan/Program

PARCEL SIZE: 0.57 acres

EXISTING USES: Vacant / undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Single Family; residential	*East:* Residential Single Family; residential
South: Residential Single Family; undeveloped	*West:* Residential Single Family; residential

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.

1. AESTHETICS

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☐	☒	☐
c) Change the visual character of an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☒	☐	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☒

Setting. The project site is located in the Bayview Heights area at the southerly portion of the community of Los Osos. The subject parcel is located within an existing residential neighborhood at the southeast corner of Bayview Heights Road and Via Vistosa Road. It is currently undeveloped and contains small chaparral and coastal oak shrub grove on the northeast corner. The site slopes gently upward to the northeast with an elevation change of five feet as measured from Via Vistosa Road. The project site is located approximately 0.4 miles southwest from the Los Osos Oaks State Natural Reserve, an 85.75 acre open space parcel owned by the California Department of Parks and Recreation. The site is designated for single family residential development and is surrounded on three sides by occupied single family residences.

Impact. The project would result in the construction of a single family residential structure and a pre-manufactured metal garage within an urban area designated for residential uses. As such, the project would be aesthetically compatible with existing surroundings and would not significantly alter the visual character of the area. The proposed project will not silhouette against any ridgelines as viewed from public roadways. The project would not create significant new sources of glare or night lighting with the implementation of shielded lighting as required by Coastal Zone Land Use Ordinance Section 23.04.320. There are no unique features or public scenic views on the project site that would be impacted by the project.

Mitigation/Conclusion. No significant visual impacts are expected to occur and no mitigation measures are necessary beyond compliance with the outdoor lighting requirements as per the Coastal Zone Land Use Ordinance (CZLUO). Outdoor lighting impacts will be mitigated through conditions of approval applied to the project (included in Exhibit B – Mitigation Summary Table) reducing potential visual impacts to a less than significant level.

2. AGRICULTURAL RESOURCES
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?*	☐	☐	☐	☒
b) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?*	☐	☐	☐	☒
c) *Impair agricultural use of other property or result in conversion to other uses?*	☐	☐	☐	☒
d) *Conflict with existing zoning for agricultural use, or Williamson Act program?*	☐	☐	☐	☒
e) *Other:* _____	☐	☐	☐	☒

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

Land Use Category: Residential Single Family

State Classification: Not prime farmland

Historic/Existing Commercial Crops: None

In Agricultural Preserve? Los Osos AG Preserve

Under Williamson Act contract? No

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

Baywood fine sand (2 – 9% slope). This gently rolling sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering. The soil is considered Class VII (non-irrigated).

Impact. The project is located within an existing residential subdivision with a Residential Single Family land use designation. There are no agricultural activities occurring on the property or in the immediate vicinity of the proposed single family residence. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary and impacts to agricultural resources are less than significant.

3. AIR QUALITY
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*	☐	☐	☒	☐

3. AIR QUALITY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Expose any sensitive receptor to substantial air pollutant concentrations?	☐	☐	☒	☐
c) Create or subject individuals to objectionable odors?	☐	☐	☒	☐
d) Be inconsistent with the District's Clean Air Plan?	☐	☐	☒	☐
e) 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?	☐	☐	☒	☐
GREENHOUSE GASES				
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
h) Other: _____	☐	☐	☐	☒

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

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

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

Impact. As proposed, the project will result in the disturbance of approximately 3,850 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation.

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 single family residence. 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. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No mitigation measures are necessary and impacts to air quality are less than significant.

4. BIOLOGICAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species* or their habitats?	☐	☒	☐	☐
b) Reduce the extent, diversity or quality of native or other important vegetation?	☐	☐	☒	☐
c) Impact wetland or riparian habitat?	☐	☐	☒	☐
d) Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	☐	☐	☒	☐
e) Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?	☐	☒	☐	☐
f) Other: _____	☐	☐	☐	☒

*** Species – as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.**

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

On-site Vegetation: Veldt Grasses, Iceplant, Morro Manzanita, Pygmy Oak trees

Habitat(s): Central Maritime Chaparral

Name and distance from blue line creek(s): Unnamed Creek is approximately .34 miles (south) of the proposed project.

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

Vegetation

Jones's layia (Layia jonesii) FSC, List 1B

Morro manzanita (Arctostaphylos morroensis) FT, List 1B

Indian Knob mountainbalm (Eriodictyon altissimum) FE, SE, List 1B

Splitting yarn lichen (Sulcaria isidiifera) FSC

Wildlife

Morro shoulderband snail *(Helminthoglypta walkeriana)* FE

Morro Bay kangaroo rat *(Dipodomys heermanni morroensis)* FE, SE

Silvery legless lizard *(Anniella pulchra pulchra)* CSC

Habitats

Central Maritime Chaparral

> Central Maritime Chaparral generally occurs in areas exposed directly to coastal winds, such as on northwest and southwest facing slopes along the coast, and are established primarily on well-drained soils. Various species of manzanita (*Arctostaphylos* spp.) generally dominate this sensitive plant community.

The project site is vacant and located at the corner of Bayview Heights and Via Vistosa Road. The property is surrounded on all side by established residences. Maritime chaparral vegetation is located in the central to northern portion of the property and pygmy coast live oaks are located in the northeastern corner of the property. Due to habitat alteration (fuel reduction) and urban development, the maritime chaparral vegetation has been pruned to sparse, individual shrubs. The site is dominated by veldt grass on the southern portion of the property (Quattro Biological, 2009). Small patches of native plants include mock heather, buck brush, black sage coast herkelia shrubs, and a single Morro manzanita tree are located on the project site (Low-Effect Habitat Conservation Plan, 2011).

Impact. The biological surveys performed on the project site in 2008 and 2009 (Quattro Biological Services, 2009) and the Low-Effect Habitat Conservation Plan (2011) identified the site does not contain any sensitive plant species, riparian or wetland habitat, or wildlife corridors. The proposed development will be located on the southern portion of the property, which is dominated by veldt grass and weed. The small patches of native plants observed on site made up the sparse, individual shrubs of maritime chaparral vegetation.

The development will not impact on the existing pygmy coast live oak grove and maritime chaparral vegetation, which will remain undisturbed. The single Morro manzanita tree is present along the northern lot boundary but is located outside the construction project area and will not be impacted by the proposed project.

Jone's layia is typically found on serpentine or clay soils in chaparral and valley grassland habitats. The species is primarily found in the Cayucos area and was not observed on the project site. The Indian Knob mountainbalm thrives on sandstone soils and was not observed on the project site. The project site and surrounding areas are covered entirely in Baywood fine sand, which is a well-drained soil that is not conducive to support these plants.

Splitting yarn lichen is a federal species of concern which grows on chaparral scrubs in stabilized sand dunes. The chaparral scrubs on site are highly degraded due to historic fuel modification and no signs of lichen were present on the degraded scrubs within the proposed development area. If individual species were present within the building envelope, the small development size and scale associated the implementation of the project is not anticipated to significantly affect the Splitting yarn lichen species as a whole. No significant impacts to the identified vegetation species are anticipated.

The project site is located very close to the 320 acre critical habitat unit for the federally endangered Morro shoulderband snail, as designated on February 7, 2001. The project site is located just outside the westernmost edge of the habitat area and is surrounded by residential development on three sides. While it has been confirmed that 31 empty Morro shoulderband snail shells were found on the project site, there were no live snails observed on site. Although several federally listed species that

possibly be found on the subject site (see the discussion above), only the Morro shoulderband snail and Morro manzanita has the potential to be impacted by the project. Due to the project's relatively small size and scale, location within an established residential area, and the highly degraded nature of the habitat on site, implementation of the project is not anticipated to significantly affect the survival and recovery of the Morro shoulderband snail population as a whole (Low-Effect Habitat Conservation Plan, 2011).

Implementation of the project is likely to result in an incidental take of the Morro shoulderband snail. To address the incidental take impact of the snail, a 5-year term incidental take permit was requested from United States Fish and Wildlife Service (USFWS). A requirement of this permit is the preparation of a habitat conservation plan (HCP). A Low-Effect Habitat Conservation Plan was prepared and approved by USFWS in March 2011. The conservation plan includes measures that will be implemented to monitor, minimize and mitigate impacts to the snail. These measures are required to be implemented as a condition of the incidental take permit (ITP) issued by USFWS and will be conditions of approval associated with the coastal development permit. These measures include:

- Conduct preconstruction surveys in coordination with the USFWS the County of San Luis Obispo shall be performed by a qualified biologist so as to minimize the take of the shoulderband snail. The objective of the preconstruction surveys is to identify, collect and move as many snails out of harm's way to a predetermined, USFWS approved receiver site.
- Preconstruction environmental awareness training as provided by a USFWS-approved biologist knowledgeable about the Morro shoulderband snail.
- Construction monitoring by a USFWS-approved / permitted biologist whose recovery permit includes authorization to capture and move the species. Any live snails or egg masses found during monitoring will be moved out harm's way by the biologist.
- Annual reporting submitted to the USFWS to summarize project activities during the year and impacts to the snail.
- The unavoidable take of the Morro shoulderband snail will be mitigated through funding of recovery task actions on conserved lands within the known range of the species. The applicant will be required to pay $9,300 to fund the Morro shoulderband snail recovery plan. In the event that other listed species are discovered, the applicant will cease activities that are likely to result in a take of the species and work with USFWS to development a permit amendment.

There is a low possibility of Morro Bay kangaroo rat and Silvery legless lizard being present on site due to the highly degraded nature of the existing habitat and its location in an established residential neighborhood. Recent and extensive Morro Bay kangaroo rat trapping efforts for the implementation of community wide Los Osos Waste Water project resulted in a negative sighting of the small mammal (Villablanca Biological Consulting, 2012). Areas with an open canopy of veldt grass or open coastal sage scrub are regarded as suitable habitat for the species (Villablanca 2009). The trappings were done at the Broderson site, which is considered to be a potential habitat for kangaroo rats. The live trapping and visual survey methodology used are considered very promising techniques which has above 90% success rates at detecting kangaroo rats when done over multiple occasions, which was conducted (Villablance 2012). Because the highly degraded nature of coastal scrub vegetation on the subject site and the recent negative trapping results from the nearby Broderson parcel, it is extremely unlikely Morro Bay kangaroo rats will be found on the subject site and no significant impacts are anticipated.

Mitigation/Conclusion. Implementation of the Low-Effect Habitat Conservation Plan (as approved by USFWS) for the project site as described above would mitigated impacts to the Morro shoulderband snail to a less than significant level. No additional measures associated with Silvery legless lizard and Morro Bay kangaroo rat are required due to the unlikely potential for occurrence on the project site. The single Morro manzanita shall be identified and protection devices shall be installed prior to any vegetation removal and remain in place through the grading and construction phases. Based on the

above discussion and implementation of detailed mitigation measures contained in Exhibit B, impacts to biological resources would be reduced to a level of insignificance.

5. CULTURAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Disturb archaeological resources?*	☐	☐	☒	☐
b) *Disturb historical resources?*	☐	☐	☒	☐
c) *Disturb paleontological resources?*	☐	☐	☒	☐
d) *Other:* _____	☐	☐	☐	☒

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

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. A Phase I cultural resource survey was conducted for the project site (Parker & Associates, March 2007). The survey concluded that while the subject property is located within an archeologically sensitive area, no prehistoric cultural remains were noted or recovered from the project site. No additional archeological investigation is needed. Impacts to historical or paleontological resources are not expected as a result of the proposed project.

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

6. GEOLOGY AND SOILS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?*	☐	☐	☒	☐
b) *Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?*	☐	☐	☒	☐
c) *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?*	☐	☒	☐	☐
d) *Include structures located on expansive soils?*	☐	☐	☒	☐

6. GEOLOGY AND SOILS

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) *Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?*	☐	☐	☒	☐
f) *Preclude the future extraction of valuable mineral resources?*	☐	☐	☒	☐
g) *Other:* _____	☐	☐	☐	☒

* 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 gently sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Low

Nearby potentially active faults?: Yes Distance? 0.3 miles from site

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

As proposed, the project will result in the disturbance of approximately 3,850 square feet on a 0.57 acre parcel. The topography of the project is nearly level to gently sloping. The area proposed for development is not within the Geologic Study Area designation. The landslide risk potential and liquefaction potential during ground-shaking events are low. Capable potentially active faulting is known to exist within 0.3 miles of the subject property. The project site is not a known area containing serpentine or ultramafic rock or soils.

The Los Osos fault zone is a west-northwest-trending reverse fault that extends predominantly along the northeastern margin of the San Luis Range in San Luis Obispo County. The fault zone, which has an overall length of about 35 miles, is divided into four segments. The most westerly segment of the fault is the Estero Bay segment, which lies mostly offshore. The Irish Hills segment, the only active fault segment, starts in the vicinity of Los Osos and extends to just past San Luis Obispo Creek. A two-mile length of the Irish Hills segment, west of Laguna Lake and near the westerly limit of the City of San Luis Obispo, is considered to be active (Treiman, 1989) and is designated as an Alquist-Priolo Earthquake Fault Zone (Hart, 1997, revised). The other two segments of the Los Osos fault are the Lopez Reservoir segment and the Newsome Ridge segment, both located southeast of the Irish Hills segment, east of San Luis Obispo Creek. The Lopez Reservoir fault segment is [the closest segment to the Landfill, located approximately one-half mile northeast]. The active Irish Hills fault segment is [approximately nine miles northwest]. According to the San Luis Obispo County General Plan Safety Element (the Safety Element), the Los Osos fault has the potential to generate an earthquake with a maximum moment magnitude (Mw) of 6.75.

Impact. The project site would be subject to ground shaking; however, this is not a particularly unusual impact as ground shaking occurs throughout the state. Compliance with standard Uniform Building Code requirements would ensure that ground shaking impacts are minimized. The project

site has a high potential for liquefaction (based on the Safety Element maps); however, more detailed maps regarding liquefaction in the community of Los Osos were compiled as part of the Los Osos Wastewater Project; these maps show the subject parcel located within a low potential for liquefaction. Since these maps were compiled using borings throughout the community and not the broad brush approach utilized for the Safety Element maps, County Planning staff will use these maps as allowed by Section 23.04.084 of the CZLUO.

The project site is well drained and the soil has low erodibility, low shrink-swell characteristics and does not contain ultramafic rocks. A small portion of the project site will be disturbed during construction activities which could result in erosion and sedimentation impacts without proper controls in place. The project will be required to implement a sedimentation and erosion control plan as a condition of project approval. Refer to Section 14 – Water & Hydrology for additional discussion and mitigation measures related to drainage and sedimentation impacts. With the inclusion of the measures contained in Section 14 and the ordinance required sedimentation and erosion control plans, impacts related to these issues areas would be less than significant.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed. Impacts will be reduced to a less than significant level with the implementation of ordinance requirements.

7. HAZARDS & HAZARDOUS MATERIALS - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?	☐	☐	☒	☐
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	☐	☐	☒	☐

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☒	☐	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☒	☐	☐
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☒	☐	☐
j) Other: _____	☐	☐	☐	☒

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

Fire Hazard For additional fire service provider information please refer to the 'Public Services / Utilities' section.

Project-related Elements. The proposed project is within a very high fire hazard severity area. However, the project site is surrounded by existing development on three sides. The fuel load of the existing vegetation within 100 feet of the proposed development consists of trees and chaparral and could be considered a moderate fuel load. Topography of the site can be described as level to gently sloping. The project site fronts an all-weather road that is connected to a through road (Bay View Heights Road within 100 feet). The average fire response time for this area is 5 minutes.

Responsibility Area. Regarding fire protection, the project is within the State Responsibility Area (SRA), which falls under the responsibility and jurisdiction of Cal Fire. Within San Luis Obispo County, Cal Fire is responsible for wildland fire protection of almost 1.5 million acres. The County has contracted with Cal Fire to provide protection of structures within the unincorporated areas. Recent state legislation (AB X1-29) has also established a property owner fee to help offset the costs of protecting structures within the wildland areas.

Impact. The project would involve the construction of a single family residence within the community of Los Osos. The project would not involve the use, transport or emission of hazardous materials. The project is located in an existing residential neighborhood and is not expected to conflict with any regional emergency response or evacuation plan. The project is not located within the vicinity of an airport or private air strip. The project is not located in an area of known hazardous material contamination and does not fall under Government Code Section 65962.5 (known as the "Cortese List"), which includes hazardous waste facilities, land designated as hazardous waste property or hazardous waste disposal sites.

Because the project site is within a SRA and has a Fire Severity rating of "Very High", Cal Fire will

require a Fire Safety Plan, which will reduce potential fire hazard impacts. The Fire Safety Plan will include requirements such as ignition resistant construction materials, smoke and carbon monoxide detectors, and a 16-foot wide driveway. It should be noted that Golden State Water Company, the water purveyor that will serve the project site, has provided a "can and will serve" letter that states water for domestic use and fire protection will be available to the project site. Refer to Section 14 – Water & Hydrology for additional discussion on water resources.

Mitigation/Conclusion. The project is required by Ordinance to prepare a Fire Safety Plan to be reviewed and approved by Cal Fire that will include the noted measures above. A Fire Safety Plan will be required as a condition of approval for the proposed project. With incorporation of the standard requirements noted as required by the Fire Safety Plan, fire hazard impacts would be less than significant. No additional mitigation measures are needed beyond these requirements.

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 project site located within an existing residential subdivision and is not within close proximity to significant noise sources, such as heavily travelled roadways, airports, or commercial or industrial land uses. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

Impact. The project involves the construction of a single family residence and would not generate significant sources of noise beyond the construction phase. The project would not be exposed to existing noise levels, including roadway noise, in excess of applicable thresholds.

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

9. POPULATION/HOUSING

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?*	☐	☐	☒	☐
b) *Displace existing housing or people, requiring construction of replacement housing elsewhere?*	☐	☐	☐	☒
c) *Create the need for substantial new housing in the area?*	☐	☐	☒	☐
d) *Other:* _____	☐	☐	☐	☒

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

Impact. The project involves the construction of a single family residence on a vacant lot. It will not result in a need for a significant amount of new housing, and will not displace existing housing.

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

10. PUBLIC SERVICES/UTILITIES

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

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Fire protection?*	☐	☒	☐	☐
b) *Police protection (e.g., Sheriff, CHP)?*	☐	☒	☐	☐
c) *Schools?*	☐	☒	☐	☐
d) *Roads?*	☐	☒	☐	☐
e) *Solid Wastes?*	☐	☐	☒	☐
f) *Other public facilities?*	☐	☐	☐	☒
g) *Other:* _____	☐	☐	☐	☒

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

Police: County Sheriff — Location: Los Osos (Approximately .57 miles to the North West)

Fire: Cal Fire (formerly CDF) — Hazard Severity: Very High — Response Time: 5-10 minutes

Location: Approximately 0.3 miles to the east

School District: San Luis Costal Unified School District

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

Impact. The project involves the construction of a single family residence within an existing residential subdivision that is adequately served by applicable public services. The project would not generate a population that would significantly impact applicable public services. This project, along with others in the area, will have a cumulative effect on police/sheriff and fire protection, schools, and roads. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place. Payment of fees would ensure that cumulative impacts are less than significant.

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

11. RECREATION ***Will the project:***	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) ***Increase the use or demand for parks or other recreation opportunities?***	☐	☐	☒	☐
b) ***Affect the access to trails, parks or other recreation opportunities?***	☐	☐	☒	☐
c) ***Other*** _____	☐	☐	☐	☒

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

Impact. The project will result in the construction of a new single family residence. The proposed project will not create a significant need for additional park, and/or recreational resources. The project is located on a parcel intended for residential development and therefore, would not affect access to trails, parks or other recreational opportunities.

Mitigation/Conclusion. Public Facility Fees will be collected upon construction of each new residential unit, whereby a portion of these fees will be used to expand, acquire, or develop community-serving parks. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/CIRCULATION ***Will the project:***	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) ***Increase vehicle trips to local or areawide circulation system?***	☐	☒	☐	☐

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Reduce existing "Level of Service" on public roadway(s)?	☐	☐	☒	☐
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☐	☒	☐
d) Provide for adequate emergency access?	☐	☐	☒	☐
e) Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?	☐	☐	☒	☐
f) Conflict with an applicable congestion management program?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☐	☒
i) Other: _____	☐	☐	☐	☒

Setting. The County has established the acceptable Level of Service (LOS) on roads for this urban area as "D" or better. The existing road network in the area including the project's access streets of Bayview Heights and Via Vistosa which are both operating at acceptable levels. Referrals were sent to County Public Works. The project is within the Los Osos Road Improvement 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".

Impact. The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of 9.57 trips per day per single family residence. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable. The project does not conflict with adopted policies, plans and programs on transportation.

Mitigation/Conclusion. This project is subject to this County Road Fee, which addresses cumulative impacts to County roads in the area. No additional traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

13. WASTEWATER

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

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

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

- Sufficient land area (refer to County's Land Use Ordinance or Plumbing Code);
- The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- The soil's slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- Potential for surface flooding (e.g., within 100-year flood hazard area);
- Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- Distance from creeks and water bodies (100-foot minimum).

Impacts. The project would not connect to the wastewater treatment facility that is currently under construction within Los Osos; therefore, it would not adversely impact a wastewater service provider. The project would include the construction of an on-site septic system. The main limitation of the project site soil for wastewater effluent is poor filtering characteristics due to the very permeable nature of the soil. Without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. In this case, due to the (limited availability of) information relating to the poor filtering soil characteristic, the following additional information will be required prior to issuance of a building permit: soil borings at leach line location showing that there is adequate separation, or plans for an engineered wastewater system that shows how the basin plan criteria can be met. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including project site soil constraints. Therefore, based on

the project being able to comply with these regulations, potential groundwater quality impacts associated with wastewater disposal are considered less than significant.

Mitigation/Conclusion. As discussed above for the wastewater impacts, existing regulations and /or required plans will adequately address wastewater impacts of the project. No special measures are needed and potential impacts are considered less than significant.

14. WATER & HYDROLOGY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY				
a) Violate any water quality standards?	☐	☐	☒	☐
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	☐	☐	☒	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	☐	☒	☐
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?	☐	☒	☐	☐
e) Change rates of soil absorption, or amount or direction of surface runoff?	☐	☒	☐	☐
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☐	☒	☐	☐
g) Involve activities within the 100-year flood zone?	☐	☐	☒	☐
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	☐	☒	☐	☐
i) Adversely affect community water service provider?	☐	☐	☒	☐
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?	☐	☐	☒	☐
k) Other: _____	☐	☐	☐	☒

Setting.

Water Supply: The project's water source is the Los Osos Valley Groundwater Basin. In 2007, a Level of Severity III was certified by the Board of Supervisors for the groundwater basin. Subsequently, the County established water conservation ordinances for new development and upon sale of existing buildings. Water purveyors continue to study and implement changes in pumping patterns to address seawater intrusion. Ongoing groundwater adjudication discussions will result in updated pumping estimates and other basin data. Total basin demand, including private wells and estimated agricultural use, is currently estimated at approximately 2,610AFY (Draft Basin Plan for the Los Osos Ground Water Basin, August 2013). Safe yield in the lower aquifer is currently being exceeded, causing seawater intrusion in the lower aquifer.

Two water conservation ordinances are in effect within the community of Los Osos. One in Title 8 of the County Code requires retrofitting of structures with water saving plumbing fixtures upon sale. Title 19 of the County Code requires new development to retrofit water fixtures in existing buildings in order to save twice the water that the new development will use.

The topography of the project is nearly level to gently sloping The closest creek from the proposed development is approximately 0.47 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

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

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

Within the 100-year Flood Hazard designation? No

Closest creek? Los Osos Creek Distance? Approximately 0.47 miles to the southeast

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Coastal Zone Land Use Ordinance (CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

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

Soil erodibility: Low

A sedimentation and erosion control plan is required for all construction and grading projects (CZLUO Sec. 23.05.036) to minimize potential impacts from erosion. 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.

Impacts.

Water Quality/Hydrology: The project proposes approximately 3,850 square feet of ground disturbance and 32 cubic yards of material cut, which will be balanced on site. The cut will be taken primarily from the proposed garage and residence area and redistributed along the walkway, new

landscaped areas and remaining fill under the new residence. This project does not involve more than one acre of disturbance and will not be subjected to the SWPPP requirements. Although the project is not located within a 100-year flood hazard designation, the subject site is within a drainage review area. Per County's CZLUO Section 23.05.040, a drainage plan shall be required. The project site is located on the Los Osos Creek Watershed and the Los Osos Creek is located approximately 0.47 miles southeast of the site. The proposed development is located at the south western corner of the lot, away from the existing vegetation, which will remain undisturbed. The proposed residence had been designed to create minimal impact to the site, disturbing only 15% of the entire 0.47 acre parcel for the building footprints, driveway, walkway and adjacent landscaping. The remainder of the site will be left natural. The new residence and garage covers 2,570 squares and the remaining landscaped area including the driveway and entry walkway covers 1,280 square feet. All landscaped areas are proposed with permeable materials and native, drought tolerant vegetation.

Sedimentation and Erosion: Project grading will create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use, which would ensure that impacts to groundwater, groundwater quality, surface water quality, drainage patterns, and soil absorption would be less than significant.

Water Quantity:

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

Indoor	0.16 acre feet/year (AFY);
Outdoor	0.15 AFY
Total Use	0.31 AFY
Water Conservation	0.03 AFY
Total Use w/ Conservation	0.27 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).

Per Title 19 of the County Code, the project would be required to retrofit water fixtures in existing buildings in order to save twice the water that the new development will use. The requirements found in Title 19 along with water conservation measures applied to the project would ensure that all impacts to water supply would be fully offset. Water conservation measures will include minimum 1.28 gallon flush toilets, 1.5 gallons per minute shower heads, use of energy star washing machine, and 0.65 gallons per minute faucets. Adherence to the County's water conservation ordinances will mitigate impacts to water use to less than significant.

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

15. LAND USE

Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) *Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?*	☐	☐	☒	☐
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

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*	☐	☒	☐	☐

b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project*

are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) ☐ ☒ ☐ ☐

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

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

Exhibit A - Initial Study References and Agency Contacts

The County Planning 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:

Contacted	Agency	Response
☒	County Public Works Department	**Attached**
☐	County Environmental Health Division	**Not Applicable**
☐	County Agricultural Commissioner's Office	**Not Applicable**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☐	Air Pollution Control District	**Not Applicable**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☒	CA Coastal Commission	**None**
☒	CA Department of Fish and Wildlife	**Attached**
☒	CA Department of Forestry (Cal Fire)	**Attached**
☐	CA Department of Transportation	**Not Applicable**
☐	Community Services District	**Not Applicable**
☒	Other Golden State Water Company	**Attached**
☐	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.

☒ Project File for the Subject Application

County documents

☒ Coastal Plan Policies
☒ Framework for Planning (Coastal/Inland)
☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
  - ☒ Agriculture Element
  - ☒ Conservation & Open Space Element
  - ☐ Economic Element
  - ☒ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element/Project List
  - ☒ Safety Element
☒ Land Use Ordinance (Inland/Coastal)
☒ Building and Construction Ordinance
☒ Public Facilities Fee Ordinance
☐ Real Property Division Ordinance
☒ Affordable Housing Fund
☐ Airport Land Use Plan
☐ Energy Wise Plan
☒ Estero Area Plan and Update EIR
☐ Design Plan
☐ Specific Plan
☒ Annual Resource Summary Report
☒ Los Osos Circulation Study

Other documents

☒ Clean Air Plan/APCD Handbook
☒ Regional Transportation Plan
☒ Uniform Fire Code
☒ Water Quality Control Plan (Central Coast Basin – Region 3)
☒ Archaeological Resources Map
☒ Area of Critical Concerns Map
☒ Special Biological Importance Map
☒ CA Natural Species Diversity Database
☒ Fire Hazard Severity Map
☒ Flood Hazard Maps
☐ Natural Resources Conservation Service Soil Survey for SLO County
☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
☒ Other National Fish and Wildlife Foundation

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

United States Fish and Wildlife Service, March 30, 2011. *Low-Effect Habitat Conservation Plan Morro Shoulderband Snail for the Francis Parcel (APN 074-323-031) 1060 Bay View Heights Drive, Los Osos, San Luis Obispo County, California.*

Quattro Biological Services, July 10, 2009. *Morro Shoulderband Snail Survey Report.*

Parker & Associates, March 27, 2007. *Cultural Resource Investigation, (APN 074-323-031) 1060 Bay View Heights Drive, Los Osos, San Luis Obispo County, California.*

Cortese List. http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

Exhibit B - Mitigation Summary Table

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

Aesthetics

VS-1 **Prior to issuance of construction permit**, the applicant shall demonstrate that the final project design complies with the outdoor lighting requirements set forth in Section 23.04.320 of the Coastal Zone Land Use Ordinance.

Biological Resources

The applicant shall comply with all of the mitigation measure identified in *the Incidental Take Permit TE44620A-0* and found in the *Final Low Effect Habitat Conservation Plan for the Morro Shoulderband Snail at the Francis Parcel (APN 074-323-031) 1060 Bay View Heights Road, Los Osos San Luis Obispo County, March 30, 2011.* These mitigation measures are listed below.

BIO-1 **Prior to site disturbance**, the applicant shall retain a USFWS-approved biologist (a biologist with a valid recovery permit for Morro Shoulderband Snail) in coordination with the USFWS and the County of San Luis Obispo to perform a preconstruction survey for each phase of construction so as to minimize the take of the shoulderband snail. Only Service-authorized biologist may conduct pre-and concurrent construction surveys, monitor for, and capture and relocate Morro shoulderband snails to a receiver site that has been approved by the Service. Only Service-authorized biologist may conduct said activities. The permittees or their designated agents must request and receive approval of those biologists they wish to have conducted these activities. The request must be submitted, in writing, to the Ventura Fish and Wildlife Office at least 15 working days prior to the commencement of the specified activities. The Service-authorized biologist(s) shall notify the Ventura Fish and Wildlife Office of their intent to conduct any monitoring events within 24 hours of commencing the activity. Survey results shall be submitted to the Environmental Division of the County of San Luis Obispo upon completion.

BIO-2 **Prior to initiation of construction activities,** the following must be demonstrated:

a. Written verification that the required pre-construction environmental awareness training program has been prepared and will be delivered by the Service-approved biologist to all personnel who will be working onsite during site preparation and construction activities will be provided to the Ventura Fish and Wildlife Office and the County of San Luis Obispo, Department of Planning and Building. A training attendance sheet shall be submitted to the Environmental Division of the County of San Luis Obispo upon completion;

b. A receipt that demonstrates the deposit of $9,300 to the National Fish and Wildlife Foundation Impact-Directed Environmental Account entitled "Morro Shoulderband Snail In-Lieu Fee Account". This receipt must be provided to, and acknowledged in writing by, the Ventura Fish and Wildlife Office and the County of San Luis Obispo, Department of Planning and Building; and

c. Written confirmation to demonstrate that a receiver site for those Morro shoulderband snails identified during the monitoring activities has been selected and approved by the Ventura Fish and Wildlife Office must be provided to the County of San Luis Obispo, Department of Planning and Building.

BIO-3 **During all ground disturbing construction activities,** the applicant shall retain a USFWS-approved biologist whose recovery permit includes authorization to capture and move the species to be present daily during the installation of construction fencing, demolition of existing structures, and initial ground disturbing activities. Any live Morro shoulderband snails or egg masses found during these monitoring events shall be moved out of harm's way by the authorized biologist. This biologist shall have the authority to order any reasonable measure necessary to avoid the take of Morro shoulderband snail and to immediately stop any work or activity that is not in compliance with the conditions set forth in the incidental take permit. The Service office in Ventura shall be notified of any "stop work" order and the order shall remain in effect until the issue has been resolved. Upon completion of ground disturbing activities, the monitor shall periodically visit the project site throughout the construction period to ensure that impacts to the project site are consistent with the project description contained in *Final Low Effect Habitat Conservation Plan for the Morro Shoulderband Snail at the Francis Parcel (APN 074-323-031) 1060 Bay View Heights Road, Los Osos San Luis Obispo County, March 2011).*During periods of rain or heavy fog/dew the monitor shall conduct pre-activity surveys to ensure no Morro shoulderband snails have migrated into the work area. No construction work shall be initiated until the monitor determines that the work area is clear of Morro shoulderband snails.

BIO-4 Should project activities result in a take of the Morro shoulderband snail, the take of the Morro shoulderband snail shall be mitigated through the payment of an in-lieu fee of $9,300 to fund Morro shoulderband snail recovery task actions on conserved lands within the known range of the species as approved by the Service. Any remains of dead, intact Morro shoulderband snails must be deposited at a professionally maintained facility that is widely accessible for scientific study, such as the California Academy of Sciences [Entomology Department, Golden Gate Park, San Francisco, California 94118, (415) 750-7037 and 7239] or the Santa Barbara Museum of Natural History [Department of Invertebrates, 2559 Puesta del Sol Road, Santa Barbara, California 93105, (805)682-4711]. Arrangements regarding the disposition of potential museum specimens must be made with a receiving institution prior to the implementation of any fieldwork. Other arrangements for disposition of specimens may be made with prior written approval from the Ventura Fish and Wildlife Office. A copy of permit TE44620A must be in the possession of the permittee or designated agents while conducting any activities that could result in take of Morro shoulderband snail. Please refer to the permit number in all correspondence concerning permit activities. Any questions you may have about this permit should be directed to the Field Supervisor, Ventura Fish and Wildlife Office.

BIO-5 The applicant shall submit an annual report to the USFWS and the Planning and Building Department by December 31 each year until the expiration of the USFWS Incidental Take Permit and include (as necessary): (1) a brief summary or list of project activities accomplished during the reporting year (e.g., inclusive of construction activities and other covered activities); (2) project impacts (e.g., quantification of the area graded, numbers of buildings constructed); (3) a description of any take that occurred for each covered species (inclusive of the cause, form, amount, location of take and deposition of dead or injured individuals); (4) a brief description of conservation strategy implemented; (5) results of monitoring results (compliance, effects and effectiveness monitoring) and survey information (if applicable); (6) a description of circumstances that made adaptive management necessary and how it was implemented; (7) a description of any changed or unforeseen circumstances that occurred and how they were addressed; (8) all funding expenditures, balance, and accrual; and (9) a description of any minor or major amendments. Minimization

measures and reporting obligations must be consistent with those identified in Section 5 of the Low-Effect Habitat Conservation Plan for Francis Parcel – APN 074-323-031, Los Osos, California.

BIO-6 **Morro Manzanita – Protection Buffer**. Prior to any grading work beginning, all manzanita to remain that are to remain within 25 feet of the project limits shall be staked and/or flagged for protection. These areas to be protected shall be shown on all applicable construction plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases. No Morro manzanita shall be removed from the project site.

Hazards

HAZ-1 **Prior to issuance of construction permits**, the applicant shall prepare a Fire Safety Plan pursuant to the requirements of Cal Fire. The applicant shall obtain approval of the Fire Safety Plan by Cal Fire and provide the approved plan to the Planning and Building Department.

Water Conservation

WC-1 **At the time of application for construction permit,** the applicant shall develop and submit for County approval a "water savings offset program" (e.g., toilet retrofit, etc.), or submit evidence that the project is participating in an existing off-site water savings program and compliance with all applicable provision of Section 19.07.042 of the County Ordinance. Prior to final inspection or occupancy of construction permit, whichever comes first, evidence shall be provided to the satisfaction of the County that shows adequate offsets have been installed.

DEVELOPER'S STATEMENT FOR
FRANCIS MINOR USE PERMIT / DRC2013-00027

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

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

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

Aesthetics

AES-1 **Prior to issuance of construction permit,** the applicant shall demonstrate that the final project design complies with the outdoor lighting requirements set forth in Section 23.04.320 of the Coastal Zone Land Use Ordinance.

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

BIO-1 **Prior to site disturbance,** the applicant shall retain a USFWS-approved biologist (a biologist with a valid recovery permit for Morro Shoulderband Snail) in coordination with the USFWS and the County of San Luis Obispo to perform a preconstruction survey for each phase of construction so as to minimize the take of the shoulderband snail. Only Service-authorized biologist may conduct pre-and concurrent construction surveys, monitor for, and capture and relocate Morro shoulderband snails to a receiver site that has been approved by the Service. Only Service-authorized biologist may conduct said activities. The permittees or their designated agents must request and receive approval of those biologists they wish to have conducted these activities. The request must be submitted, in writing, to the Ventura Fish and Wildlife Office at least 15 working days prior to the commencement of the specified activities. The Service-authorized biologist(s) shall notify the Ventura Fish and Wildlife Office of their intent to conduct any monitoring events within 24 hours of commencing the activity. Survey results shall be submitted to the Environmental Division of the County of San Luis Obispo upon completion.

BIO-2 **Prior to initiation of construction activities,** the following must be demonstrated:

a. Written verification that the required pre-construction environmental awareness training program has been prepared and will be delivered by the Service-approved biologist to all personnel who will be working onsite during site preparation and construction activities will be provided to the Ventura Fish and Wildlife Office and the County of San Luis Obispo, Department of Planning and Building. A training attendance sheet shall be submitted to the Environmental Division of the County of San Luis Obispo upon completion;
b. A receipt that demonstrates the deposit of $9,300 to the National Fish and Wildlife Foundation Impact-Directed Environmental Account entitled "Morro Shoulderband Snail

In-Lieu Fee Account". This receipt must be provided to, and acknowledged in writing by, the Ventura Fish and Wildlife Office and the County of San Luis Obispo, Department of Planning and Building; and

c. Written confirmation to demonstrate that a receiver site for those Morro shoulderband snails identified during the monitoring activities has been selected and approved by the Ventura Fish and Wildlife Office must be provided to the County of San Luis Obispo, Department of Planning and Building.

BIO-3 **During all ground disturbing construction activities,** the applicant shall retain a USFWS-approved biologist whose recovery permit includes authorization to capture and move the species to be present daily during the installation of construction fencing, demolition of existing structures, and initial ground disturbing activities. Any live Morro shoulderband snails or egg masses found during these monitoring events shall be moved out of harm's way by the authorized biologist. This biologist shall have the authority to order any reasonable measure necessary to avoid the take of Morro shoulderband snail and to immediately stop any work or activity that is not in compliance with the conditions set forth in the incidental take permit. The Service office in Ventura shall be notified of any "stop work" order and the order shall remain in effect until the issue has been resolved. Upon completion of ground disturbing activities, the monitor shall periodically visit the project site throughout the construction period to ensure that impacts to the project site are consistent with the project description contained in *Final Low Effect Habitat Conservation Plan for the Morro Shoulderband Snail at the Francis Parcel (APN 074-323-031) 1060 Bayview Heights Road, Los Osos San Luis Obispo County, March 2011.* During periods of rain or heavy fog/dew the monitor shall conduct pre-activity surveys to ensure no Morro shoulderband snails have migrated into the work area. No construction work shall be initiated until the monitor determines that the work area is clear of Morro shoulderband snails.

BIO-4 Should project activities result in a take of the Morro shoulderband snail, the take of the Morro shoulderband snail shall be mitigated through the payment of an in-lieu fee of $9,300 to fund Morro shoulderband snail recovery task actions on conserved lands within the known range of the species as approved by the Service. Any remains of dead, intact Morro shoulderband snails must be deposited at a professionally maintained facility that is widely accessible for scientific study, such as the California Academy of Sciences [Entomology Department, Golden Gate Park, San Francisco, California 94118, (415) 750-7037 and 7239] or the Santa Barbara Museum of Natural History [Department of Invertebrates, 2559 Puesta del Sol Road, Santa Barbara, California 93105, (805)682-4711]. Arrangements regarding the disposition of potential museum specimens must be made with a receiving institution prior to the implementation of any fieldwork. Other arrangements for disposition of specimens may be made with prior written approval from the Ventura Fish and Wildlife Office. A copy of permit TE44620A must be in the possession of the permittee or designated agents while conducting any activities that could result in take of Morro shoulderband snail. Please refer to the permit number in all correspondence concerning permit activities. Any questions you may have about this permit should be directed to the Field Supervisor, Ventura Fish and Wildlife Office.

BIO-5 The applicant shall submit an annual report to the USFWS and the Planning and Building Department by December 31 each year until the expiration of the USFWS Incidental Take Permit and include (as necessary): (1) a brief summary or list of project activities accomplished during the reporting year (e.g., inclusive of construction activities and other covered activities); (2) project impacts (e.g., quantification of the area graded, numbers of buildings constructed); (3) a description of any take that occurred for each covered species (inclusive of the cause, form, amount, location of take and deposition of dead or injured individuals); (4) a brief description of conservation strategy implemented; (5) results of monitoring results (compliance, effects and effectiveness monitoring) and survey information

(if applicable); (6) a description of circumstances that made adaptive management necessary and how it was implemented; (7) a description of any changed or unforeseen circumstances that occurred and how they were addressed; (8) all funding expenditures, balance, and accrual; and (9) a description of any minor or major amendments. Minimization measures and reporting obligations must be consistent with those identified in Section 5 of the Low-Effect Habitat Conservation Plan for Francis Parcel – APN 074-323-031, Los Osos, California.

BIO-6 **Morro Manzanita – Protection Buffer**. Prior to any grading work beginning, all manzanita to remain that are to remain within 25 feet of the project limits shall be staked and/or flagged for protection. These areas to be protected shall be shown on all applicable construction plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases. No Morro manzanita shall be removed from the project site.

Monitoring: Mitigation measures BIO-1 required prior to site disturbance. Mitigation measures BIO-2 required prior to initiation of construction activities. Mitigation measures BIO-3 required during all ground disturbing construction activities. Mitigation measure BIO-5 required annually until the expiration of the USFWS ITP. Mitigation measure BIO-4 would be included in BIO-5 if a take occurs. Mitigation measure BIO-6 required prior site disturbance and remain in place throughout construction phases. Compliance will be verified by the County Department of Planning and Building.

HAZ-1 **Prior to issuance of construction permits**, the applicant shall prepare a Fire Safety Plan pursuant to the requirements of Cal Fire. The applicant shall obtain approval of the Fire Safety Plan by Cal Fire and provide the approved plan to the Planning and Building Department.

Monitoring: Required prior to issuance of a construction permit. Compliance will be verified by the County Department of Planning and Building in consultation with Cal Fire.

W-1 **At the time of application for construction permit**, the applicant shall develop and submit for County approval a "water savings offset program" (e.g., toilet retrofit, etc.), or submit evidence that the project is participating in an existing off-site water savings program and compliance with all applicable provision of Section 19.07.042 of the County Ordinance. Prior to final inspection or occupancy of construction permit, whichever comes first, evidence shall be provided to the satisfaction of the County that shows adequate offsets have been installed.

Monitoring: Required prior to final inspection or occupancy clearance. Compliance will be verified by the County Department of Planning and Building in consultation with the County Department of Public Works.

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

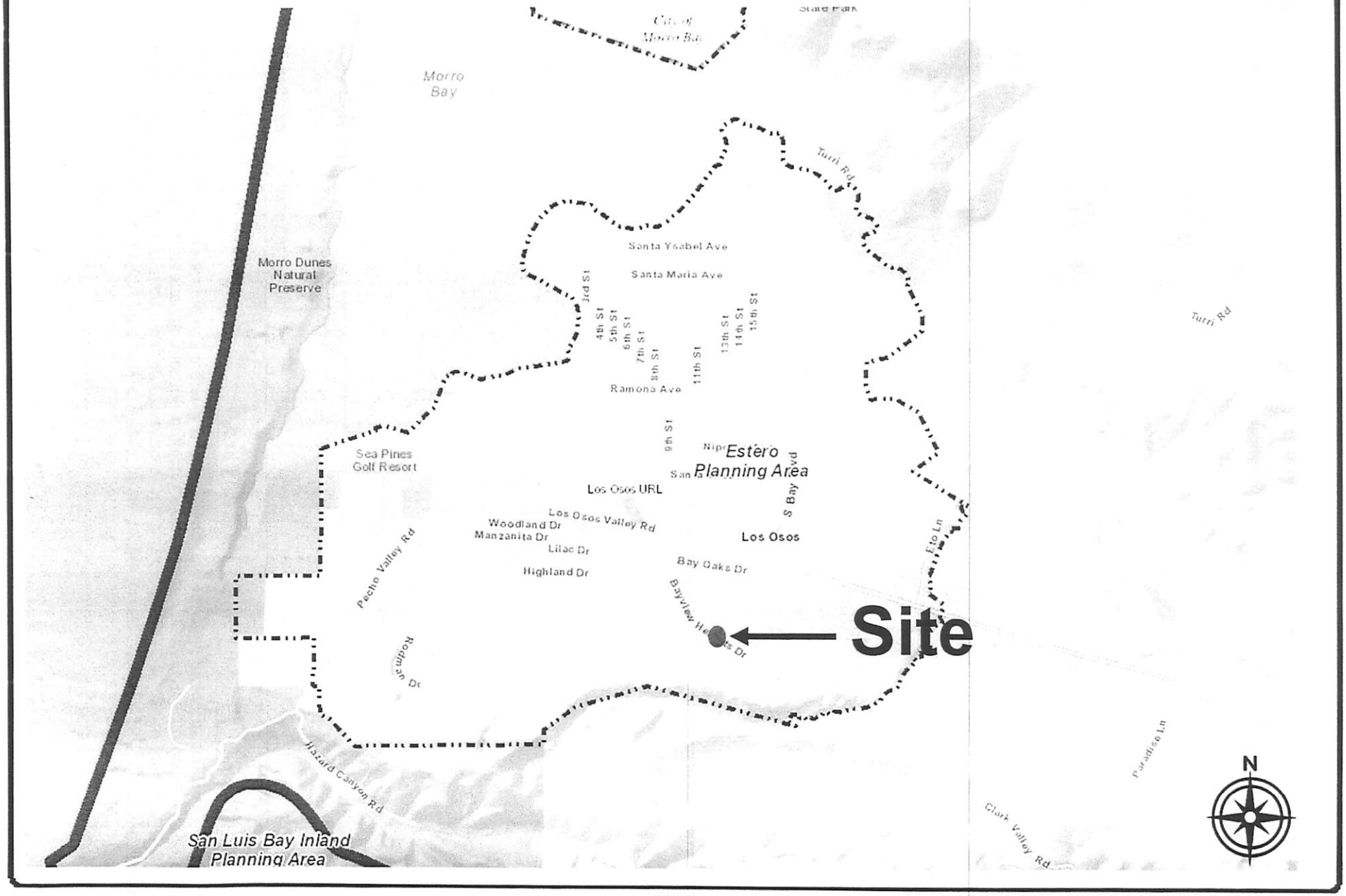
Catherine Francis 2/6/2014

Signature of Owner(s) Date

Catherine Francis

Name (Print)

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

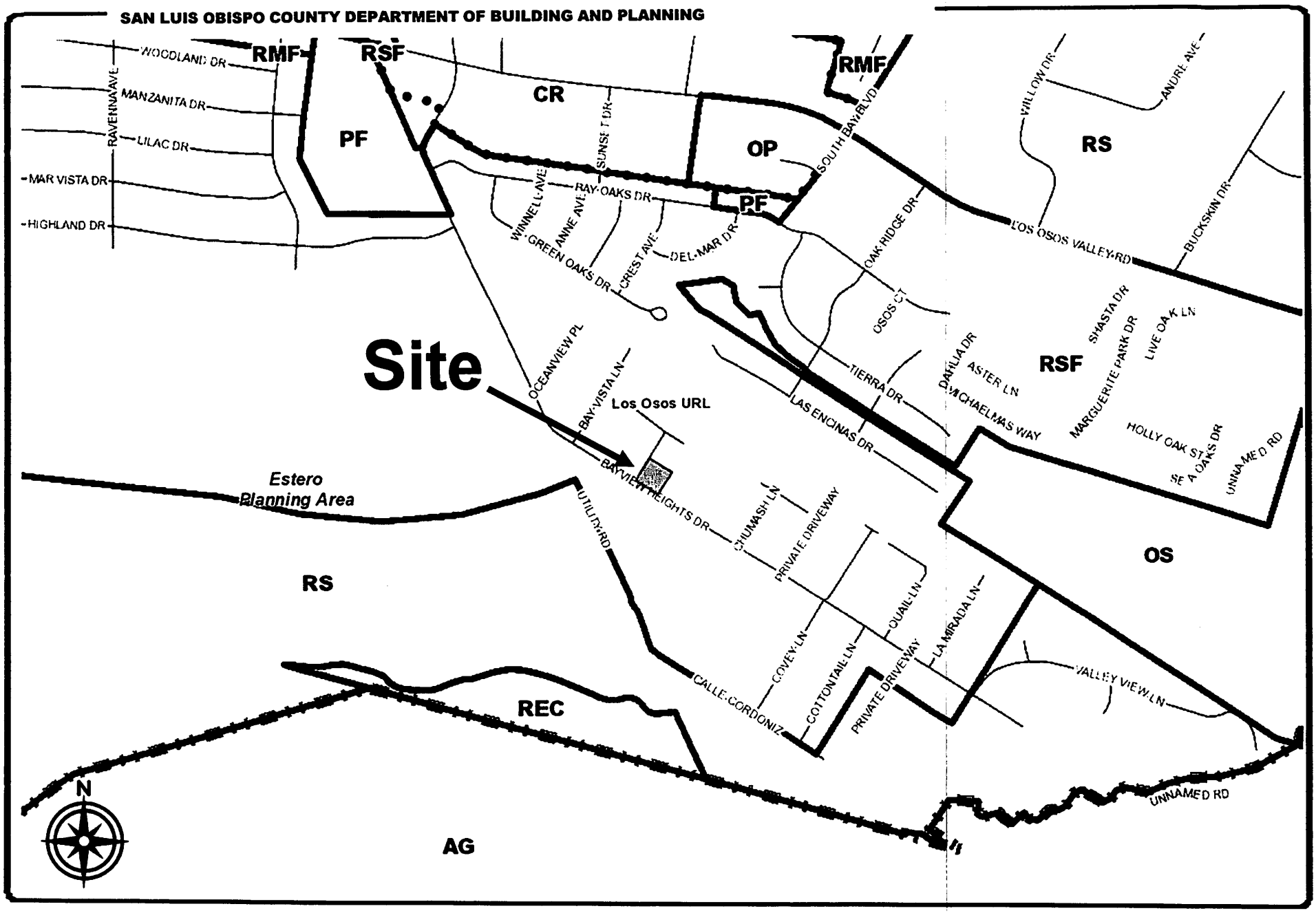


PROJECT

Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Vicinity Map



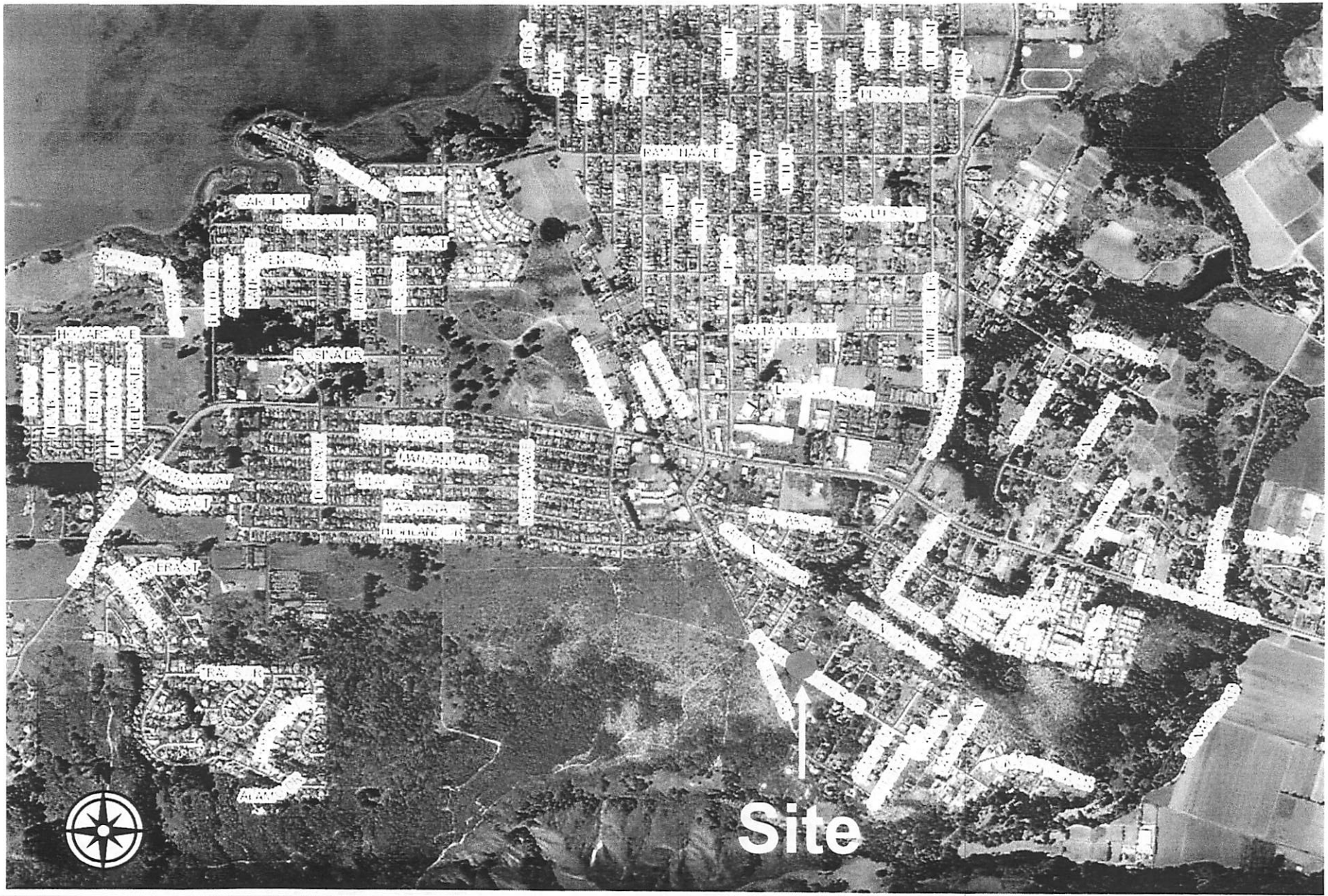
PROJECT

Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Land Use Category Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Aerial Photograph

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

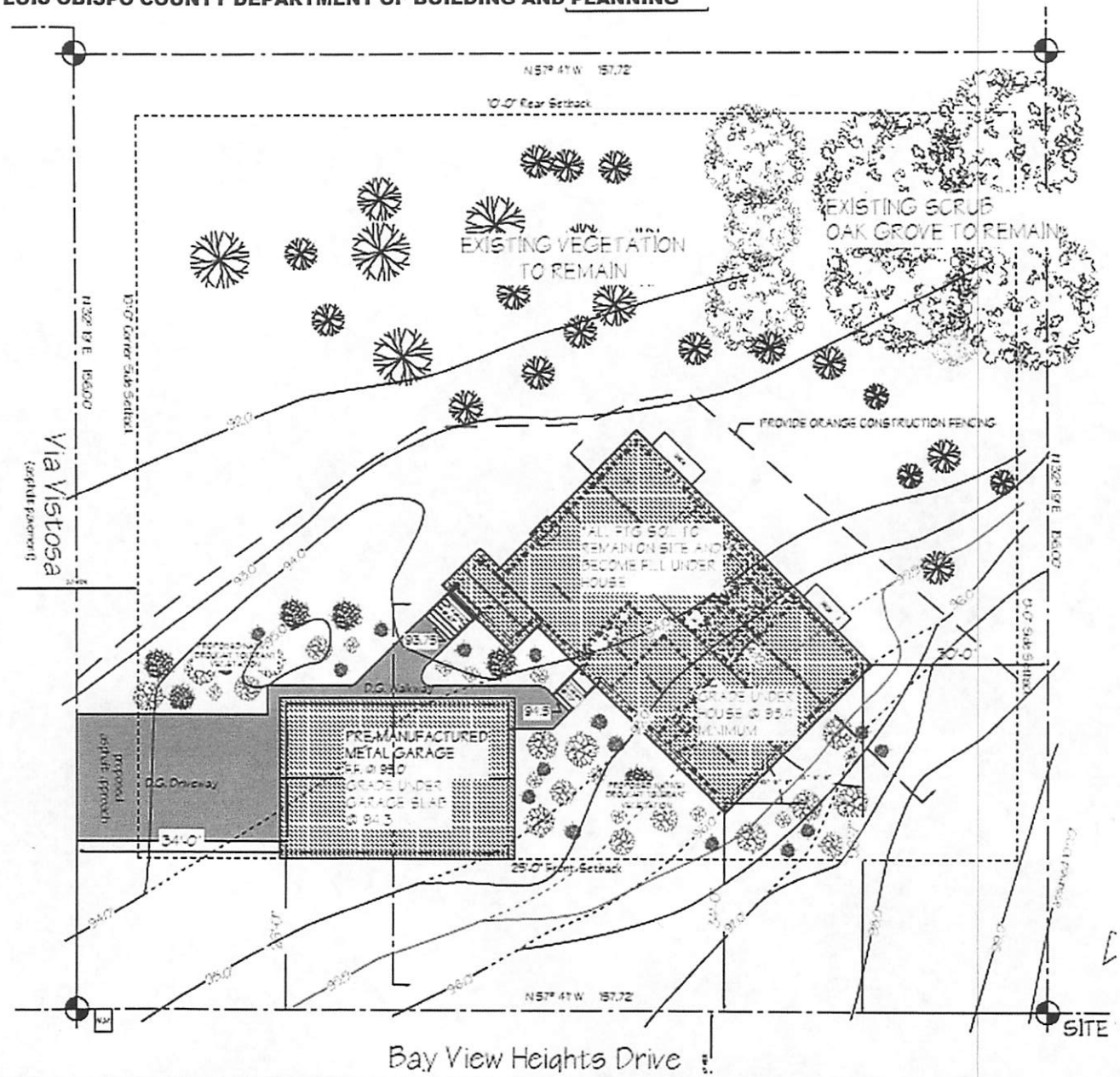
PROJECT

Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Aerial Close-Up

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

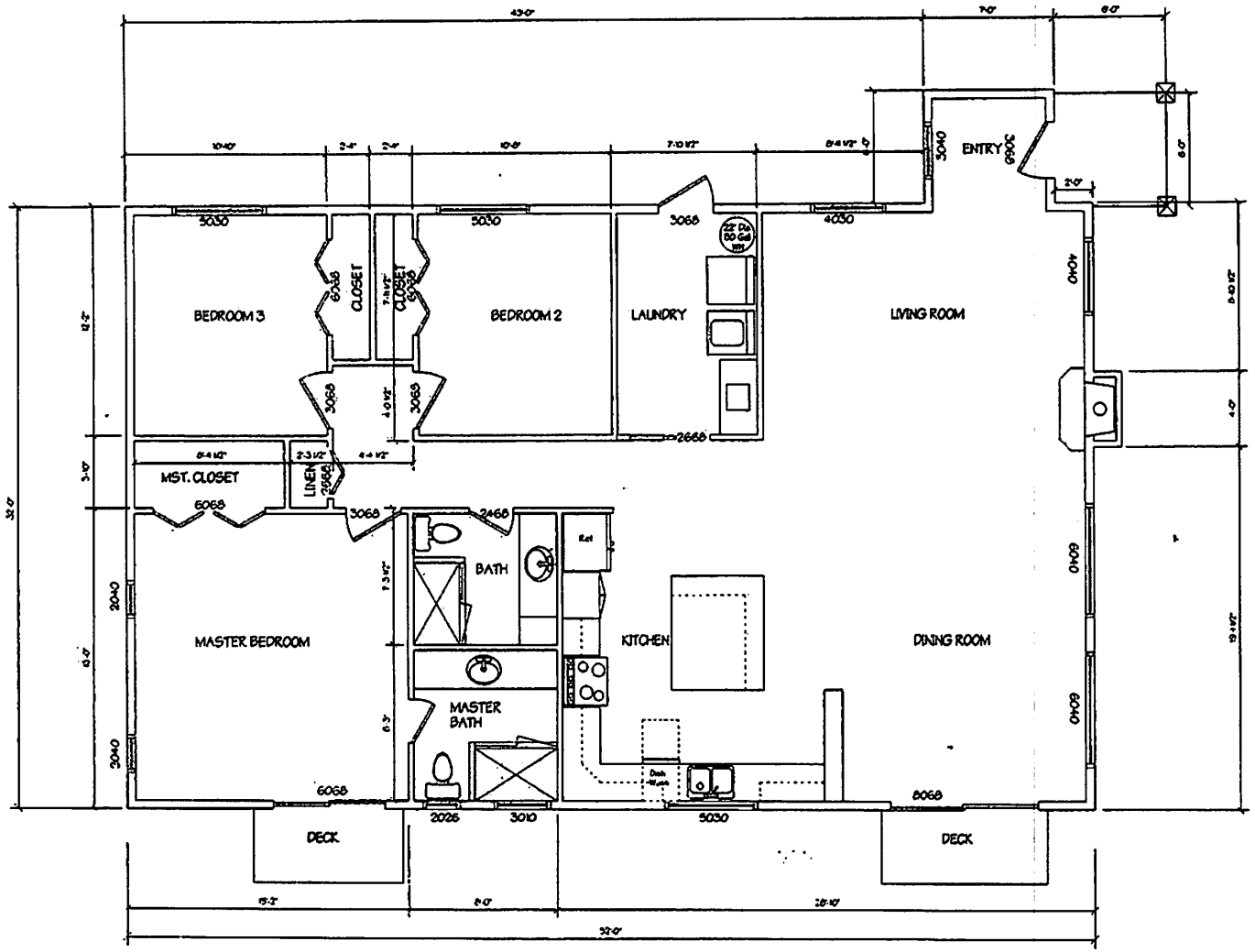


PROJECT

Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Site Plan

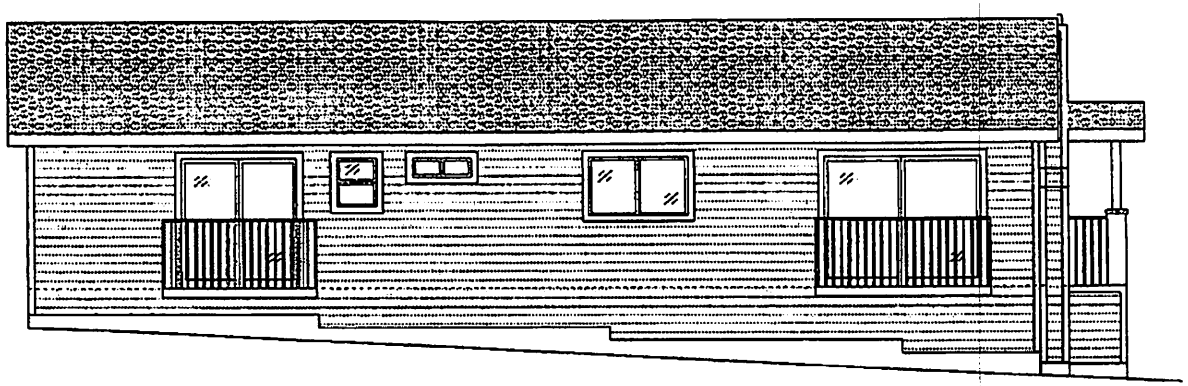


PROJECT

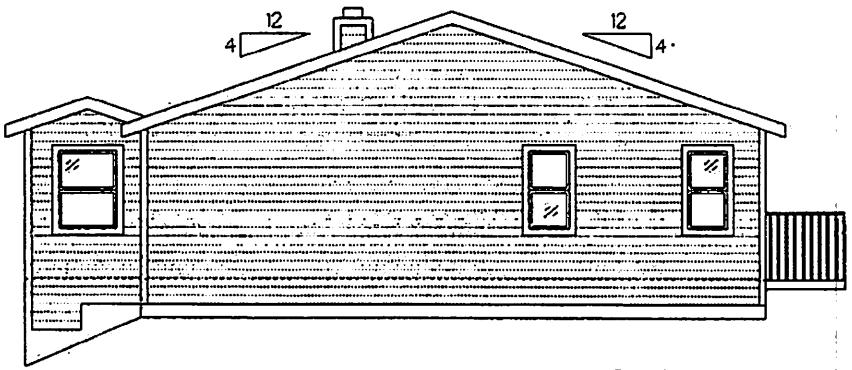
Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Floor Plans



EAST ELEVATION



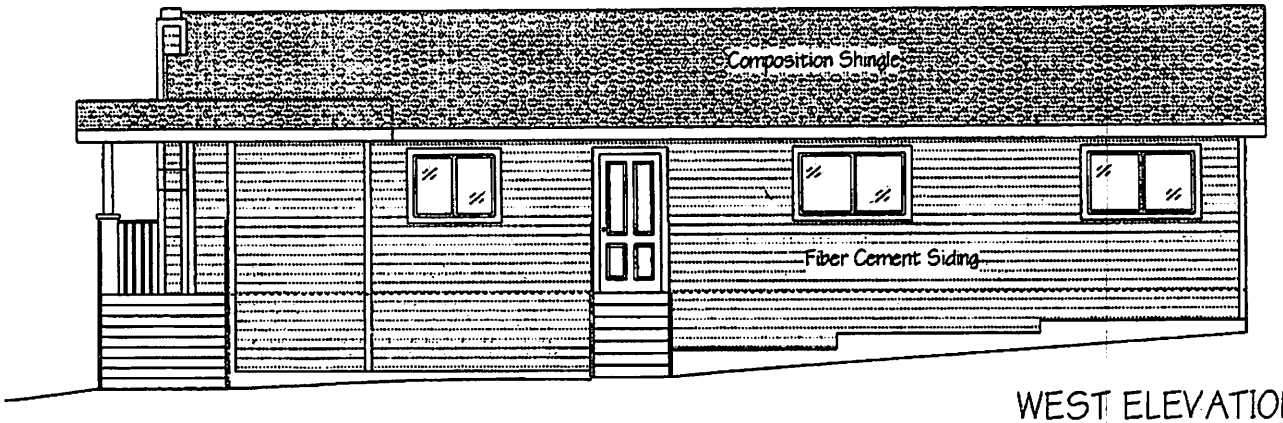
SOUTH ELEVATION

PROJECT

Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Exterior Elevations – East and South



WEST ELEVATION

NORTH ELEVATION

PROJECT

Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Exterior Elevations – West and North

GRADING CALCULATIONS:

AREA OF CUT

(A) 169 sq. ft. area x .4ft /2 = 33.8 cu. ft. = 1.25 cu. yds.

(B) 670 sq. ft. area x .5ft /2 = 167.5 cu. ft. = 6.2 cu. yds.

(C) 230 sq. ft. area x .5ft /2 = 57.6 cu. ft. + 230 sq. ft. x .5 ft=115 cu. ft = 172.5 cu. ft = 6.3 cu. yds.

(D) 387 sq. ft. area x 1ft /2 = 193.5 cu. ft. + 387 sq. ft. x .5 ft=193.5 cu. ft = 387 cu. ft = 14.3 cu. yds.

(E) 211 sq. ft. area x 1ft /2 = 105.5 cu. ft. = 3.9 cu. yds.

(F) 275 sq. ft. area x .7ft /2 = 9.6 cu. ft. = .35 cu. yds.

TOTAL AREA OF CUT = 32.3 cu. yds.

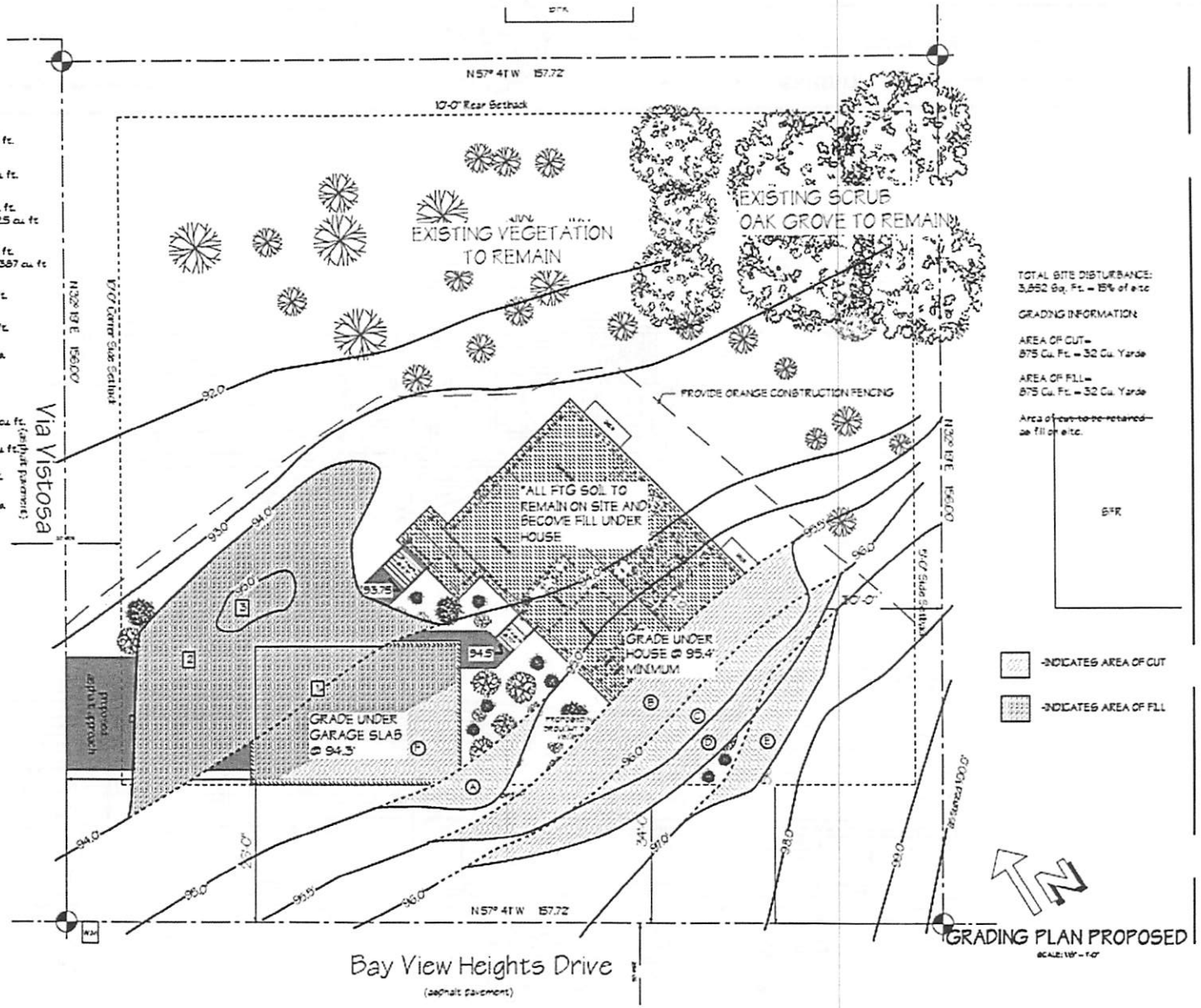
AREA OF FILL

[1] 588 sq. ft. area x .8ft /2 = 235.2 cu. ft. = 8.7 cu. yds.

[2] 1430 sq. ft. area x .8ft /2 = 572 cu. ft. = 21.1 cu. yds.

[3] 67.5 sq. ft. area x 1ft = 67.5 cu. ft. = 2.5 cu. yds.

TOTAL AREA OF FILL = 32.3 cu. yds.



PROJECT

Minor Use Permit
Francis / DRC2013-00027

EXHIBIT

Grading Plan

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

IN REPLY REFER TO:
81440-2011-CPA-0198

September 21, 2011

Catherine M. and Ronald L. Francis
1380 14th Street
Los Osos, California 93402

Subject: Low Effect Habitat Conservation Plan for the Francis Parcel, Los Osos, San Luis Obispo County, California

Dear Francises:

We have reviewed your incidental take permit application for the Low Effect Habitat Conservation Plan (HCP) that addresses your parcel located in the community of Los Osos and identified as County of San Luis Obispo APN 074-323-031. In your application, you requested an incidental take permit term of 5 years for take of the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*) that may result from the construction and occupation of a single-family residence and associated uses on this parcel. The HCP describes various minimization and mitigation measures to reduce and compensate for take of the species. These include the preparation and delivery of a pre-construction training meeting for all personnel who will work on-site during construction activities, retention of a Service-approved biologist to conduct pre-construction surveys of the site prior to the initiation of each construction phase, capture of any identified Morro shoulderband snails and their relocation to appropriate habitat, funding to implement the minimization measures and compliance monitoring, and payment of $9,300 to an Impact Directed Environmental Account administered by the National Fish and Wildlife Foundation that will be used to effect identified recovery actions for the species.

Based on our evaluation and analysis of your application package, we have found that you have met all permit issuance criteria pursuant to our Fish and Wildlife Regulations, 50 CFR 17.22. Enclosed please find your incidental take permit, TE44620A-0. We encourage you to read the permit terms and conditions carefully. Under the authority of Section 10(a)(1)(B) of the Endangered Species Act, you are authorized to take Morro shoulderband snails that are found within the permit area (i.e., the 0.87-acre parcel) for a period of 5 years. Should you have any questions, please do not hesitate to contact Julie M. Vanderwier of my office at (805) 644-1766, extension 222.

Sincerely,

Diane K. Noda
Field Supervisor

Enclosure: Federal Fish and Wildlife Permit TE44620A-0

3-201
(1/97)

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USC 1539(a)

REGULATIONS
50 CFR 17.22

50 CFR 13

1. PERMITTEE

CATHERINE M. AND RONALD L. FRANCIS
1380 14TH STREET
LOS ASOS, CA 93402
U.S.A.

3. NUMBER
TE44620A-0

4. RENEWABLE
☒ YES
☐ NO

5. MAY COPY
☒ YES
☐ NO

6. EFFECTIVE
09-21-2011

7. EXPIRES
09-21-2016

8. NAME AND TITLE OF PRINCIPAL OFFICER *(If #1 is a business)*

9. TYPE OF PERMIT
NATIVE ENDANGERED SP. HABITAT CONSERVATION PLAN - E WILDLIFE

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
The Francis property (APN 074-323-031) in Los Osos, an unincorporated community in western San Luis Obispo County.

11. CONDITIONS AND AUTHORIZATIONS:

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. Further conditions of authorization are contained in the attached Special Terms and Conditions.

☒ ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ISSUED BY	TITLE	DATE
Diane L. Noble	FIELD OFFICE SUPERVISOR	9/21/11

U.S. FISH AND WILDLIFE SERVICE, VENTURA, CALIFORNIA
PERMIT CONDITIONS FOR PERMIT TE44620A

E. All sections of Title 50 Code of Federal Regulations, parts 13 and 17.32, are conditions of this permit.

F. The authorization granted by this permit is subject to compliance with, and implementation of the *Low-Effect Habitat Conservation Plan for Francis Parcel – APN 074-323-031 – Los Osos, California.* This permit and the Low-Effect Habitat Conservation Plan (HCP) are binding upon the permittees, and any authorized officer, employee, contractor, or agent conducting permitted activities.

G. The permittees and/or their designated agents are authorized under the Federal Endangered Species Act of 1973, as amended, to incidentally take (harm, injure, and/or kill) the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*) within the 0.57-acre project area described in the HCP and legally known as County of San Luis Obispo Assessor Parcel Number 074-323-031, to the extent that the take of this species would otherwise be prohibited under section 9 of the Act and its implementing regulations or pursuant to a rule promulgated under section 4 (d) of the Act. All take must be incidental to otherwise lawful activities associated with the redevelopment activities described in the HCP and conditioned herein.

H. Only Service-authorized biologists may conduct pre- and concurrent construction surveys, monitor for, and capture and relocate Morro shoulderband snails to a receiver site that has been approved by the Service. Only Service-authorized biologists may conduct said activities. The permittees or their designated agents must request and receive approval of those biologists they wish to have conduct these activities. The request must be submitted, in writing, to the Ventura Fish and Wildlife Office at least 15 working days prior to the commencement of the specified activities.

I. The Service-authorized biologist(s) shall notify the Ventura Fish and Wildlife Office of their intent to conduct any monitoring events within 24 hours of commencing the activity.

J. Prior to the commencement of any activity that could result in take of Morro shoulderband snail (e.g., grubbing of vegetation, demolition of structures) and/or use and reliance on any permits issued by the County of San Luis Obispo (e.g., grading, demolition, or coastal development) that could result in such take the following must be demonstrated:

a. Written verification that the required pre-construction environmental awareness training program has been prepared and will be delivered by the Service-authorized biologist to all personnel who will be working onsite during site preparation and construction activities will be provided to the Ventura Fish and Wildlife Office and the County of San Luis Obispo, Department of Planning and Building;

b. A receipt that demonstrates the deposit of $9,300 to the National Fish and Wildlife Foundation Impact-Directed Environmental Account entitled "Morro Shoulderband Snail

In-Lieu Fee Account." This receipt must be provided to, and acknowledged in writing by, the Ventura Fish and Wildlife Office and the County of San Luis Obispo, Department of Planning and Building; and

c. Written confirmation to demonstrate that a receiver site for those Morro shoulderband snails identified during the monitoring activities has been selected and approved by the Ventura Fish and Wildlife Office must be provided to the County of San Luis Obispo, Department of Planning and Building.

K. Minimization measures and reporting obligations must be consistent with those identified in Section 5 of the *Low-Effect Habitat Conservation Plan for Francis Parcel – APN 074-323-031 – Los Osos, California.*

L. Any remains of dead, intact Morro shoulderband snails must be deposited at a professionally maintained facility that is widely accessible for scientific study, such as the California Academy of Sciences [Entomology Department, Golden Gate Park, San Francisco, California 94118, (415) 750-7037 and 7239] or the Santa Barbara Museum of Natural History [Department of Invertebrates, 2559 Puesta del Sol Road, Santa Barbara, California 93105, (805) 682-4711]. Arrangements regarding the disposition of potential museum specimens must be made with a receiving institution prior to the implementation of any fieldwork. Other arrangements for disposition of specimens may be made with prior written approval from the Ventura Fish and Wildlife Office.

M. A copy of permit TE44620A must be in the possession of the permittee or designated agents while conducting any activities that could result in take of Morro shoulderband snail. Please refer to the permit number in all correspondence concerning permit activities. Any questions you may have about this permit should be directed to the Field Supervisor, Ventura Fish and Wildlife Office.

NFWF
NATIONAL FISH and WILDLIFE FOUNDATION

SOUTHWESTERN PARTNERSHIP OFFICE
90 New Montgomery Street Suite 1010
San Francisco, CA 94105
P 415-778-0999 | F 415-778-0998 | nfwf.org

November 5, 2013

Ms. Catherine Francis
1380 14th Street
Los Osos, CA 93402

RE: Receipt for Deposit, Morro Shoulderband Snail In-Lieu Fee Account, San Luis Obispo County APN 074-323-031, Incidental Take Permit TE44620A-0

Dear Ms. Francis,

I am writing to confirm that your check for $9,300.00 was received by the National Fish and Wildlife Foundation on October 25, 2013. These funds have been deposited into the Morro Shoulderband Snail In-Lieu Fee Account. Please accept this letter as a receipt for these funds.

Please feel free to contact me at (415) 243-3102 or shawn.marchand@nfwf.org with any questions.

Best wishes,

Shawn Marchand
Manager, Impact-Directed Environmental Accounts (IDEA)

PRINTED ON POST-CONSUMER RECYCLED PAPER

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS
Paavo Ogren, Director
County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229 email address: pwd@co.slo.ca.us

MEMORANDUM

Date: November 3, 2013

To: Schiani Siong, Project Planner

From: Tim Tomlinson, Development Services

Subject: Public Works Comments on DRC2013-00027, Francis MUP, Bayview Heights Drive, Los Osos, APN 074-323-031

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

Public Works Comments:

A. The proposed project is within the Los Osos Road Improvement Fee Area. Payment of Road Improvement Fees is required prior to building permit issuance.

B. The proposed project is within a drainage review area. Drainage plan is and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 23.05.040 of the Land Use Ordinance prior to future submittal of building permits.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits,** the applicant shall submit an application, fee and plans to the Department of Public Works to secure an Encroachment Permit to construct the project access driveway in accordance with County Public Improvement Standards.

2. **Prior to occupancy or final inspection,** all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.

Drainage

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

4. **At the time of application for construction permits,** the applicant shall submit complete erosion and sedimentation control plan for review and approval..

5. **On-going condition of approval (valid for the life of the project),** the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

RECEIVED OCT 25 2013

DATE: 10/24/2013

TO: CAL FIRE

FROM: Schani Siong - Coastal Team / Development Review

PROJECT DESCRIPTION: DRC2013-00027 FRANCIS - Proposed minor use permit for a single family residence and a premanufactured metal garage building. Site location is 1060 Bayview Heights Dr, Los Osos. APN: 074-323-031.

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

11-6-13 — Date

Tina Rose — Name

(805) 903-3427 — Phone

CAL FIRE – SAN LUIS OBISPO
FIRE SAFETY PLAN

Date: **November 6, 2013**

Project Number: DRC2013-00027	**Project Location: 1060 Bay View Heights**
Project City: Los Osos	**Cross Street:**
Owner Name: Ron & Catherine Francis	**Owner Address: 1380 19th Street**
City, State, Zip: Los Osos, CA 93402	**Owner Phone(s): 528-0555**
Agent Name: Crizer Design Company	**Agent Address: P.O. Box 6952**
City, State, Zip: Los Osos, CA 93412	**Agent Phone(s): 528-4812**

Project Notes: MUP FOR A SINGLE FAMILY RESIDENCE AND PRE MANUFACTURED METAL GARAGE BUILDING.

- The following **checked** items are required to be completed prior to final inspection of this project.
- Fire department final inspection can be scheduled by calling **(805) 543-4244, extension #3429**.
- Inspections will be completed on **Tuesday** for South County areas and **Thursday** for North County areas.
- Please have your County issued permit card on site and visible.
- Visit our website at www.calfireslo.org for more information.

This project is located approximately **2-4** minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project **is** located in State Responsibility Area for wildland fires, and is designated as a **Very High** Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

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

☐	**ACCESS ROAD** A 20-foot wide access road is required
☐	All weather surface capable of supporting 20 tons
☐	10 feet of fuel modification is required on both sides of road
☐	Must provide an unobstructed vertical clearance of not less than 13'6"
☐	Where road exceeds a 12% grade, it must be a nonskid surface
☐	If road exceeds a 16% grade, it must be certified by an engineer
☐	Road must be named & posted using the County standard signage
☒	**DRIVEWAY** must be **16** feet wide
☒	All weather surface capable of supporting 20 tons
☐	Where driveway exceeds a 12% grade, it must be a nonskid surface
☐	If driveway exceeds a 16% grade, it must be certified by an engineer
☐	10 feet of fuel modification is required on both sides of the driveway
☒	Must provide an unobstructed vertical clearance of not less than 13'6"
☐	Driveways exceeding 300 feet require a fire engine turnaround within 50 feet of residence/structure
☐	Driveways exceeding 800 feet require a turnout(s) at midpoint and no more than 400 feet apart (**Exception**: 16' wide driveways)
☐	**BRIDGE** is required to support a fire engine load weight of 20 tons
☐	Bridge must have a sign indicating load & vertical clearance limits at entrances
☐	One-lane bridge: minimum 10', turnouts at both ends, one-way signs, clear visibility
☐	**GATE** entrance shall be 2 feet wider than width of traffic lane & located 30 feet from roadway.
☐	Center line of lane turning radius must be at least 25 feet
☐	Electric gates shall be maintained operational at all times and shall provide Fire Department emergency access via a "Knox" switch. A Knox application must be requested from the Prevention Bureau. Manual gates may be secured by a padlock.
☒	**100' FLAMMABLE VEGETATION MANAGEMENT** around structures required.
☒	Maintain a fire clearance of 30 feet around all buildings & structures
☒	Within the area of 30'-100' from structures, additional fire reduction measures shall be required.
☒	Remove limbs located within 10 feet of chimney & trim dead/dying limbs that overhang the roof. Leaves, needles, or dead growth shall be removed from the roof
☐	**LPG TANKS** Minimum separation from buildings & property lines for LPG above ground tanks is: 10 feet for 125-500 gallon container; 25 feet for 501-2,000 gallon container
☐	Maintain a minimum vegetation clearance of 10 feet around LPG tanks or containers
☒	**IGNITION RESISTANT CONSTRUCTION REQUIREMENTS** This project must meet all requirements of Chapter 7A of the 2010 California Building Code for Fire-Resistance-Rated Construction. Please contact the San Luis Obispo County Department of Planning & Building for more information at (805) 781-5600.
☒	A Class **A** non-combustible roof is required that meets all requirements of Chapter 7A of the 2010 California Building Code.
☐	**ADDRESS** Each residence requires separate address numbers, assigned by the San Luis Obispo County Department of Planning and Building. Please contact (805) 781-5157 for more information.
☐	Highly visible with contrasting background permanent address numbers shall be placed at the driveway entrance and directional signs at each T or Y intersection (minimum 6" letter/number height, 1/2 inch stroke). Reflective numbers are highly recommended!
☒	Highly visible address numbers shall be placed on the residence(s). (Minimum 6" letter/number height with 1/2 inch stroke).
☒	**SMOKE & CARBON MONOXIDE DETECTOR** Smoke detectors are required in all sleeping areas and in hallways leading to sleeping areas.
Comments:	

Please note: Any changes made to this project shall cancel the Fire Safety Plan and require new plans to be submitted to CAL FIRE for review and the issuance of a new fire plan. If this project is not completed within the time allotted by the Building Permit; it will be required to meet all applicable fire codes in effect at the time a new permit is issued and before final inspection of the structure. Any future change of occupancy will also require compliance with all codes in effect at that time.

Tina Rose
Fire Inspector

Golden State
Water Company
A Subsidiary of American States Water Company

October 17, 2013

Catherine Francis
1380 14th St
Los Osos, Ca. 93402

Reference: CAN AND WILL SERVE LETTER
New Single Family Residence
1060 Bayview Heights Drive, Los Osos

Dear Ms. Francis:

This letter is to confirm that Golden State Water Company (GSWC) can and will provide domestic and fire protection water service to the proposed single family residence to be located at 1060 Bayview Heights Drive, Los Osos. Service will be provided in accordance with applicable California Public Utilities Commission approved rules and orders.

According to our records the property is currently served by Golden State Water Company and has a one-inch copper service with a 5/8-inch meter.

This can and will serve commitment expires one year from the date of the letter. If construction of the water system improvements has not started within one year, you will need to request a time extension.

Sincerely,

Kenneth J. Petersen, P.E.
Coastal District Manager

C: Mark Zimmer, Golden State Water Company
Susan Hartsock, Golden State Water Company

2330 A Street Suite A Santa Maria, Ca. 93455
Tel: (805) 349-7407 Fax: (805) 349-7617