



# Negative Declaration & Notice Of Determination

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

ENVIRONMENTAL DETERMINATION NO. ED14-096

DATE: December 4, 2014

PROJECT/ENTITLEMENT: Burhenn Grading Permit; PMT2014-00299

APPLICANT NAME: Tom and Peggy Burhenn

ADDRESS: 614 Fairview Ave, Sierra Madre, CA 91024

CONTACT PERSON: John Vandervelde

Telephone: 626 233-2447

**PROPOSED USES/INTENT:** Request by Tom and Peggy Burhenn to grade for a new 5,100 square foot single-story single family residence with attached 528 square foot two-car garage, a detached 528 square foot two-car garage, new 1,176 square foot workshop, and new driveway, which will result in the disturbance of approximately 1.8 acres, including approximately 1500 cubic yards of cut and 1500 cubic yards of fill, on a 49.55 acre parcel. The property is currently undeveloped. The proposed project is within the Agriculture land use category.

**LOCATION:** The project is located on Alisos Road, approximately 1,900 feet north of the Alisos/Huasna Road intersection, approximately 2.3 miles east of the City of Arroyo Grande. The site is in the South County (San Luis Bay subarea) 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  
Regional Water Quality Control Board

**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., December 18, 2014

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.

Signature	Stephanie Fuhs	Date	County of San Luis Obispo
	Project Manager Name		Public Agency



# Initial Study Summary – Environmental Checklist

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

(ver 5.6) USPO Form

**Project Title & No. Burhenn Grading Permit PMT2014-00299 (ED14-096)**

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

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

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

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

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

Stephanie Fuhs  
Prepared by (Print)

*Stephanie Fuhs*  
Signature

11/24/14  
Date

Rob Fitzroy  
Reviewed by (Print)

*Rob Fitzroy*  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

11/24/14  
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 Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Tom and Peggy Burhenn to grade for a new 5,100 square foot single-story single family residence with attached 528 square foot two-car garage, a detached 528 square foot two-car garage, new 1, 176 square foot workshop, and new driveway, which will result in the disturbance of approximately 1.8 acres, including approximately 1500 cubic yards of cut and 1500 cubic yards of fill, on a 49.55 acre parcel. The property is currently undeveloped. The proposed project is within the Agriculture land use category. The project is located on Alisos Road, approximately 1,900 feet north of the Alisos/Huasna Road intersection, approximately 2.3 miles east of the City of Arroyo Grande. The site is in the South County (San Luis Bay subarea) planning area.

**ASSESSOR PARCEL NUMBER(S):** 047-261-003

Latitude: 35 degrees 8' 36" N Longitude: -120 degrees 30' 44" W

**SUPERVISORIAL DISTRICT # 4**

**B. EXISTING SETTING**

**PLAN AREA:** South County

**SUB:** San Luis Bay (South)

**COMM:** Rural

**LAND USE CATEGORY:** Agriculture

**COMB. DESIGNATION:** None

**PARCEL SIZE:** 49.55 acres

**TOPOGRAPHY:** Gently sloping to moderately sloping

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

**EXISTING USES:** Undeveloped

**SURROUNDING LAND USE CATEGORIES AND USES:**

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

## **C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, at least one issue was identified as having a potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.



# COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

## 1. AESTHETICS

*Will the project:*

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

**Setting.** The project site is primarily grassland with scattered oaks consisting of approximately 50 acres. The surrounding properties are a mix of residential rural parcels to the south and west along Alisos Road, ranging in size from five to 20 acres. There are agriculturally zoned parcels to the north and east, some that are used for various agricultural operations including row crops and grazing. The application indicated that the subject property has been used for grazing in the past, but it is currently vacant. Alisos Road mainly consists of larger residential rural home sites, with a few undeveloped parcels and some farming operations toward Huasna Road.

The terrain of the site is varied from gently sloping in the center of the property to moderately sloping along Alisos Road and on the northern and eastern sections of the site.

**Impact.** Future development of a single-family residence with attached garage would be visible from Alisos and Huasna Roads. Although the proposed project and associated site improvements could be viewed from public vantage points, the proposed residential development would be consistent with the surrounding single-family development. Future development of the proposed single-family residence on the project site would not significantly change the visual character of the area, however, exterior lighting may create lighting and glare when viewed from Alisos Road. The applicant will be required to shield exterior lighting to minimize glare.

**Mitigation/Conclusion.** The applicant shall submit an exterior lighting plan showing the location, height, and intensity of proposed exterior lighting. Lighting shall be shielded and downward facing to reduce the glare. Based on implementation of these measures, potential visual impacts would be less than significant.

## 2. AGRICULTURAL RESOURCES

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Conflict with existing zoning for agricultural use, or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Land Use Category: Agriculture

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland

In Agricultural Preserve? Yes, Arroyo Grande Valley Ag Preserve

Under Williamson Act contract? No

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

Lodo-Rock outcrop complex (9 - 30% slope) (95% of the project site). This moderately sloping, shallow fine loamy soil is considered very poorly drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VIII without irrigation and is Class VIII when irrigated.

Salinas silty clay loam (0 - 2 % slope) (<5% of the project site along Alisos Road). This nearly level fine loamy bottom soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class I when irrigated.

**Impact.** The parcel is zoned Agriculture and was used for grazing in the past. There are larger undeveloped parcels to the north and east that may be used for grazing as well. Alisos Road is primarily developed with residences; however there are some agricultural operations (row crops) to the north and south of the project site. The nearest row crops are approximately 900 feet from the proposed home site. The development of a single family home on the subject property is allowed by right and would not significantly impact the ability to conduct agricultural operations on the site in the future, nor would the project impact agricultural operations on surrounding properties. No significant impacts to agricultural resources are expected.

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

### 3. AIR QUALITY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### GREENHOUSE GASES

f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other: <u>Cumulative - Construction Phase Dust</u></i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of

California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

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

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

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO<sub>2</sub>/year (MT CO<sub>2</sub>e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO<sub>2</sub>e/yr was adopted for stationary source (industrial) projects.

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

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

**Impact.** As proposed, the project will result in the disturbance of approximately 1.8 acres. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

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

This project is a grading permit for a 5,100 square foot 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 applicant will be required to implement standard dust control measures as required by Section 22.52.160C.1 of the Land Use Ordinance. No additional mitigation measures are necessary beyond what is required by ordinance and impacts are considered less than significant.

**4. BIOLOGICAL RESOURCES**

*Will the project:*

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

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

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

On-site Vegetation: Grasses, shrubs, scattered oaks

Name and distance from blue line creek(s): Unnamed Creek is located 100 feet to the west

Habitat(s): Potential Pismo Clarkia habitat

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

The project is within an area considered suitable habitat for Pismo clarkia.

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

Vegetation

Pismo clarkia (Clarkia speciosa ssp. immaculate) FE, SR, List 1B

Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) has been found about 0.8 mile to the north. This annual herb occurs on low, sandy hills (up to the 185 meter (600-foot) elevation) from Pismo to Edna Valley. Pismo clarkia populations are found in valley and foothill grasslands, and in the margins between chaparral and oak woodland communities near the coast. This species is listed as Federally endangered, State rare, and extremely rare by CNPS (List 1B, RED 3-3-3).

Wildlife

California red-legged frog (*Rana aurora draytonii*) FT

California red-legged frog (*Rana aurora draytonii*) has been found about 0.9 mile to the west. California red-legged frog is considered federally threatened. This species typically inhabits shorelines with extensive vegetation. The frog requires 11 to 20 weeks of permanent water for larval development.

Coast horned lizard (*Phrynosoma coronatum* {frontale population})

Coast horned lizard (*Phrynosoma coronatum* {frontale population}) has been identified about 100 feet to the west of the project site.

Biological reports were done for a site to the north and west (across Alisos Road) of the subject property which found no evidence of special status plants or animal species.

**Impact.**

The project will result in the disturbance of 1.78 acres of an approximately 50 acre site. Because the site is within potential Pismo Clarkia habitat, there is the possibility that the plant occurs on the property. Without an in-season survey (generally late spring/early summer), determining the presence of the species cannot occur. In order to avoid significant delays in processing of the current grading application by waiting for the next blooming season next spring, the applicant has chosen to assume a "worst case" scenario that the plant does occur on the site and will be disturbed as part of the construction activities on the parcel. This will require that 1.78 acres of suitable habitat area, as determined by a qualified biologist, be set aside on the property as an open space easement.

No tree removal will occur as part of this grading permit application.

A site assessment was completed for red-legged frog (Cindy Cleveland, November 2014) which found that the site does not contain suitable habitat for the species. No mitigation measures were considered necessary.

**Mitigation/Conclusion.** In order to mitigate for the loss of 1.78 acres of potential Pismo Clarkia habitat, the applicant has agreed to hire a qualified biologist to identify suitable areas on-site to set aside as an open space easement. Implementation of the above measures will mitigate biological impacts to a level of insignificance.

**5. CULTURAL RESOURCES**

*Will the project:*

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

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. No

historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. Disturbance for the home site and accessory structures are located approximately 1,200 feet from the creek to the west. Disturbance for the driveway will be along an existing dirt road. Two surface surveys were completed to the north and west of the property with no findings. No evidence of cultural materials was noted on the property during a site visit on August 26, 2014. Impacts to historical or paleontological resources are not expected.

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

## 6. GEOLOGY AND SOILS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

Topography: Gently sloping to moderately sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to high

Liquefaction Potential: Low to moderate

Nearby potentially active faults?: Yes Distance? 1350 feet to the north

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

Shrink/Swell potential of soil: Moderate

Other notable geologic features? Edna member of Pismo formation

A soils engineering report for the subject property was prepared by GeoSolutions, Inc (November 2013). The report concluded that the site is suitable for the proposed development provided that the recommendations from the report are followed.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

**Impact.** As proposed, the project will result in the disturbance of approximately 1.8 acres. Project grading will temporarily create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Because the proposal will include over one acre of grading, a Storm Water Pollution Prevention Plan (SWPPP) will be required. The project has the potential to reduce the soil's ability to absorb rainfall by covering ground with impervious surfaces. These are discussed in more detail in the Water section below. The project would not result in any other impacts to geology or soils.

**Mitigation/Conclusion.** There is no evidence that measures above what will already be required by ordinance or codes are needed to mitigate potential sedimentation and erosion related impacts. See the discussion in the water section (below) on measures to address stormwater concerns. Impacts to geology and soils are less than significant.

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

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be within a 'very high' fire hazard severity zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Be within an area classified as a 'state responsibility' area as defined by CalFire?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not within the Airport Review area.

With regards to potential fire hazards, the subject project is within the High Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 10-15 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

**Impact.** The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The proposed project is not found on the 'Cortese List' (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). The project is located in a High Fire Hazard area, but it would be required to comply with the Fire Code, which would minimize impacts to the extent feasible. The project is not expected to conflict with any regional emergency response or evacuation plan. The proposed residence is over 1,000 square feet which requires sprinklering of the structure.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

**8. NOISE**

*Will the project:*

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

## 8. NOISE

*Will the project:*

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

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

**Impact.** The project is not expected to generate loud noises, or conflict with the surrounding uses.

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

## 9. POPULATION/HOUSING

*Will the project:*

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

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

**Impact.** The project will not result in a need for a significant amount of new housing, and will not

displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated 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) <b>Fire protection?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <b>Police protection (e.g., Sheriff, CHP)?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <b>Schools?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <b>Roads?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <b>Solid Wastes?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <b>Other public facilities?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <b>Other:</b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Police: County Sheriff

Location: Oceano (Approximately 6.3 miles to the west)

Fire: Cal Fire (formerly CDF)

Hazard Severity: High

Response Time: 10-15 minutes

Location: Approximately 7.0 miles to the south

School District: Lucia Mar Unified School District.

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

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

**11. RECREATION**

*Will the project:*

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

**Setting.** The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park,

recreational resource, coastal access, and/or Natural Area.

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

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

## 12. TRANSPORTATION/CIRCULATION

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

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

**Impact.** The proposed project is estimated to generate about 9.57 trips per day, based on the Institute of Traffic Engineer's manual of 9.57 trips/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on transportation.

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

### 13. WASTEWATER

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

**Setting.** 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) – depending on water source, parcel size minimums will range from one acre to 2.5 acres;
- ✓ 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).

To assure a successful system can meet existing regulation criteria, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to “filter” effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has “poor filtering” characteristics) or is too slow (slower or more than 120 minutes per inch);
- ✓ the topography on which a system is placed is steep enough to potentially allow “daylighting” of effluent downslope; or
- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

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

- 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 information relating to the poor filtering soil characteristic, the following additional information will be needed 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.
- shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface. In this case, due to limited availability of information relating to the shallow depth to bedrock characteristic, the following additional information will be needed prior to issuance of a building permit: soil borings at leach line location(s) showing that there is adequate distance to bedrock. If adequate distance cannot be shown, a County-approved plan for an engineered wastewater system showing how the basin plan criteria can be met will be required.
- slow percolation**, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch.
- **seepage in bottom layer**, where effluent seeps quickly through (rather than be absorbed by) the soil horizon(s) to a soil layer just above bedrock that is typically in a saturated condition. The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) with possible treatment of the soil to insure effluent movement rate through the soil meets basin plan requirements. Special engineering may be required to provide this acceptable percolation rate.
- **cemented pan**, where there is thin in an upper soil horizon that may interfere with or intercept effluent percolation and create saturated soil conditions above the impervious layer which may be near the soil surface. When such conditions exist, one of the following is necessary to resolve the potential problem: leach lines must either penetrate or be below the cemented pan, if leach lines above the cemented pan layer, this layer must be removed or permanently modified to allow effluent to percolate through this layer.

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

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;
- ✓ The soil's percolation rate is between 30 to 120 minutes per inch;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

## 14. WATER & HYDROLOGY

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

**Setting.** The project proposes to obtain its water needs from an on-site well. Based on available

information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is gently sloping to moderately sloping. The closest creek from the proposed development is approximately 100 feet to the west. 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? Unnamed Creek Distance? Approximately 100 feet from the property line across Alisos Road

Soil drainage characteristics: Not well drained to very poorly drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110 or 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 project's soil erodibility is as follows:

Soil erodibility: Low

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

The subject property is not within a defined groundwater basin.

### **Impact – Water Quality/Hydrology**

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

- ✓ Approximately 1.8 acres of site disturbance is proposed and the movement of approximately 1,500 cubic yards of material;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ The project is not within a 100-year Flood Hazard designation;

- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Parking area drainage inlets will be fitted with hydrocarbon filters;
- ✓ Bioswales will be installed as a part of the drainage plan;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

**Water Quantity**

Based on available water information, there are no known constraints to prevent the project from obtaining its water demands.

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

**15. LAND USE**

*Will the project:*

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

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

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

**PROJECT MANAGER: PLANNING AREA STANDARDS APPLY**

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

1. LUO Section 22.106 San Luis Bay Planning Area.

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

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

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

## Exhibit A - Initial Study References and Agency Contacts

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

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input type="checkbox"/>	County Public Works Department	<b>Not Applicable</b>
<input type="checkbox"/>	County Environmental Health Services	<b>Not Applicable</b>
<input type="checkbox"/>	County Agricultural Commissioner's Office	<b>Not Applicable</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input type="checkbox"/>	Air Pollution Control District	<b>Not Applicable</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input type="checkbox"/>	Regional Water Quality Control Board	<b>Not Applicable</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Fish and Wildlife	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input type="checkbox"/>	Community Services District	<b>Not Applicable</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>

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

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Project File for the Subject Application  | <input type="checkbox"/> Design Plan  |
| <u>County documents</u>   | <input type="checkbox"/> Specific Plan  |
| <input type="checkbox"/> Coastal Plan Policies  | <input checked="" type="checkbox"/> Annual Resource Summary Report                                    |
| <input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)   | <input type="checkbox"/> Circulation Study  |
| <input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements: | <u>Other documents</u>  |
| <input checked="" type="checkbox"/> Agriculture Element   | <input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook                                      |
| <input checked="" type="checkbox"/> Conservation & Open Space Element   | <input checked="" type="checkbox"/> Regional Transportation Plan                                      |
| <input type="checkbox"/> Economic Element   | <input checked="" type="checkbox"/> Uniform Fire Code   |
| <input checked="" type="checkbox"/> Housing Element   | <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)       |
| <input checked="" type="checkbox"/> Noise Element   | <input checked="" type="checkbox"/> Archaeological Resources Map                                      |
| <input type="checkbox"/> Parks & Recreation Element/Project List  | <input checked="" type="checkbox"/> Area of Critical Concerns Map                                     |
| <input checked="" type="checkbox"/> Safety Element  | <input checked="" type="checkbox"/> Special Biological Importance Map                                 |
| <input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)   | <input checked="" type="checkbox"/> CA Natural Species Diversity Database                             |
| <input type="checkbox"/> Building and Construction Ordinance  | <input checked="" type="checkbox"/> Fire Hazard Severity Map  |
| <input checked="" type="checkbox"/> Public Facilities Fee Ordinance   | <input checked="" type="checkbox"/> Flood Hazard Maps   |
| <input type="checkbox"/> Real Property Division Ordinance   | <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County |
| <input checked="" type="checkbox"/> Affordable Housing Fund   | <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)       |
| <input type="checkbox"/> Airport Land Use Plan  | <input type="checkbox"/> Other  |
| <input type="checkbox"/> Energy Wise Plan   |   |
| <input checked="" type="checkbox"/> South County Area Plan/South County sub area and Update EIR                         |   |

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

***Soils Engineering Report, Parcel 3 Alisos Road, GeoSolutions, Inc., November 18, 2013***

***Red-Legged Frog Site Assessment, Cindy Cleveland, November 12, 2014***

## 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

**AS-1** At the time of application for construction permit(s), the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from Reindeer Place. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

### Air Quality

**AQ-1.** *Fugitive PM10 Mitigation Measures* (All required PM10 measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD prior to construction/ grading permit issuance)

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
- c. All dirt stock-pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

**AQ-2.** Developmental burning of vegetative material within San Luis Obispo County is prohibited. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application.

### Biological Resources

**BR-1** Prior to issuance of construction permits, the applicant shall record an open space easement over 1.78 acres of the property to mitigate for the loss of potential Pismo Clarkia habitat caused by the proposed grading. The area to be contained within the open space shall be determined by a qualified biologist (see BR-2 below). The open space parcel is to be maintained as such in perpetuity.

**BR-2** Prior to issuance of construction permit(s), the applicant shall retain a qualified biologist to conduct a habitat suitability analysis for the area to be contained within the open space

easement. The analysis shall provide information on the area deemed most suitable for Pismo Clarkia habitat. This area shall be described by a metes and bounds legal description prepared by a licensed surveyor that the County Surveyor can approve as being definite and certain and shall be attached to the open space easement document.

**DEVELOPER'S STATEMENT FOR THE  
BURHENN MAJOR GRADING PERMIT (PMT2014-0299)**

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

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

**Aesthetics**

**AS-1. At the time of application for construction permit(s)**, the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from Alisos Road. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

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

**Air Quality**

**AQ-1. Fugitive PM10 Mitigation Measures** (All required PM10 measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD **prior to construction/ grading permit issuance**)

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
- c. All dirt stock-pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

**Monitoring:** The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

**AQ-2.** Developmental burning of vegetative material within San Luis Obispo County is prohibited. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application.

**Monitoring:** The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

### **Biological Resources**

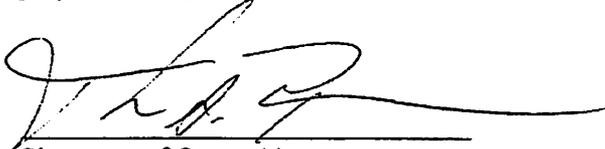
**BR-1.** Prior to issuance of construction permits, the applicant shall record an open space easement over 1.78 acres of the property to mitigate for the loss of potential Pismo Clarkia habitat caused by the proposed grading. The area to be contained within the open space shall be determined by a qualified biologist (see BR-2 below). The open space parcel is to be maintained as such in perpetuity.

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

**BR-2.** Prior to issuance of construction permit(s), the applicant shall retain a qualified biologist to conduct a habitat suitability analysis for the area to be contained within the open space easement. The analysis shall provide information on the area deemed most suitable for Pismo Clarkia habitat. This area shall be described by a metes and bounds legal description prepared by a licensed surveyor that the County Surveyor can approve as being definite and certain and shall be attached to the open space easement document.

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

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



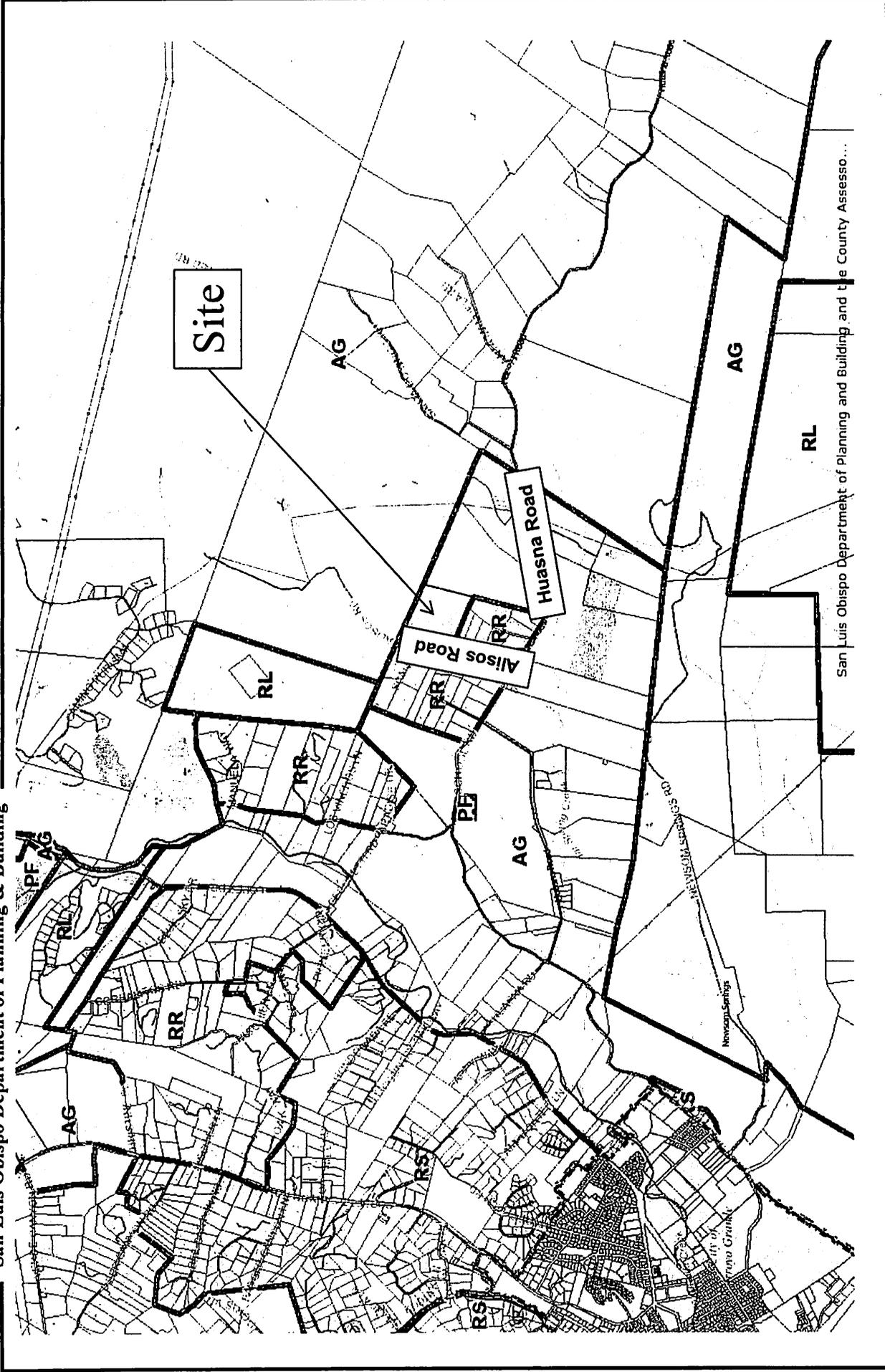
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Signature of Owner(s)

11-22-2014  
Date

THOMAS A. BURHANN

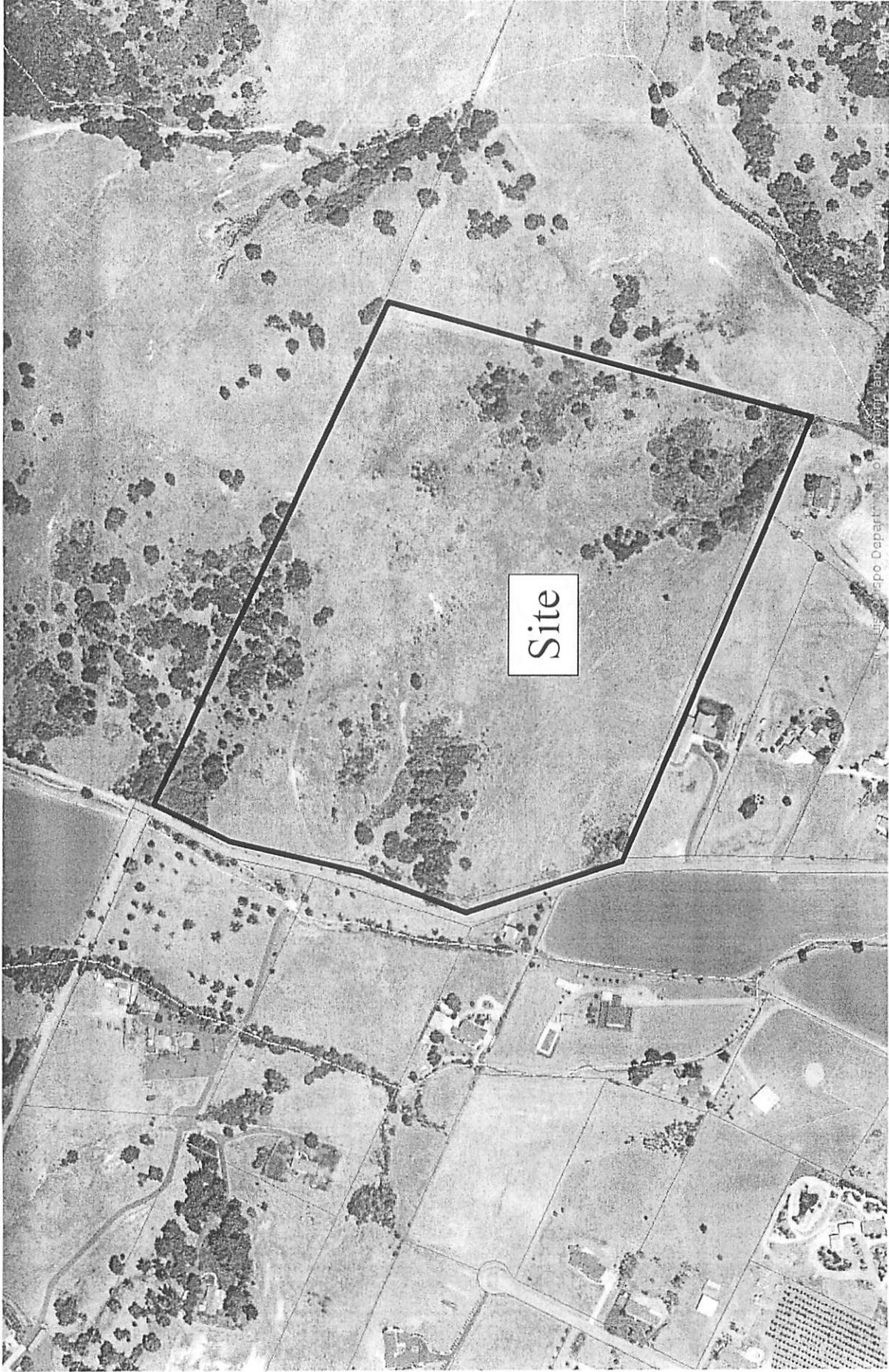
Name (Print)



Project  
**Burhenn Major Grading Permit**  
PMT2014-00299



Exhibit  
**VICINITY MAP**



Project

Burhenn Major Grading Permit

PMT2014-00299



Exhibit

Aerial