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. ED14-0076 **DATE:** May 5, 2016

PROJECT/ENTITLEMENT: Nipomo Group Minor Use Permit; DRC2014-0024

APPLICANT NAME: The Nipomo Group
ADDRESS: PO Box 1206, Arroyo Grande, CA 93421
CONTACT PERSON: C2 Consult Group, Charley Clouse charley@c2consultcorp.com
Telephone: 720-502-7236

PROPOSED USES/INTENT: Request by The Nipomo Group for a Minor Use Permit to allow for the expansion of an RV storage and sales lot. The project is located on the North side of Juniper street, approximately 550 feet west of Highway 101, within the community of Nipomo, in the South County planning area.

LOCATION: North side of Juniper street, approximately 550 feet west of Highway 101, within the community of Nipomo, in the South County 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:

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. May 19, 2016

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	Project Manager Name	Date	Public Agency
	Stephanie Fuhs, sfuhs@co.slo.ca.us		County of San Luis Obispo

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 5.8) Using Form

Project Title & No. The Nipomo Group Minor Use Permit ED14-0076 (DRC2014-00024)

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.

Megan Martin — Stephanie Fuhs for Megan Martin — 4/25/16.
Prepared by (Print) — Signature — Date

Steve McMasters — Ellen Carroll, Environmental Coordinator (for) — 4/25/16
Reviewed by (Print) — Signature — 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 The Nipomo Group for a Minor Use Permit to allow for the expansion of an existing Recreational vehicle (RV) storage and sales lot. The proposed expansion will provide for up to an additional 144 RV storage spaces and will include the disturbance of approximately 5.77 acres (251,395 square feet) of the 9.57 acre project site. Development will also include improvement of two existing driveways and to the curb, gutter, and sidewalk along Juniper Street, and installation of a landscaping strip. The project is located on the North side of Juniper Street, approximately 550 feet west of Highway 101, within the community of Nipomo, in the South County Sub Area of the South County planning area.

ASSESSOR PARCEL NUMBER(S): 091-328-027& 028

Latitude: 35° 2' 19.698" N Longitude: -120° 29' 28.1106" W **SUPERVISORIAL DISTRICT #** 4

B. EXISTING SETTING

PLAN AREA: South County **SUB**: South County Inland Sub Area **COMM:** Nipomo

LAND USE CATEGORY: Commercial Service Commercial Retail

COMB. DESIGNATION: Central Business District

PARCEL SIZE: 9.57 acres

TOPOGRAPHY: Gently sloping to gently rolling

VEGETATION: Grasses Coastal scrub Scattered Oaks

EXISTING USES: Undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:

North: Commercial Service; residential	*East:* Commercial Service; state highway
South: Commercial Retail; vacant	*West:* Residential Single Family;

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) 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 South County planning area within the urban reserve line of the community of Nipomo. The project area is bordered by Juniper Street to the south, an existing recreational vehicle sales lot and U.S. Highway 101 to the east, a swap meet to the north, and single family residences to the west. Existing topography of the site is generally level to gently sloping. Majority of the property is unimproved with an existing drainage basin located at the northeast corner of the lot. Current use of the site includes unofficial overflow parking for the Nipomo swap meet located immediately north of the site. The project will not silhouette against any ridgelines as viewed from public roadways and the proposed project is considered compatible with the surrounding uses.

Impact. The proposed project includes the expansion of an existing RV sales lot. Development will include grading of the site, improvement of two existing driveways, installation of curb, gutter, and sidewalk, and installation of a landscaping strip planted with drought tolerant species parallel to Juniper Street. The proposed project will not include development of any structures or include any exterior lighting.

Per Land use Section 22.60.040(D), a visual analysis was not required because the project is consistent with surrounding development (expansion of an existing RV sales lot), includes landscape screening along Juniper Street, and there are no substantial cut or fill slopes proposed. The expansion area is not visible from US Highway 101 due to intervening development. No significant visual impacts are expected to occur.

Per land use standard section 22.30.110 (b) a minimum 10 foot landscaped setback is required from all street frontage property lines. The applicant is proposing to install a landscaping strip within this 10-foot setback. A landscaping plan will be required to be submitted for review and approval by the Planning and Building Department. The plan will need to adhere to Chapter 22.16 – Landscaping Standards.

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

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: Commercial Services and Commercial Retail

Historic/Existing Commercial Crops: None

State Classification: Farmland of Statewide Importance

In Agricultural Preserve? Nipomo Mesa Ag Preserve Area

Under Williamson Act contract? No

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

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

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

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	☐	☐	☒	☐
b) Expose any sensitive receptor to substantial air pollutant concentrations?	☐	☒	☐	☐
c) Create or subject individuals to objectionable odors?	☐	☐	☒	☐
d) Be inconsistent with the District's Clean Air Plan?	☐	☐	☒	☐
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).

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

The project is within 500 feet of U.S. Highway 101. This portion of the Highway generates more than 100,000 vehicle trips per day.

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 5.77 acres. A preliminary grading plan has been prepared. Site disturbance will result in the creation of construction dust, as well as short- and long-term vehicle emissions. In a referral submitted by the APCD, it was determined that the project, as described, will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site.

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, however, measures will be required and incorporated into the project to control dust based on the close proximity to potentially

sensitive receptors (within 1,000 feet of residences). 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 an expansion of an existing RV sales lot. 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 proposed project may result in the generation of fugitive dust due to construction activities which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. APCD staff recommends the following measures be incorporated into the project to control dust and manage fugitive dust emissions such that they do not exceed APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):

- Reduce the amount of disturbed area where possible;
- Use or water trucks or sprinkler systems to prevent airborne dust from leaving the site;
- Consider, due to drought conditions, use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control;
- All dirt stock ile areas should be sprayed daily and covered with tarps or other dust barriers;
- All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible;
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- All PM_{10} mitigation measures required should be shown on grading and building plans; and,
- The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions nad enhance the implementation of the measures as necessary to minimize dust complaints nad reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period.

Implementation of these measures will reduce and manage fugitive dust to a level of insignificance. These measures, described above, have been included as part of Exhibit B – Mitigation Summary Table.

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: Vacant, unimproved lot; scattered Oak trees and Eucalyptus.

Name and distance from blue line creek(s): 1,300 feet from Nipomo Creek (to the east of site)

Habitat(s): Potential clarkia habitat, grassland, coastal scrub, oak trees

Site's tree canopy coverage: Approximately 10%.

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

Sand Mesa manzanita (Arctostaphylos rudis) List 1B

Arctostaphylos rudis 1.jpg Arctostaphylos rudis 2.jpg

Sand mesa manzanita *(Arctostaphylos rudis)* has been found about 2,300 feet to the west, 2,600 feet to the northwest, and 4,700 feet to the southwest. This evergreen shrub is generally found on sandy soils in chaparral and coastal scrub areas between the 25 and 230-meter (80 to 760 foot) elevations (Tibor 2001). The blooming period is November-February. The sand mesa manzanita is considered rare by CNPS (List 1B, RED 2-2-3).

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

California red-legged frog *(Rana aurora draytonii)* has been found about 2,000 feet to the east. 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.

Impact. The property is currently vacant and used as overflow parking for the Nipomo Swap Meet located immediately to the north of the project site. The lot is heavily trafficked by vehicles and has

been degraded over time; the project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

Mitigation/Conclusion.; No significant biological impacts are expected to occur; therefore, no mitigation measures are necessary.

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) Cause a substantial adverse change to a Tribal Cultural Resource?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

Cultural Resources

Setting. The project is located in an area historically occupied by the Chumash. A records search performed by Padre Associates identified 31 previous cultural resources studies within ¼-mile of the project area. Of these, two studies were completed within portions of the project area. The records search also identified six previously recorded cultural resources within ¼-mile of the project area. Of these, one site, CA-SLO-804, is located along the northern edge of the project area.

Native American Consultation

As part of the consultation process with Native American organizations and individuals, Padre Associates (contracted by the applicant), contacted the Native American Heritage Commission (NAHC) to request information about sacred or traditional cultural properties that may be located within the project area. Twenty-two Native American groups were contacted and asked to provide pertinent information or to express any concerns they may have about the proposed project. Mr. Freddie Romero of the Santa Ynez Band of Mission Indians indicated that the entire project area is within a culturally sensitive area and several significant resources are in the vicinity of the project area.

Assembly Bill 52 (AB52) – Tribal Cultural Resources

AB52 is applicable to projects that are subject to a Negative Declaration or Environmental Impact Report (does not apply to CEQA exemptions.) The bill specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment. The bill requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.

Impact. The project is located in an area that would be considered culturally sensitive due to physical features typically associated with prehistoric occupation. A Phase I cultural resources pedestrian survey was conducted by Padre Associates on June 20, 2014. The Phase I cultural resources pedestrian survey resulted in the identification of a prehistoric lithic scatter along the southern edge of a previously recorded prehistoric resource, CA-SLO-804. The records search results indicate site CA-SLO-804 is the remains of the historic Chumash village Nipumu.

On November 26, 2014, Padre Archaeologists completed an extended Phase I archaeological testing within the prehistoric lithic scatter to establish the presence/absence of archaeological deposits and a correlation with site CA-SLO-804. Padre determined the results of the Phase I indicate the prehistoric lithic scatter recorded on June 20, 2014 is an extension of site CA-SLO-804.

These resources are within close proximity of the proposed project. However, as proposed, the project will have no direct impact on the identified resource. The following revisions have been included as part of the project per recommendations from Padre to avoid any significant impacts to the historic resource:

- Reduce number of parking spaces and extent of the project disturbance to completely avoid the sensitive area.
- If avoidance is not feasible, any ground disturbance should be monitored by a San Luis Obispo County qualified archaeologist and Native American representative.

In accordance with AB52, a request for consultation letter was sent to the Yak Tityu Tityu – Northern Chumash Tribe, Xolon Salinan Tribe, Northern Chumash Tribal Council, and the Salinan Tribe of Monterey and San Luis Obispo County representatives on August 19, 2015. No comments were received from the representatives.

Mitigation/Conclusion. The project will be required to incorporate the following measures to reduce potentially significant impacts on cultural resources to less than significant levels:

CR-1 The applicant will delineate the archaeological site(s) as Environmentally Sensitive Area(s) on the project plans. All new development (e.g. access roads, driveways, residences, detached garages, guesthouses, sheds, and utility trenches, etc.) will be located outside of the delineated area(s). Environmentally sensitive areas that are within fifty feet of construction or grading activities will be marked for protection (e.g., with flagging) and the limits of the sensitive area fenced prior to any grading.

CR-2 **Cultural Resources - Monitoring Plan. Prior to issuance of construction permits**, the Applicant shall submit a monitoring plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:

a. List of personnel involved in the monitoring activities;

b. Inclusion of involvement of the Native American community, as appropriate;

c. Description of how the monitoring shall occur;

d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);

e. Description of what resources are expected to be encountered;

f. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);

g. Description of procedures for halting work on the site and notification procedures; and

h. Description of monitoring reporting procedures.

CR-3 **Cultural Resource – Construction Monitoring. During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be

evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

A final report on compliance shall be submitted by the archaeologist **prior to final inspection.**

CR-4 **Cultural Resource Monitoring – Completion Report. Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first)**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

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?	☐	☐	☒	☐
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: Gently sloping to gently rolling

Within County's Geologic Study Area?: No

Landslide Risk Potential: low

Liquefaction Potential: Moderate

Nearby potentially active faults?: No Distance? N/A

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

The topography of the site is generally level to gently sloping. The area proposed for development is not within a Geologic Study Area designation. The landslide risk potential is low. The liquefaction potential during a ground-shaking event is moderate. No faulting is known to exist on or near the subject property. The project is not a known area containing serpentine or ultramafic rock or soils. Due to the distance of any known fault (at least ¼ mile away) or serpentine rock outcrop (at least one mile away), it is unlikely that any naturally occurring asbestos would be encountered during any earthmoving activities.

Impact. The project proposes approximately 5.21 acres of ground disturbance. The project will result in an increase of people using this land on a daily basis; however, no significant impacts as a result of geology and soils are anticipated.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) 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 not within a 'high' or 'very high' severity risk area for fire. The project is not within an Airport Review area.

With regards to potential fire hazards, the subject project is within an unspecified Fire Hazard Severity Zone. Based on the County's fire response time map, it will take less than 5 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 does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency response or evacuation plan.

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

8. NOISE *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☒	☐
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☒	☐

8. NOISE *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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. A portion of the project is within close proximity to a transportation noise source (Highway 101). The proposed use (expansion of an existing RV sales lot) will not conflict with sensitive noise receptors (e.g., residences). A portion of the project is within close proximity to a transportation noise source (Highway 101) and development within the following distances from the noise source will exceed the County's acceptable exterior noise threshold of 60 dBs for sensitive uses as follows:

- ✓ Areas within the 60 dB to 65 dB range – 1,204 feet from road centerline, and closer;
- ✓ Areas within the 65 dB to 70 dB range - 559 feet from road centerline, and closer;
- ✓ Areas above the 70 dB level - 259 feet from road centerline, and closer.

Per LUO Section 22.60.040(D), after staff's review of the Noise Element and associated noise contour mapping for transportation and stationary noise sources, as well as a review of the proposed use, surrounding uses, and their potential to generate noise, staff determined that a noise study was not necessary.

Impact. The proposed use includes the expansion and operation of an existing RV sales lot in a predominantly commercial area. As proposed, future users on portions of the site may be exposed to unacceptable levels from nearby road-related noise (Highway 101), which is considered a potentially significant effect; however, commercial uses are not considered noise sensitive and the project itself is not expected to generate long-term loud noises, nor introduce sensitive noise receptors into known noisy areas, therefore, impacts from noise are considered less than significant.

Noise due to construction activities is usually considered to be insignificant when it falls under the hours and definition specified in the County's Noise Ordinance exception for construction activities. During construction activities (grading of the site), the applicant will be required to adhere to the standards in the County's Noise Ordinance. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

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

9. POPULATION/HOUSING *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) 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 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. The project will mitigate its cumulative impact to the shortage of affordable housing stock by providing affordable housing unit(s) either on-site and/or by payment of the in-lieu fee (residential projects), or housing impact fee (commercial projects). 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: Oceano (Approximately 8.34 miles to the northwest)

Fire: Cal Fire (formerly CDF) Hazard Severity: Moderate to high Response Time: 0-5 minutes

Location: (Approximately .18 miles to the northeast) 450 Pioneer Street, Nipomo CA 93420

School District: Lucia Mar Unified School District.

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

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police/sheriff and fire protection, 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) 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 proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

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

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	☒	☐	☐
b) Reduce existing "Level of Service" on public roadway(s)?	☐	☐	☒	☐

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 (Juniper Street and Mary Street) are operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

Circulation Study Area. The project is within the South County Area 1 Circulation Fee area. This fee provides the means to collect "fair share" monies from new development to help fund certain regional road improvements that will be needed once the area reaches "buildout". The project will be subject to this fee.

Referrals were sent to County Public Works. The project is subject to the County Road Fee for South County Area 1, which addresses cumulative impacts to County roads in the area. No significant traffic-related concerns were identified.

Juniper and Mary Streets are heavily travelled collectors. While the LOS is considered "D" or better, the proposed project may generate additional trips to the area that would add to the traffic already travelling to the area. County Public Works is currently in negotiations with the project's applicant to improve the intersection of Juniper and Mary Streets. The proposed improvements include new signage and the installation of a northbound left turn lane on Mary Street for vehicles wishing to turn onto westbound Juniper. Also included will be a separate right turn lane for traffic wishing to turn eastbound on Juniper Street toward Frontage Road. These improvements are not necessary to address circulation impacts associated with this project but were meant to address community concerns with existing traffic congestion at the intersection. The improvements would all occur within the existing developed roadway prism.

Impact. The proposed project is estimated to generate about 240 trips, based on the Institute of Traffic Engineer's manual of 2.54 peak hour trips per 1,000 square feet (on a weekday afternoon peak hour). This additional traffic to the area 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 as a result of the project. At a cumulative level, the proposed project is located within the Area 1 of the South County Fee Area. The applicant will be required to mitigate these cumulative impacts by contributing fees to the South County Area 1 Road Impact Fee program prior to issuance of an encroachment permit or construction permit as required by Section 13.01.020. The fees contributed to this program would partially finance the implementation of improvements to the Highway 101 and Tefft Street interchange, and mitigate cumulative impacts resulting from future development. With the implementation of the improvements at the intersection of Juniper and Mary Street, no additional 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. The project includes the expansion of the existing RV sales lot but will not include the expansion or use of an on-site or community wastewater system. The existing RV sales lot is serviced by the Nipomo Community Services District (CSD). The expansion of the RV sales lot will not trigger the need for additional improvements.

There is an existing drainage basin, maintained by the Nipomo CSD, located on the property that will collect runoff generated by the proposed project.

Impacts/Mitigation. The proposed expansion of the existing RV sales lot will not include the expansion or use of an on-site or community wastewater system; therefore, no impacts were identified and no mitigation is necessary.

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: _____	☐	☐	☐	☐

Water

Setting. The project site is within the Nipomo Community Service District (NCSD). The existing RV sales lot obtains its water needs from NCSD. The proposed project will not include the need for additional community water service to the site because the proposed project involves the expansion of the sales area of an existing RV sales lot but will not increase use or demand.

The proposed project will result in the disturbance of approximately 5.21 acres. 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? Nipomo Creek Distance? Approximately 1,403 feet away

Soil drainage characteristics: Well drained

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

SEDIMENTATION AND EROSION – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the 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) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact – Water Quality/Hydrology

There is an existing drainage basin, maintained by the Nipomo CSD, located on the property that will collect runoff generated by the proposed project. The existing drainage pond was developed with Folkert's Oaks subdivision, Tract 572. It was constructed in about 1978 and designed to capture most of the Folkert's ownership with a portion of Tract 416 at about 44.4 acres. The applicant provided drainage calculations (Orton Engineering, Inc., March 8, 2015) that concluded based on the proposed expansion of the commercial use (RV sales lot), the pond size would not need to be increased and the pond has the capacity to collect runoff from the proposed use.

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

- ✓ Approximately 251,395 square feet of site disturbance is proposed and the movement of approximately 5,373 cubic yards of material with 1,319 cubic yards of fill;
- ✓ 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;
- ✓ Parking area drainage inlets will be fitted with hydrocarbon filters;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion.

The project meets the applicability criteria for Stormwater Management. Therefore, the project is required to submit a Stormwater Control Plan Application and Coversheet. An application was

submitted by the applicant and it was found the existing drainage basin on-site had the capacity to adequately collect runoff from the proposed project.

Water Quantity

The proposed expansion of the RV sales lot does not include nor will it increase the need for additional service of water to the project site because the project involves the expansion of the RV sales lot and does not include any new development that might otherwise require additional services . As such, impacts related to water quantity are less than significant.

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. No significant impacts from water use are anticipated.

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.

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

1. LUO Section 22.06.030 – Allowable Uses Table 2-2
2. LUO Section 22.30.100 – Auto and Vehicle Dealerships
3. LUO Section 22.62.050 – Minor Use Permits
4. LUO Section 22.98.070 – South County Sub-area Standards

5. LUO Section 22.108.040 – Nipomo Community Standards

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 pre-history?	☐	☐	☒	☐
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 Services	**Not Applicable**
☐	County Agricultural Commissioner's Office	**Not Applicable**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**Attached**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Wildlife	**Not Applicable**
☐	CA Department of Forestry (Cal Fire)	**Not Applicable**
☐	CA Department of Transportation	**Not Applicable**
☒	Nipomo Community Services District	**In File****
☐	Other _____	**Not Applicable**
☐	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 (Inland)
- ☒ General Plan (Inland), 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)
- ☐ Building and Construction Ordinance
- ☒ Public Facilities Fee Ordinance
- ☐ Real Property Division Ordinance
- ☒ Affordable Housing Fund
- ☐ Airport Land Use Plan
- ☐ Energy Wise Plan
- ☒ South County Area Plan/South County sub area and Update EIR
- ☐ Design Plan
- ☐ Specific Plan
- ☒ Annual Resource Summary Report
- ☒ South County 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

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

1. Final Report: Phase I Cultural Resources Pedestrian Survey, Nipomo, San Luis Obispo County, California, July 2014.

2. Extended Phase I Archaeological Testing, Nipomo, San Luis Obispo County, California, February 2015.

3. Drainage Calculations For Assessor Parcel Numbers 091-328-24 through -28 and Tract 572 with a portion of Tract 416, March 8, 2015.

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.

Air Quality

AQ-1 Grading areas that are within 1,000 feet of any sensitive receptors (residences, schools, day care centers, hospitals, nursing homes, assisted living facilities, etc.) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):

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 and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
g. 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;
h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
l. All PM_{10} mitigation measures required should be shown on grading and building plans; and,
m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize

dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Cultural Resources

CR-1 The applicant will delineate the archaeological site(s) as Environmentally Sensitive Area(s) on the project plans. All new development (e.g. access roads, driveways, residences, detached garages, guesthouses, sheds, and utility trenches, etc.) will be located outside of the delineated area(s). Environmentally sensitive areas that are within fifty feet of construction or grading activities will be marked for protection (e.g., with flagging) and the limits of the sensitive area fenced prior to any grading.

CR-2 **Cultural Resources - Monitoring Plan. Prior to issuance of construction permits**, the Applicant shall submit a monitoring plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:

i. List of personnel involved in the monitoring activities;

j. Inclusion of involvement of the Native American community, as appropriate;

k. Description of how the monitoring shall occur;

l. Description of frequency of monitoring (e.g., full-time, part time, spot checking);

m. Description of what resources are expected to be encountered;

n. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);

o. Description of procedures for halting work on the site and notification procedures; and

p. Description of monitoring reporting procedures.

CR-3 **Cultural Resource – Construction Monitoring. During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) [and Native American] to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator. A final report on compliance shall be submitted by the archaeologist **prior to final inspection.**

CR-4 **Cultural Resource Monitoring – Completion Report. Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first)**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Transportation/Circulation

TR-1 **Prior to issuance of an encroachment permit or construction permit,** the applicant shall pay into the South County Area 1 Road Impact Fee program as required by Section 13.01.020.

DATE: January 6, 2016
REVISED:

DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM FOR THE NIPOMO GROUP ED14-0076 (DRC2014-00024)

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.

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, is responsible to verify compliance with these COAs.

Project Description: Request by The Nipomo Group for a Minor Use Permit to allow for the expansion of an existing Recreational vehicle (RV) storage and sales lot. The proposed expansion will provide for up to an additional 144 RV storage spaces and will include the disturbance of approximately 5.77 acres (251,395 square feet) of the 9.57 acre project site. Development will also include improvement of two existing driveways and to the curb, gutter, and sidewalk along Juniper Street, and installation of a landscaping strip. The project is located on the North side of Juniper Street, approximately 550 feet west of Highway 101, within the community of Nipomo, in the South County Sub Area of the South County planning area.

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

Air Quality

AQ-1 Grading areas that are within 1,000 feet of any sensitive receptors (residences, schools, day care centers, hospitals, nursing homes, assisted living facilities, etc.) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):

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 and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;

c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;

d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;

e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;

g. 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;

h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;

l. All PM_{10} mitigation measures required should be shown on grading and building plans; and,

m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Monitoring: Department of Planning and Building shall verify compliance in consultation with the Environmental Coordinator.

Cultural Resources

CR-1 The applicant will delineate the archaeological site(s) as Environmentally Sensitive Area(s) on the project plans. All new development (e.g. access roads, driveways, residences, detached garages, guesthouses, sheds, and utility trenches, etc.) will be located outside of the delineated area(s). Environmentally sensitive areas that are within fifty feet of construction or grading activities will be marked for protection (e.g., with flagging) and the limits of the sensitive area fenced prior to any grading.

Monitoring: Department of Planning and Building shall verify compliance in consultation with the Environmental Coordinator.

CR-2 **Cultural Resources - Monitoring Plan. Prior to issuance of construction permits,** the Applicant shall submit a monitoring plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:

a. List of personnel involved in the monitoring activities;

b. Inclusion of involvement of the Native American community, as appropriate;

c. Description of how the monitoring shall occur;

d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);

e. Description of what resources are expected to be encountered;

f. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);

g. Description of procedures for halting work on the site and notification procedures; and

h. Description of monitoring reporting procedures.

Monitoring: Department of Planning and Building shall verify compliance in consultation with the Environmental Coordinator.

CR-3 **Cultural Resource – Construction Monitoring. During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) [and Native American] to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator. A final report on compliance shall be submitted by the archaeologist **prior to final inspection.**

Monitoring: Department of Planning and Building shall verify compliance in consultation with the Environmental Coordinator.

CR-4 **Cultural Resource Monitoring – Completion Report. Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first)**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Monitoring: Department of Planning and Building shall verify compliance in consultation with the Environmental Coordinator.

Transportation/Circulation

TR-1 **Prior to issuance of an encroachment permit or construction permit,** the applicant shall pay into the South County Area 1 Road Impact Fee program as determined and required by Section 13.01.020 of the County Road Improvement Fee Ordinance.

Monitoring: Department of Planning and Building shall verify compliance in consultation with Public Works and the Environmental Coordinator.

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.

	Richard C. Smith	4/20/2016
Signature of Owner(s)	**Name (Print)**	**Date**
Signature of Owner(s)	**Name (Print)**	**Date**

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: ~~October 7, 2014~~January 5, 2016

To: Megan Martin Project Planner

From: ~~Frank Honeycutt~~Glenn Marshall, Development Services

Subject: Public Works Comments on DRC2014-00024, Nipomo Group MUP Frontage, Rd., Juniper St. & Camino Caballo, Nipomo, APN 091-328-021, 024, 025, 026, 027 & 028

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 REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:~~

~~1. In accordance with the Land Use Ordinance, as the project is located in a Stormwater Management (MS4) Area, it is considered a regulated project and required to submit a Stormwater Control Plan Application and Coversheet.~~

~~2. Identify the parking lot surfacing.~~

Public Works Comments:

A. The proposed project ~~triggers~~ may trigger Curb Gutter and Sidewalk requirements per 22.54.030 for fronting streets of all contiguous properties under the same ownership. Improvement plans must be submitted to Public Works for review and approval. Prior to ~~building~~ permit issuance the owner must post a performance bond in accordance with the Ordinance. The applicant may apply for a waiver through the Planning and Building Department in accordance with 22.54.030.D. However, there is no guarantee that a waiver will be granted. (It is noted that the curb and gutter but not the sidewalk are already in-place.)

B. The proposed project is within a drainage review area. Drainage plan is required to be prepared by a registered civil engineer and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52 of the Land Use Ordinance prior to future submittal of development permits.

C. The project meets the applicability criteria for Stormwater Management. Therefore, the project is required to submit a Stormwater Control Plan Application and Coversheet. The Storm Water Control Plan application and template can be found at:

http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/SWCP+Application+Pkg.pdf .

The Post Construction Requirement (PCR) Handbook can be found at:

http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/PCR+Handbook+1.1.pdf

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits**, public improvement plans shall be prepared in compliance with Section 22.54.030/23.05.106 (Curbs, Gutters and Sidewalks) of the Land Use Ordinance and San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works. The plan/s is/are to include, as applicable:

    a. Street plan for constructing frontage improvements including sidewalk and driveways along **Juniper St.** to complete the project side of a County Standard street section fronting the properties. All existing and proposed driveways shall be constructed or reconstructed in accordance with County Standard drawings.

    b. Striping and Signage plan for separately channelizing left and right turn movements on northbound Mary Avenue at Juniper Street.

2. **At the time of application for construction permits,** the applicant shall enter into an agreement and post a deposit with the County for the cost of checking the improvement plans and the cost of inspection of any such improvements by the County or its designated representative. The applicant shall also provide the County with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

3. **Prior to occupancy or final inspection,** a Registered Civil Engineer must certify to the Department of Public Works that the road improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

4. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.

5. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage sidewalks, landscaping, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.

Drainage

6. **At the time of application for construction permits,** the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (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.

7. **At the time of application for construction permits,** the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.

8. **At the time of application for construction permits,** the applicant shall demonstrate that the project construction plans are in conformance with their Stormwater Control Plan.

9. **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.

Fees

10. **Within 30-days of Land Use Permit approval**, the applicant shall pay the South County Area 1 Road Impact Fee to the Department of Public Works in accordance with the latest adopted fee schedule. Afternoon peak hour trip generation rates shall be derived from the City of San Diego Trip Generation Manual for Recreational Vehicle Dealerships, or as submitted by the applicant's engineer and approved by Public Works.

Stormwater Pollution Prevention

~~10.~~11. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Stormwater Management. Applicable projects shall submit a Stormwater Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

~~11.~~12. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for review and approval by the County.

~~12.~~13. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Reference: DRC2014-00024 NIPOMO GROUP – Minor use permit to allow expansion of the existing RV storage and sales lot into adjacent parcels.

Site location: 245 N Frontage Rd Nipomo

APN 091-328-027 and 028

APCD OIS # 3931-1

APCD recommended comments:

CONSTRUCTION PHASE IMPACTS - Below Threshold

The APCD estimates that the construction phase impacts will likely be less than the APCD's significance threshold values identified in Table 2-1 of the CEQA Air Quality Handbook (available at the APCD web site: www.slocleanair.org). **Therefore, with the exception of the requirements below, the APCD is not recommending other construction phase mitigation measures for this project.**

Dust Control Measures

The project, as described in the referral, will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. **APCD staff recommends the following measures be incorporated into the project to control dust, since images in the project referral indicate that residences may be within 1000 feet of the grading areas. Grading areas that are within 1,000 feet of any sensitive receptors (residences, schools, day care centers, hospitals, nursing homes, assisted living facilities, etc.) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):**

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 and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. **Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.** For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
g. 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;
h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
l. All PM_{10} mitigation measures required should be shown on grading and building plans; and,
m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Permits for Equipment

Based on the information provided, we are unsure of the types of equipment that may be used as part of land management activities. Portable equipment used during land management activities may require statewide registration or an APCD permit. Additionally, future developments may require APCD permits and/or applicants may need to apply for an Authority to Construct. Please contact our Engineering Division at (805) 781-5912 for more information on APCD permits. The following list is provided as a guide to equipment that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the APCD's 2012 CEQA Handbook.

- Portable generators and equipment with engines that are 50 hp or greater; and
- Internal combustion engines.

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing buildings or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). **If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 and also go to http://slocleanair.org/business/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of: http://slocleanair.org/business/onlineforms.php.

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** If you have any questions regarding these requirements, contact the APCD Enforcement Division at 781-5912.

{In Archive} RE: DRC2014-00024 NIPOMO GROUP, South County E-Referral, MUP, Nipomo

Michael LeBrun to: mamartin@co.slo.ca.us 09/30/2014 09:47 AM
Cc: "dhawkins@co.slo.ca.us"

History: This message has been forwarded.
Archive: This message is being viewed in an archive.

Ms. Martin,

Nipomo CSD maintains the drainage basin that the proposed development would surround. We also provide water and sewer service to the area.

The proposal would render impervious, or less pervious, over 9 acres of land. The runoff generated by this change must be evaluated in the context of the drainage basin and mitigated if necessary.

Our records show that the proposed development is within the CA RWQCB's septic system prohibition area – the County will want to verify this. NCSD sewer mains run down Juniper Street adjacent to the parcels proposed for development – so sewer is immediately available.

Additionally, RV wastewater is especially problematic because it is stabilized with chemical additives (industrial products). These additives must be broken down before the human waste can be treated. Therefore RV storage and service facilities that discharge to septic systems present a serious threat to our area groundwater. We are aware the County has permitted numerous RV rental, repair, and storage facilities within Nipomo and across the Mesa – we encourage the County to review those facilities and the impact they are causing and to cease permitting additional facilities.

The District has sewer capacity to serve the proposed development and feels sewer service is a must given the waste type and State regulations.

The District requires separate metered service to each parcel requiring water service.

The applicant indicates they have a Will Serve letter – Please provide a copy of any such letter.

The applicant will need to apply to NCSD for water and sewer service and has not done so.

Please confirm your receipt of this email which represents the District's initial concerns for the proposed project.

Thank you,

Michael S. LeBrun, P.E.
General Manager

Nipomo Community Services District
148 South Wilson Street

{In Archive} Re: DRC2014-00024 NIPOMO GROUP, South County E-Referral, MUP, Nipomo

Charles Riha to: Megan A Martin 10/17/2014 11:00 AM

Cc: Cheryl Journey, Stephen Hicks

Archive: This message is being viewed in an archive.

Megan,

These are the Building Division Comments to be incorporated into the Conditions. Please call me if you have any questions.

Comments from Building Division:

1. All plans and engineering shall be prepared by a California Licensed Architect or Engineer of Record.

2. The project is subject to a grading permit that shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.

3. The project will require a full soils report at the time of construction permit application submittal.

4. The project is subject to the California State Title 24 accessibility laws.

Charles Riha, Plans Examiner III

PLANNING & BUILDING
COUNTY OF SAN LUIS OBISPO

976 Osos Street, Room 200
San Luis Obispo, Ca 93408
805-781-5630
http://www.sloplanning.org
http://www.facebook.com/SLOPlanning
http://twitter.com/SLOCoPlanning

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

PROJECT

Minor Use Permit
Nipomo Group/ DRC2014-00024

EXHIBIT

Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

N

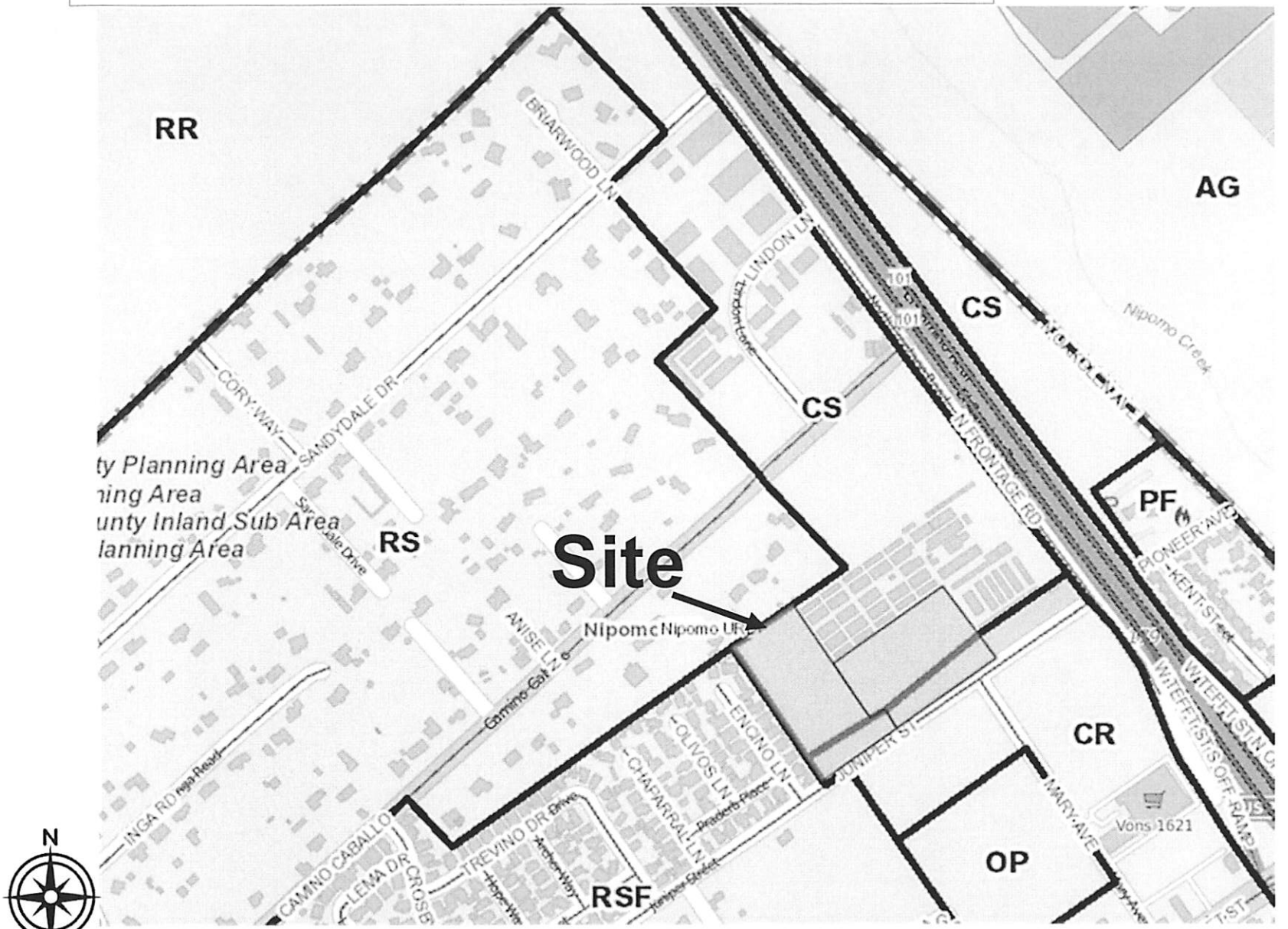
PROJECT

Minor Use Permit
Nipomo Group/ DRC2014-00024

EXHIBIT

Aerial Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



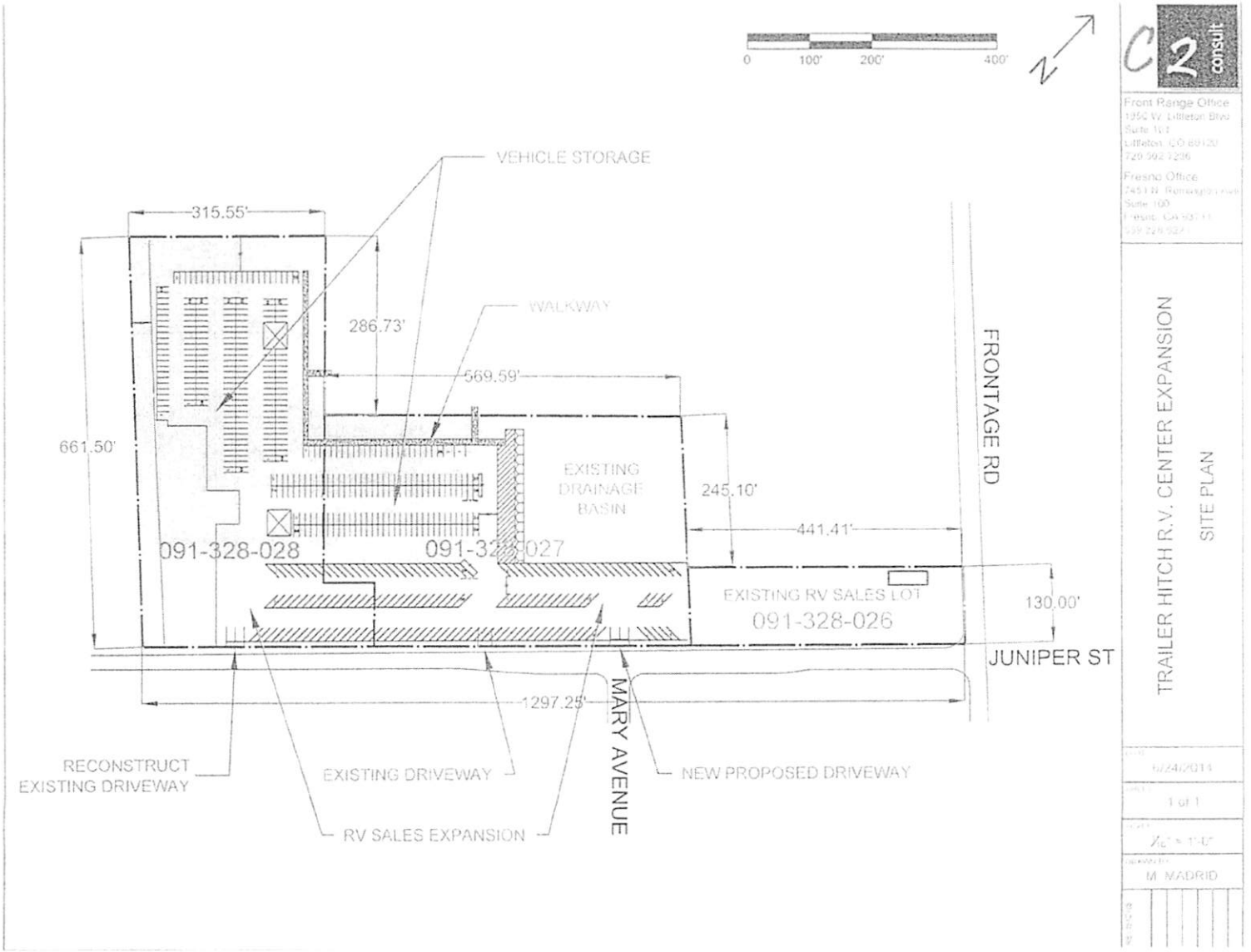
PROJECT

Minor Use Permit
Nipomo Group/ DRC2014-00024

EXHIBIT

Land Use Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



N

PROJECT

Minor Use Permit
Nipomo Group/ DRC2014-00024

EXHIBIT

Site Plan