



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. ED15-155

DATE: April 28, 2016

PROJECT/ENTITLEMENT: Castaneda Parcel Map; SUB2015-00009

APPLICANT NAME: Carlos Castaneda

ADDRESS: P.O. Box 430, Grover Beach, CA 93483

CONTACT PERSON: C.M. Florence
 4509

Telephone: 805-541-

PROPOSED USES/INTENT: Request by Carlos Castaneda for a Vesting Tentative Parcel Map to subdivide two existing parcels totaling 20.9 acres into four parcels of approximately five acres each for the purpose of sale and/or development. The project includes off-site road improvements to Pomeroy Road. The project will result in the disturbance of approximately 10,000 square feet of approximately 21 acre parcel with additional disturbance as the parcels are further developed. The proposed project is within the Residential Rural land use category.

LOCATION: The project is located at 1650 Rocky Place, at the north east corner of Rocky Place and Pomeroy Road, approximately three miles north of the community of Nipomo. The site is in the South County Sub-area of 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 12, 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.

Stephanie Fuhs

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



Initial Study Summary – Environmental Checklist

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

(ver 5.8) Using Form

Project Title & No. Castaneda Parcel Map ED15-155 (SUB2015-00009)

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Stephanie Fuhs
 Prepared by (Print)

Stephanie Fuhs
 Signature

4/19/16
 Date

Steve McMasters
 Reviewed by (Print)

Steve McMasters
 Signature

Ellen Carroll,
 Environmental Coordinator
 (for)

Date

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: Request by Carlos Castaneda for a Vesting Tentative Parcel Map to subdivide two existing parcels totaling approximately 21 acres into four parcels of approximately 5.20 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Pomeroy Road. The project will result in the disturbance of approximately 10,000 square feet (for road improvements) of the approximately 21 acre parcel. The proposed project is within the Residential Rural land use category. The project is located at 1650 Rocky Place, at the north east corner of Rocky Place and Pomeroy Road, approximately three miles north of the community of Nipomo. The site is in the South County Sub-area of the South County planning area.

The site is currently developed with three single family residences and various accessory structures. Following the subdivision, two primary residences, three secondary dwellings, and accessory structures allowed in the Residential Rural land use category could potentially be built on the resulting four parcels.

ASSESSOR PARCEL NUMBER(S): 091-073-021, 091-073-022

Latitude: 35 degrees 4' 18.7968" N Longitude: 120 degrees 32' 19.4742" W **SUPERVISORIAL DISTRICT # 4**

B. EXISTING SETTING

PLAN AREA: South County **SUB:** South County **COMM:** Rural

LAND USE CATEGORY: Residential Rural

COMB. DESIGNATION: Renewable Energy

PARCEL SIZE: 20.9 acres

TOPOGRAPHY: Nearly level to gently rolling

VEGETATION: Grasses Shrubs, oak woodland

EXISTING USES: Single-family residence(s)

SURROUNDING LAND USE CATEGORIES AND USES:

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

Aesthetics

Setting. The project site is located on the northeastern corner of Rocky Place and Pomeroy Road. It is located along the stretch of Pomeroy Road that is relatively flat south of the portion that slopes up from Los Berros Road. The average slope of the site is less than ten percent. The site is in the Residential Rural land use category and is surrounded by Residential Rural parcels of five to ten acres in size. Proposed Parcels 3 and 4 are developed with single family residences and accessory structures. Proposed Parcels 1 and 2 are undeveloped.

The site is mostly level with eucalyptus, veldt grass and scattered oak trees.

The proposal is for four, 5-acre parcels. Each parcel can be developed with a primary and secondary residence and accessory structures allowed in the Residential Rural land use category.

Impact. While the project will be visible from Pomeroy Road, existing vegetation screens the majority of existing development and development is considered compatible with rural residential development on surrounding parcels. The project will not silhouette against any ridgelines as viewed from public roadways. The project is considered compatible with the surrounding uses.

Future residential development would result in night lighting and glare impacts to the surrounding rural areas.

3. AIR QUALITY

Will the project:

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

GREENHOUSE GASES

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

Air Quality

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

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

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

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

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

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

For most projects the Bright-Line Threshold of 1,150 Metric Tons 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 10,000 square feet for road improvements with additional disturbance as the parcels are developed. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

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

This project is a parcel map creating four, five-acre parcels. 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.

The applicant is required to contact the APCD to identify requirements associated with the potential for presence of asbestos in the soil. Also, to ensure that naturally- occurring asbestos is not released into the air during grading and site disturbance activities associated with the proposed project, the applicant is required to conduct a geologic investigation to determine if asbestos is present, or provide a waiver of these requirements from the APCD. If asbestos is present, the applicant would comply with Asbestos Air Toxin Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements include, but are not limited to implementation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program.

Mitigation/Conclusion. The project will be subject to standard dust control measures. These measures include, but are not limited to, the following:

- Reducing the amount of disturbed area when possible.
- Using water trucks and sprinkler systems to prevent dust from leaving the site.
- Dirt stockpiles sprayed daily and as needed.
- Driveways and sidewalks paved as soon as possible.

In addition, each new residence will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths. Also, the project will be subject to residential wood combustion standards as recommended by the APCD. Please refer to Exhibit B – Mitigation Summary Table for a detailed list of required mitigation measures. Incorporation of these measures will reduce impacts to less than significant levels.

4. BIOLOGICAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species* or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES

Will the project:

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

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

Biological Resources

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

On-site Vegetation: Grasses, eucalyptus

Name and distance from blue line creek(s): Los Berros Creek approximately 1,904 feet to the north

Habitat(s): Non-native grassland

Site's tree canopy coverage: Approximately 20%

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

Vegetation

Dune larkspur (Delphinium parryi ssp. blochmaniae) List 1B

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

Sand Mesa manzanita (Arctostaphylos rudis) List 1B

Santa Margarita manzanita (Arctostaphylos pilosula ssp. pilosula) List 1B

The project site occurs within the Santa Barbara Vernal Pool Region, as designated by the California Department of Fish and Wildlife. Furthermore, the project site is in an area designated as critical habitat for the vernal pool fairy shrimp (*Branchinecta lynchi*), a small aquatic crustacean that is listed as a federal threatened species and is associated with vernal pool habitat.

Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species.

A biological report and a Pismo Clarkia habitat suitability report were prepared for the project (Althouse and Meade, June 2015 and October 6, 2015, respectively). The report found that while there is suitable habitat for Mesa Horkelia and San Luis Obispo Monardella, the survey did not find any sensitive plant species occurring on the property.

The report did find one special status avian species, the oak titmouse, on the property. The report concluded that this species is not expected to nest on the site due to its preference for oak woodland habitat, and lack of that habitat on-site.

Impact. Nesting birds may be disturbed by vegetation removal, disruptive construction equipment noise, and increased human activity near nesting areas. Fish and Wildlife Code 3503 protects birds,

their eggs and nests from disturbance or destruction from construction activities.

A site visit of the project site was made on February 5, 2016 by the project manager to inspect the project site's topography for the potential to support vernal pool habitat (e.g., low-elevation areas, depressions, natural or man-made ponded areas, etc.). At this time, no evidence of vernal pools or potential areas for ponded water was observed. The soil on the project site (Oceano sand), is very permeable and does not provide an opportunity for water to pool for any significant length of time. Therefore, there was no indication of habitat suitable for supporting fairy shrimp, or sensitive aquatic animal or plant species associated with vernal pools.

Mitigation/Conclusion. To avoid impacts to nesting birds, the applicant has agreed to avoid removal of vegetation or any other ground disturbance between February and September 15 to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site and adjacent sites for breeding and/or nesting birds no more than two weeks prior to construction or site disturbance activities. Results of the surveys shall be submitted to the Department of Fish and Wildlife (CDFW) for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures shall be developed in consultation with the CDFW and the applicant shall adhere to these measures during all construction activities on the site. These measures may include postponing disturbance until nesting activities have stopped. No additional mitigation measures are considered necessary.

5. CULTURAL RESOURCES

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

Cultural Resources

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

Impact. A Phase I surface survey was conducted (Central Coast Archaeological Research Consultants, June 2015). No evidence of cultural materials was noted on the property. Per AB52, tribal consultation was performed and no resources were identified. Impacts to historical or paleontological resources are not expected.

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

6. GEOLOGY AND SOILS

Will the project:

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

* Per Division of Mines and Geology Special Publication #42

Geology and Soils

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

Topography: Nearly level to gently rolling

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

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

Impact. As proposed, the project will result in the disturbance of approximately 10,000 square feet for

road improvements, with additional disturbance as the parcels are developed. Because the project is located on sandy soils, on mostly level terrain, no significant impacts are expected to occur.

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

Hazards and Hazardous Materials

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

With regards to potential fire hazards, the subject project is within the high Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety. 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

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

Noise

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

Impact. The project is not expected to generate loud noises, 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) <i>Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Population/Housing

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. Prior to map recordation, the applicant will pay an affordable housing in-lieu fee consistent with the applicable fee ordinance.

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) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. PUBLIC SERVICES/UTILITIES

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

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

g) *Other:* _____

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

Police: County Sheriff Location: Oceano (Approximately 4.76 miles to the northwest)

Fire: Cal Fire (formerly CDF) Hazard Severity: High Response Time: 5-10 minutes
Location: (Approximately 3.15 miles to the southwest)

School District: Lucia Mar Unified School District.

Public Services

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. The project site is within the South County Road Fee Area 2. These fees are collected at the time of construction permits and are assessed in order to address cumulative traffic impacts of new development on the regional road network in the south county.

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* _____

Recreation

Setting. The County's Parks and Recreation Element shows that a potential trail goes through the proposed project along Pomeroy Road. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area. Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

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

Mitigation/Conclusion. The “Quimby” fee will adequately mitigate the project’s cumulative impact on recreational facilities. No significant recreation impacts are anticipated, and no additional mitigation measures are considered necessary.

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

Transportation

Setting. The County has established the acceptable Level of Service (LOS) on roads for this rural area as “C” or better. The existing road network in the area, including the project’s access street(s) (Los Berros Road and Pomeroy Road) are operating at acceptable levels of service. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

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

Circulation Study Area. The project is within the South County Area 2 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.

Impact. The proposed project is estimated to generate about 77 trips per day, based on the Institute of Traffic Engineer’s manual of 9.57/unit (based on a reasonable “worst case” of eight total units – 4

primary and 4 secondary units). This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on transportation.

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

13. WASTEWATER

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

Wastewater

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

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

- ✓ Sufficient land area (refer to County’s Land Use Ordinance or Plumbing Code) – depending on water source, parcel size minimums will be larger than 2.5 acres;
- ✓ The soil’s ability to percolate or “filter” effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil’s depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- ✓ The soil’s slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

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

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

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

- poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. In this case, due to the limited availability of information relating to the poor filtering soil characteristic, the following additional information will be needed prior to issuance of a building permit: soil borings at leach line location showing that there is adequate separation, or plans for an engineered wastewater system that shows how the basin plan criteria can be met.
- **seepage in bottom layer**, where effluent seeps quickly through (rather than be absorbed by) the soil horizon(s) to a soil layer just above bedrock that is typically in a saturated condition. The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) with possible treatment of the soil to insure effluent movement rate through the soil meets basin plan requirements. Special engineering may be required to provide this acceptable percolation rate.
- **cemented pan**, where there is thin in an upper soil horizon that may interfere with or intercept effluent percolation and create saturated soil conditions above the impervious layer which may be near the soil surface. When such conditions exist, one of the following is necessary to resolve the potential problem: leach lines must either penetrate or be below the cemented pan, if leach lines above the cemented pan layer, this layer must be removed or permanently modified to allow effluent to percolate through this layer.

Prior to map recordation, additional testing will be required by the Environmental Health Division/Building Division to verify acceptable conditions exist for on-site systems. Any proposed lot cannot be recorded until it has shown Basin Plan requirements can be met for that lot. Leach line locations will also be reviewed at this time to verify adequate setbacks are provided from any existing or proposed wells (100 feet for individual wells, 200 feet for community wells).

There are three existing wastewater systems serving the three residences on the property. These systems do not have any history of operational or maintenance problems, so installing additional systems to serve the newly created parcels appears feasible.

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

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

- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

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

14. WATER & HYDROLOGY

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

Water

Setting. The project proposes to obtain its water needs from a community system (Nipomo Community Services District - NCSD). The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, the proposed water source is at a Level of Service III (LOS III) which means that there is not enough water available to serve potential future water demand.

The topography of the project is nearly level to gently rolling. The closest creek from the proposed development is approximately 0.36 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Groundwater

General. The water containing sediments underlying Nipomo Mesa are part of the northern extension of the Santa Maria Groundwater Basin known as the Nipomo Hydrologic sub-area. The entire Santa Maria Groundwater basin includes an area of over 280 square miles, extending from the Pacific Ocean over 20 miles inland. The Santa Maria Groundwater Basin is managed by the Santa Maria Valley Water Conservation District and occupies approximately 36,000 acres most of which is in Santa Barbara County. A portion of the District extends north of the Santa Maria River into San Luis Obispo County, west of U.S. Highway 101. Twitchell Reservoir on the Cuyama River (a tributary of the Santa Maria River) is a major groundwater recharge facility within the basin, and there are other stormwater retention and recharge basins in the Santa Maria area.

Department of Water Resources (DWR). In 1994, the DWR began an update of the 1979 study of the Arroyo Grande Valley – Nipomo Mesa Area groundwater sub area and the northern portion of the Santa Maria River Valley groundwater sub area. The study, "Water Resources of the Arroyo Grande - Nipomo Mesa Area", was completed and published in 2003. The study contains the following findings and conclusions:

- Observations of groundwater elevations in 1975, 1985 and 1995 revealed the development and subsequent expansion of a depression in groundwater elevations generally south of Willow Road and east of Highway 1 - the south central portion of the Nipomo Mesa.
- Nipomo Community Services District and Southern California Water Company have many of their wells in or near the depression. The extractions of these two agencies have increased from about 940 afy in 1979 to 2,790 afy in 1995 and 3,620 in 2000.
- There have also been increases in demand for water to serve rural residences and agricultural uses.
- Since the depression enlarges, the reduced water in storage could result in increased inflow from Santa Maria Valley and decreased outflow to the ocean from the mesa and the valley. If the pumping depression on the mesa pulls in water from the Santa Maria Valley, the possibility exists for the poorer quality groundwater of the valley, containing high concentrations of dissolved solids, to locally reduce the quality of the mesa's groundwater. Also, in the future, if subsurface outflows to the ocean cease, and the seaward hydraulic gradient is reversed, this condition could lead to seawater intrusion of the groundwater resources. Currently, there is no evidence of seawater intrusion.

A major source of recharge for the Nipomo Mesa is deep percolation of precipitation. This makes the groundwater basin vulnerable to protracted periods of below-average rainfall.

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

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

Within the 100-year Flood Hazard designation? No

Closest creek? Los Berros Creek Distance? Approximately 1,900 feet

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

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

- ✓ Approximately 10,000 square feet of site disturbance is proposed for road improvements with additional disturbance as individual parcels are further developed;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Parking area drainage inlets will be fitted with hydrocarbon filters;
- ✓ Bioswales will be installed as a part of the drainage plan;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County’s Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the “Water Quality Control Plan, Central Coast Basin” for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

Water Quantity

Based on the project description, as calculated on the County's water usage [worksheet](#), the project's water usage is estimated as follows:

- Indoor: 1.63 acre feet/year (AFY);
- Outdoor: 3.39 AFY
- Total Use: 5.02 AFY

Sources used for this estimate include one or more of the following references: County's Land Use Ordinance, 2000 Census data, Pacific Institute studies (2003), City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide' (1989).

Based on a peer review conducted for a water demand report submitted for a previous 4-lot subdivision on the Nipomo Mesa, the total septic system return flow is estimated to be 80% of the indoor water use. The total irrigation return flow is approximately 30%. In this case, this would equate to a gross return flow of 2.32 afy. Subtracting the return flow from the gross water demand results in the net water use of 2.7 afy.

Mitigation/Conclusion. Because there has been no supplemental water fee adopted by the County (the Nipomo Community Services District has a supplemental water fee for properties within its service boundaries) and the proposed project will be increasing the non-agricultural water demand, providing adequate mitigation measures to ensure that there will be adequate water supplies for both this project and future projects on the Nipomo Mesa is challenging on a case by case basis.

This project will be served by the Nipomo Community Services District who does have a supplemental water fee in place and a supplemental water source from the Santa Maria River Valley groundwater basin to serve properties within its service boundaries. The County's recently adopted water ordinance (October 2015) requires 1:1 offsetting for new development within the Nipomo Mesa Water Conservation Area as well. Mitigation measures included correspond with the recently adopted ordinance.

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.

15. LAND USE

Will the project:

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

Land Use

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 22.98.070(B) – Edge of the Nipomo Mesa
2. LUO Section 22.98.070(F) - Nipomo Mesa Water Conservation Area
3. LUO Section 22.98.072(H)(9) – Residential Rural Standards for the Summit Station area

The project site is within the Renewable Energy Combining Designation Area. These standards pertain to sites where a renewable energy project is proposed and provides streamlining measures for these types of projects. Since this project is a subdivision, these standards do not apply.

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

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

Exhibit A - Initial Study References and Agency Contacts

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

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Services	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	None
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	None
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Nipomo Community Services District	Attached
<input checked="" type="checkbox"/>	Other <u>Parks Division</u>	Attached
<input checked="" type="checkbox"/>	Other <u>Bicycle Advisory Committee</u>	None

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

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

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

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

Rare Plant Survey Letter Report for 1650 Rocky Place, Althouse and Meade, Inc., June 3, 2015

Pismo Clarkia Habitat Assessment, Althouse and Meade, Inc., October 6, 2015

Cultural Resources Survey of 1650 Rocky Place, Central Coast Archaeological Research Consultants, June 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.

Aesthetics

AS-1. **At the time of application for construction permits**, the applicant shall submit an Exterior Lighting Plan for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned "down and into" the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties. All lighting poles, fixtures, and hoods shall be dark colored. These measures shall be shown on applicable construction drawings **prior to issuance of construction permits** and permanent lighting shall be installed **prior to final inspection**.

Air Quality

AQ-1. As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, the APCD's Enforcement Division may be contacted (805/781-5912).

AQ-2. *Fugitive PM10 Mitigation Measures* (All required PM10 measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD **prior to construction/ grading permit issuance**)

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

AQ-3. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to**

construction permit issuance, such devices shall be shown on all applicable plans, and installed as approved by the County.

Biological Resources

BR-1. At the time of application for subdivision improvement plans and/or construction permits, if possible, to avoid potential impacts to nesting birds, tree removal associated with project activities shall be limited outside the bird nesting season, which is February 15th to September 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist, retained by the applicant, in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance and in consultation with CDFG and/or USFWS. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

Water

- W-1. At the time of application for construction permits**, the applicant shall pay a supplemental water development fee for dwelling unit equivalent similar to that required by County Ordinance for properties located within the Nipomo Mesa Water Conservation Area.
- W-2. At the time of application for construction permits**, if the County's supplemental water fee is not adopted, the applicant shall off-set the additional water usage generated by new development on the parcels. This equates to 0.68 afy for each parcel (2.72 afy overall estimated total/4 parcels). Evidence of retrofitting and the estimated amount of water saved through retrofits will be required **prior to permit issuance for new development on the undeveloped parcels (Parcels 1 and 2) or redevelopment on the currently developed parcels (Parcels 3 and 4).**
- W-3. In order to decrease water demand, at the time of application for construction permits**, the applicant shall provide the following on the project plans:
- a. Plans shall incorporate all feasible low impact design (LID) features.
 - b. Landscaping plans shall not use irrigated turf.
 - c. Landscaping plans shall include low water using, drought tolerant plant species, preferably plants native to the region.
 - d. Each parcel's total landscaped area shall not exceed 1,500 square feet.
- W-4. For the life of the project, as long as a Level of Severity III exists for water resources within the Nipomo Mesa Water Conservation Area**, the applicant shall adhere to the following water waste prevention activities:
- a. Application of water to outdoor landscapes in a manner that results in runoff into non-irrigated areas, public and private walkways, roadways, parking lots, structures or other hard surface areas.
 - b. Use of a hose to wash an automobile or other vehicle except where the hose is fitted with an automatic shut off nozzle or device attached to it that causes it to cease dispensing water when not in use.
 - c. Application of water to hard surfaces, including but not limited to, driveways, sidewalks, unpaved walkways and any other hard surface areas.

- d. Use of potable water in a fountain or other decorative water feature unless such water flows through a recirculating system
- e. Application of water to outdoor landscape more than 3 times per week



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Wade Horton, 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: August 19, 2015
To: Brian Pedrotti, Project Planner
From: Glenn Marshall, Development Services Engineer
Subject: **Public Works Project Referral for SUB2015-00009 – Castameda Parcel Map CO 15-0065, Pomeroy Road, Nipomo, APN 091-073-021**

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. The tentative map is incomplete, please refer to attached checklist.

Public Works Comments:

- A. At the time the project referral was received by Public Works on August 18, 2015 the application acceptance date had not been established. The attached recommended conditions of approval are subject to change based on Ordinances and Policies in affect at the date of application acceptance.
- B. Recommend the following finding [per 21.050.045 (a-c)] be incorporated into Findings to ensure public improvements are constructed prior to recordation (or bonded for):
“In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel.”
- C. Recommended road improvements along Pomeroy Road and Rocky Place may impact or require removal of existing trees. The Planner should address this issue in the environmental determination.
- D. Access restrictions to Pomeroy Road are being recommended due to driveway sight distance requirements. Alternatively, provide civil engineers site distance evaluation showing that any

Attachment 5 - Mitigated Negative Declaration
existing or proposed connection to Pomeroy Road meets county standard A-5 series sight distance requirements (500 feet either direction from driveway).

- E. The proposed project is within the South County Road Improvement Area 2. Payment of Road Improvement Fees is required prior to future building permit issuance.

Recommended Public Works Conditions of Approval

Access and Improvements:

1. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. Pomeroy Road shall be widened to complete an A-1 rural road section fronting the property and within a ten foot dedicated right-of-way easement, or additional as necessary to ensure sufficient width to contain all elements of the roadway prism.
 - b. Rocky Place shall be improved to Cal Fire standards from Pomeroy Road easterly along the entire property frontage and within the existing 20 foot easement, or provide additional easement width along the property frontage as necessary to contain all elements of the roadway prism.
 - c. Private access road serving Parcels 1 and 2 from Rocky Place shall be constructed to Cal Fire Standards within a minimum 20-foot private access and utility easement with additional easement width as necessary to contain all elements of the roadway prism. The access road shall terminate in a Cal Fire standard cul-de-sac or other approved terminus.
 - d. At its intersection with Pomeroy Road, Rocky Place shall be improved to a B-1 series driveway and sight distance standard.
 - e. All existing driveway connections to Pomeroy Road shall be demolished, scarified, revegetated, fenced and the shoulder restored in accordance with County rural road standards.
2. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.
3. The applicant shall 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.
4. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.
5. All public improvements shall be completed prior to occupancy of any new structure.

Offers, Easements and Restrictions:

6. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For future road improvement 10-foot wide road right-of-way along Pomeroy Road to be described as 30-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism.
 - b. A 20-foot radius road right-of-way along the property line returns at the intersection of Pomeroy Road and Rocky Place.
 - c. A public utility easement along Pomeroy Road to be described as 6-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
7. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. A minimum 20-foot shared private access and utility easement in favor of Parcels 1 and 2 with additional width as necessary to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.
 - b. Provide additional width as necessary along the existing 20 foot Rocky Lane easement to include all elements of the roadway prism.
8. The applicant shall show the following restrictions by certificate on the map or by separate document:
 - a. Access shall be denied to Parcels 1 and 3 from Pomeroy Road and this shall be by certificate and designation on the map.
 - b. If drainage basins are required then the basin areas shall be indicated as a building restriction on the map.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Improvement Maintenance:

10. Prior to map recordation the developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure inspection, operation, and maintenance of the following improvements:
 - a. The shared private access road serving parcels 1 and 2.
 - b. Maintenance of Rocky Place fronting Parcels 3 and 4.

- Attachment 5 - Mitigated Negative Declaration
- c. Shared drainage basins or other shared storm water facilities.

Improvement Plans:

11. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plans are to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan to be approved jointly with County Environmental Health.
 - d. Sewer plan to be approved jointly with County Environmental Health.
 - e. Sedimentation and erosion control plan for subdivision related improvement locations.
 - f. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
 - g. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
 - h. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
12. All new electric power, telephone and cable television services shall be completed to each new parcel and ready for service. Applicant responsibilities for electric service and distribution line extensions (facilities and equipment) are detailed in PG&E Electric Rule No.15 and Rule No.16, respectively.
13. Prior to final map recordation, electric, telephone, and cable television services shall be completed, and shall meet the utilities' installation requirements, unless (in-lieu) financial arrangements with the utility for the installation of these systems have been made.
14. New gas distribution mains shall be installed along the entire project frontage and gas service laterals shall be stubbed to each new parcel unless otherwise directed by the gas purveyor.

Drainage:

15. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.

Additional Map Sheet:

16. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. Notification to prospective buyers that Rocky Place and the share driveway to Parcels 1 and 2 are to be privately maintained by the property owners, indicating the proposed maintenance mechanism.
 - b. If drainage basins are required, that the property owners are responsible for on-going maintenance of basin, fencing, landscaping in a viable condition on a continuing basis into perpetuity. The basin areas shall be indicated as a building restriction.
 - c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
 - d. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Area 2 Road Improvement Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.
 - e. The property owner shall be responsible for the operation and maintenance of public road frontage landscaping in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.

Covenants, Conditions and Restrictions:

17. The developer shall submit proposed Covenants, Conditions, and Restrictions (CC&R) for the subdivision to the county Department of Planning and Building for review and approval, and shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building, and in conformance with the requirements of the State Department of Real Estate. The CC&R shall provide at a minimum the following provisions:
- a. Maintenance of Rocky Place and the share driveway to Parcels 1 and 2 in perpetuity.
 - b. If a private storm drainage system is required, on-going maintenance of the system and appurtenances on a continuing basis into perpetuity
 - c. If a drainage basin is required, on-going maintenance of basin, fencing, landscaping, and related components in a viable condition on a continuing basis into perpetuity.
 - d. If storm water treatment facilities are required, on-going maintenance of said facilities in a viable condition on a continuing basis into perpetuity.
 - e. Operation and maintenance of public road frontage landscaping in a viable condition and on a continuing basis into perpetuity.

- Attachment 5 - Mitigated Negative Declaration
- f. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

Miscellaneous:

18. 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.
19. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
20. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
21. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.

21.02.046(a) TENTATIVE MAP Check List

(Parcel Map) or Tract Map) Map No. CO 15-0065

Status	Item
✓	(1) <u>Record Data</u> . The boundary lines of the original parcel, with dimensions shown in feet, based on survey data or information of record, and area of the property shown in square feet or acres to the nearest tenth.
✓	(2) <u>Property Description</u> . A description of the property as well as the assessor's parcel number(s) for the property.
✓	(3) <u>Legend and Owner Information</u> . A north arrow and scale, the name and address of the record owner(s), and the name and address of the subdivider.
✓	(4) <u>Vicinity Map</u> . A vicinity map on which shall be shown the general area including adjacent property, subdivisions and roads
0	(5) <u>Existing Structures</u> . All existing structures, wells, septic tanks, driveways and other improvements located on the original parcel shall be accurately located, identified and drawn to scale. The distance between structures, the distance from existing structures to the boundary lines of the new parcel on which the structures are to be located, and the height of each structure shall be shown. Such distances shall be established by a registered civil engineer's or licensed land surveyor's survey when deemed necessary by the planning department.
✓	(6) <u>Contour Lines</u> . Contour lines of the property shall be shown at intervals set forth: >40 Ac, 40ft; 20-40 AC, 20 ft; 10-20 AC, 10 ft; <10 AC w/ 0-12% slope, 2 ft; >12% slope, 5 ft
✓	(7) <u>Drainage</u> . The approximate location of all watercourses, drainage channels and existing drainage structures.
✓	(8) <u>Landforms</u> . The approximate location of other topographic or manmade features, such as bluff tops and ponds.
N/A	(9) <u>Lakes and Ocean</u> . Approximate high-water lines in lakes or reservoirs, and the mean high tide line of the ocean.
N/A	(10) <u>Flood Hazard</u> . The location of all areas subject to inundation or stormwater overflow.
✓	(11) <u>Proposed Parcel Lines</u> . The proposed division lines with dimensions in feet and the gross and net area of each parcel created by such division in square feet or acres to the nearest tenth. Also, each parcel created shall be designated on the tentative map by number.
?	(12) <u>Designated Building Sites</u> . Any designated building sites proposed by the applicant to minimize grading, tree removal, and other potential adverse impacts, or any areas proposed for exclusion from construction activities, shall be shown on the tentative map for proposed parcels greater than ten thousand square feet. Also, any details on proposed building setback lines and widths of side yards shall be shown on the tentative map.
0	(13) <u>Streets</u> . The locations, names, county road numbers and widths of all adjoining and contiguous highways, streets and ways.
0	(14) <u>Easements</u> . The locations, purpose and width of all existing and proposed easements, streets (with proposed names) and appurtenant utilities.
N/A	(15) <u>Coastal Zone</u> . For tentative maps for properties located within the coastal zone between the sea and the first public road paralleling the sea, show the location of the public access ways nearest to the subject site
0	21.02.048 (a)(2) <u>Preliminary Title Report</u> . Preliminary title report concerning the property which is not more than six months old showing current property owners.

X = Not Applicable 0 = Requires Compliance ✓ = Complied

For Tract Map Applications only: \$ deposit rec'd Y / N C & I Agreement rec'd Y / N

COMMENTS:

(5) WELLS, SEPTIC?
 (13) POWER RD, Co Rd #1034
 (14) ACCESS & UTIL RESULT TO SHOW NEW PARCELS LABEL ALL EXIST UTILS FROM TITLE RPT.
 * TITLE REPORTS ARE TO OLD AND HAVE DIFFERENT OWNERS NOT SHOWN ON TENT MAP PROVIDE COPIES OF RECENT TITLE REPORTS FOR EACH LOT.



DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

THIS IS A NEW PROJECT REFERRAL

DATE: 8/17/2015
 TO: Gen Services - Parks
 FROM: Brian Pedrotti (805-788-2788 or bpedrotti@co.slo.ca.us)
 South County Team / Development Review

PROJECT DESCRIPTION: SUB2015-00009 CO15-0065 CASTANEDA – Proposed parcel map to divide two parcels of approximately 20.9 ac into four resulting parcels of 5.2, 5.3, 5.3, and 5.1 acres. Site location is 1650 Rocky Pl, Arroyo Grande. APNs: 091-073-021 and -022

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

PAY QUIMBY FEES AND A 10 foot wide trail easement along Pomeroy Street side of Both Lots

9/25/15
Date

E. KAVANAUGH
Name

781-4089
Phone



DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

THIS IS A NEW PROJECT REFERRAL **RECEIVED AUG 19 2015**

DATE: 8/17/2015

TO: Cal Fire

FROM: Brian Pedrotti (805-788-2788 or bpedrotti@co.slo.ca.us)
South County Team / Development Review

PROJECT DESCRIPTION: SUB2015-00009 CO15-0065 CASTANEDA – Proposed parcel map to divide two parcels of approximately 20.9 ac into four resulting parcels of 5.2, 5.3, 5.3, and 5.1 acres. Site location is 1650 Rocky PI, Arroyo Grande. APNs: 091-073-021 and -022

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

AFTER completing a review of SUB2015-00009 CALFIRE/County Fire has determined there is NO significant Fire and life safety concerns For this project.

8/12/15
Date

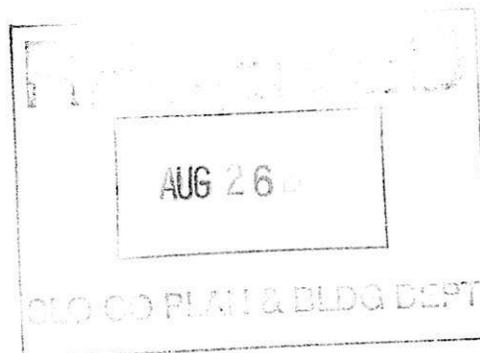
Tyler
Name

543-4244
Phone

Attachment 5 - Mitigated Negative Declaration



Air Pollution Control District
San Luis Obispo County



August 24, 2015

Brian Pedrotti
San Luis Obispo County Department of Planning & Building
County Government Center
San Luis Obispo CA 93401

SUBJECT: APCD Comments Regarding the Castaneda Parcel Split Project Referral.
(SUB2015-00009)

Dear Mr. Pedrotti,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at 1650 Rocky Place in Arroyo Grande. The project, as described, proposes to divide two parcels of approximately 20.9 acres into four, resulting in parcels of 5.2, 5.3, 5.3 and 5.1 acres.

The following are APCD comments that are pertinent to this project.

Inconsistent with the Clean Air Plan

This project, like so many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significance for air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan (CAP), which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. **The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development; therefore, the APCD does not support this project or this type of development.**

The District understands that under the County's Land Use Ordinance parcels within the Residential Rural category can be subdivided to a minimum lot size of five acres. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar, rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable. Such development

cumulatively contributes to existing stresses on air quality, circulation, and other natural and physical resources and infrastructure that cannot be easily mitigated.

Should this project continue to move forward against our recommendation, the following APCD comments will be appropriate. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified areas throughout the County where NOA may be present (see the APCD's 2012 CEQA Handbook, Technical Appendix 4.4). The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), and the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105), **prior to any construction activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if the area disturbed is exempt from the regulation. An exemption request must be filed with the APCD.** If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.php>.

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 slocleanair.org/business/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of: 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.

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:**

Projects with grading areas that are less than 4 acres and are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District'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. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
- e. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and,
- f. 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, reduce visible emissions below 20% opacity. Their duties shall include holidays and weekend periods when work may not be in progress.

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.

The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Internal combustion engines;

Project Referral for Castaneda Parcel Split

August 24, 2015

Page 4 of 4

- Rock and pavement crushing;
- Unconfined abrasive blasting operations;
- Tub grinders;
- Trommel screens; and,
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

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.

Residential Wood Combustion

Under APCD Rule 504, **only APCD approved wood burning devices can be installed in new dwelling units.** These devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact the APCD Enforcement Division at 781-5912.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-4667.

Sincerely,



Melissa Guise
Air Quality Specialist

MAG/arr

cc: Carlos Castaneda, Jr.
Tim Fuhs, Enforcement Division, APCD
Dora Drexler, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD

Attachments: 1. Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form

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Air Pollution Control District
San Luis Obispo County

Naturally Occurring Asbestos Construction and Grading Project Form

Applicant Information/Property Owner		Project Name	
Address		Project Address	
City, State, Zip		City, State, Zip	
Email for Contact Person		Project Site Latitude, Longitude	Assessors Parcel Number
Phone Number	Date Submitted	Agent	Phone Number
Check Applicable	DESCRIPTION (attach applicable required information)	APCD REQUIREMENT 1	APCD REQUIREMENT 2
	Project is subject to NOA requirements but NOT disturbing NOA (See Website Map) http://www.slocleanair.org/business/asbestos.php	Geological Evaluation	Exemption Request Form
	Project is subject to NOA requirements and project is disturbing NOA - more than one acre	Geological Evaluation	Dust Control Measure Plan
	Project is subject to NOA requirements and project is disturbing NOA - one acre or less	Geological Evaluation	Mini Dust Control Measure Plan

Please note that the applicant will be invoiced for any associated fees.

REQUIRED APPLICANT SIGNATURE:

Legal Declaration/Authorized Signature	Date
--	------

APCD OFFICE USE ONLY				
Geological Evaluation	Exemption Request Form	Dust Control Measure Plan	Monitoring, Health and Safety Plan	
Approved Yes <input type="checkbox"/> No <input type="checkbox"/>	Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>	Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>	Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Comments:	Comments:	Comments:		
APCD Staff:	Date Received:	Date Reviewed	OIS Site #	OIS Proj #
Invoice No.	Basic Fee	Additional Fees	Billable Hrs	Total Fees

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Air Pollution Control District
San Luis Obispo County

Naturally Occurring Asbestos Construction & Grading Project Exemption Request Form

Applicant Information/ Property Owner		Project Name	
Address		Project Address	
City, State, Zip		City, State, Zip	
Email Address		Project Site Latitude, Longitude	Assessors Parcel Number
Phone Number	Date Submitted	Agent	Phone Number

The District may provide an exemption from Section 93105 of the California Code of Regulations - Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying, And Surface Mining Operations for any property that has any portion of the area to be disturbed located in a geographic ultramafic rock unit; if a registered geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock is likely to be found in the area to be disturbed. Before an exemption can be granted, the owner/operator must provide a copy of a report detailing the geologic evaluation to the District for consideration. The District will approve or deny the exemption within 90 days. An outline of the required geological evaluation is provided in the District handout **"ASBESTOS AIRBORNE TOXIC CONTROL MEASURES FOR CONSTRUCTION, GRADING, QUARRYING, AND SURFACE MINING OPERATIONS - Geological Evaluation Requirements."** See the APCD Website map: <http://www.slcleanair.org/business/asbestos.php>

NOTE: A basic exemption evaluation fee of \$172.00 will be charged.

APPLICANT MUST SIGN BELOW:

I request the San Luis Obispo County Air Pollution Control District grant this project exemption from the requirements of the ATCM based on the attached geological evaluation.

Legal Declaration/Authorized Signature

Date:

OFFICE USE ONLY - APCD Required Element - Geological Evaluation

Date Received:	Date Reviewed:	OIS Site #:	OIS Project #:
	APCD Staff:	Approved	Not Approved
Comments:			

**DEVELOPER'S STATEMENT FOR THE
CASTANEDA VESTING TENTATIVE PARCEL MAP (CO 15-00); SUB2015-00009**

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

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

Aesthetics

AS-1. At the time of application for construction permits, the applicant shall submit an Exterior Lighting Plan for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned "down and into" the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties. All lighting poles, fixtures, and hoods shall be dark colored. These measures shall be shown on applicable construction drawings prior to issuance of construction permits and permanent lighting shall be installed prior to final inspection.

Monitoring: The Planning and Building Department shall verify compliance.

Air Quality

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

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

Monitoring: The Planning and Building Department, in consultation with the Air

Pollution Control District (APCD), shall verify compliance.

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

Monitoring: The Planning and Building Department, in consultation with the APCD, shall verify compliance.

AQ-3. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. Prior to construction permit issuance, such devices shall be shown on all applicable plans, and installed as approved by the County.

Monitoring: The Planning and Building Department, in consultation with the APCD, shall verify compliance.

Biological Resources

BR-1. At the time of application for subdivision improvement plans and/or construction permits, if tree removal cannot be avoided, to avoid potential impacts to nesting birds, tree removal associated with project activities shall be limited outside the bird nesting season, which is February 15th to September 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist, retained by the applicant, in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance and in consultation with CDFW and/or USFWS. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

Monitoring: The Planning and Building Department shall verify compliance.

Water

- W-1. At the time of application for construction permits, the applicant shall off-set water use as required by §19.07.042 to meet the supplemental water development required by County Ordinance for properties located within the Nipomo Mesa Water Conservation Area. Off-set Clearance from the Department of Planning and Building will verify that new water use has been offset at a 1:1 ratio prior to permit issuance for new development on the undeveloped parcels (Parcels 1 and 2).

Monitoring: The Planning and Building Department shall verify compliance.

- W-3. In order to decrease water demand, at the time of application for construction permits, the applicant shall provide the following on the project plans:
- a. Plans shall incorporate all feasible low impact design (LID) features.
 - b. The maximum amount of turf (lawn) area shall not exceed 20% of the site's total irrigated landscape area.
 - c. Landscaping plans shall include low water using, drought tolerant plant species, preferably plants native to the region.
 - d. Each parcel's total landscaped area shall not exceed 1,500 square feet.

Monitoring: The Planning and Building Department shall verify compliance.

- W-4. For the life of the project, as long as a Level of Severity III exists for water resources within the Nipomo Mesa Water Conservation Area, the applicant shall adhere to the following water waste prevention activities:
- a. Application of water to outdoor landscapes in a manner that results in runoff into non-irrigated areas, public and private walkways, roadways, parking lots, structures or other hard surface areas.
 - b. Use of a hose to wash an automobile or other vehicle except where the hose is fitted with an automatic shut off nozzle or device attached to it that causes it to cease dispensing water when not in use.
 - c. Application of water to hard surfaces, including but not limited to, driveways, sidewalks, unpaved walkways and any other hard surface areas.
 - d. Use of potable water in a fountain or other decorative water feature unless such water flows through a recirculating system
 - e. Application of water to outdoor landscape more than 3 times per week

Monitoring: The Planning and Building Department shall verify conservation measures on construction plans, and implementation in the field.

Environmental Determination ED15-155

*Date: March 16, 2016
Revised March 23, 2016*

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



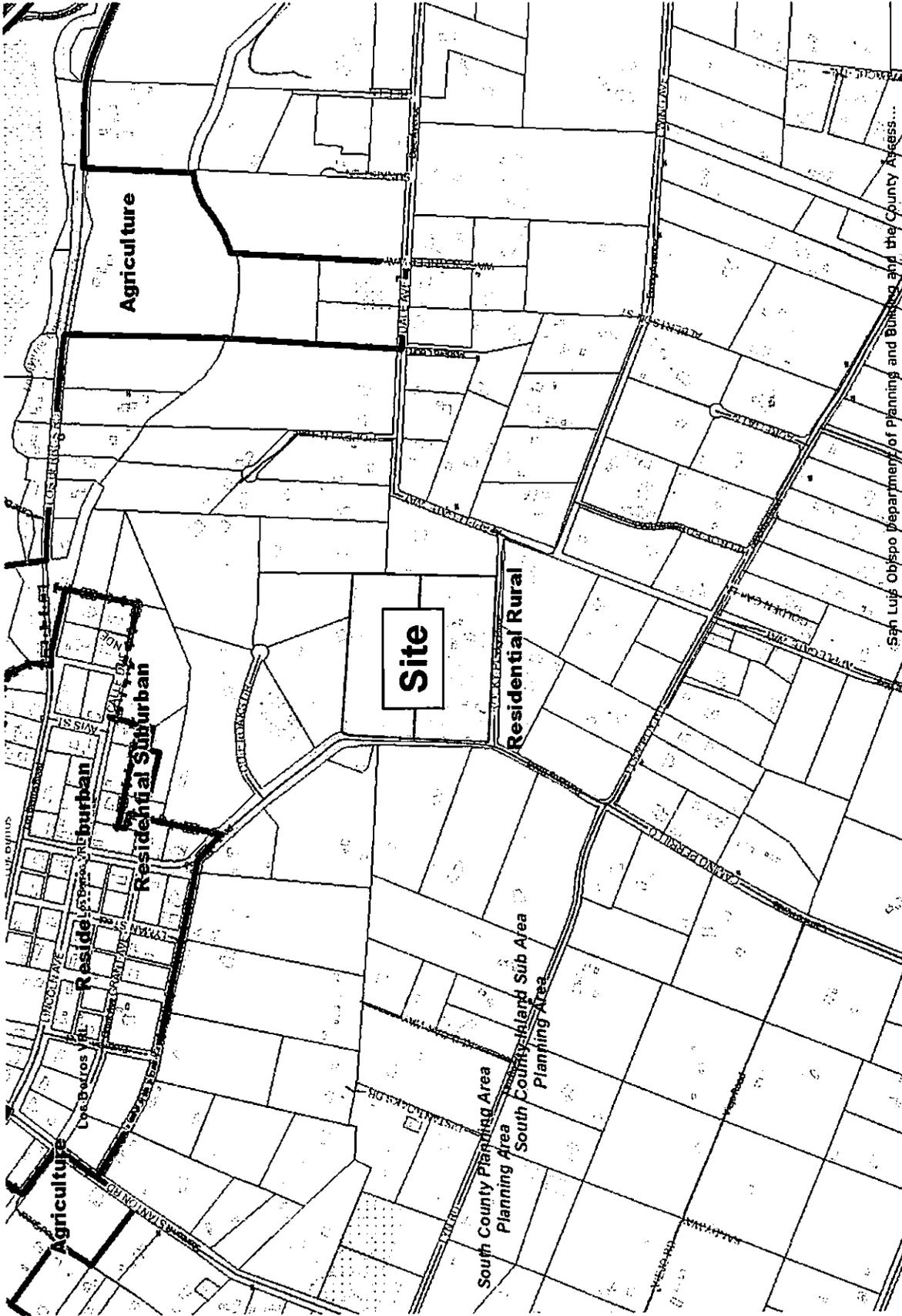
Signature of Owner(s)

4/1/16

Date

Carlos Costera

Name (Print)



PROJECT

Castaneda Vesting Tentative Parcel Map
SUB2015-00006/CO 15-0065

EXHIBIT

Vicinity/Land Use Category Map





Aerial Photograph

EXHIBIT

PROJECT
Castaneda Vesting Tentative Parcel Map
SUB2015-00006/CO 15-0065

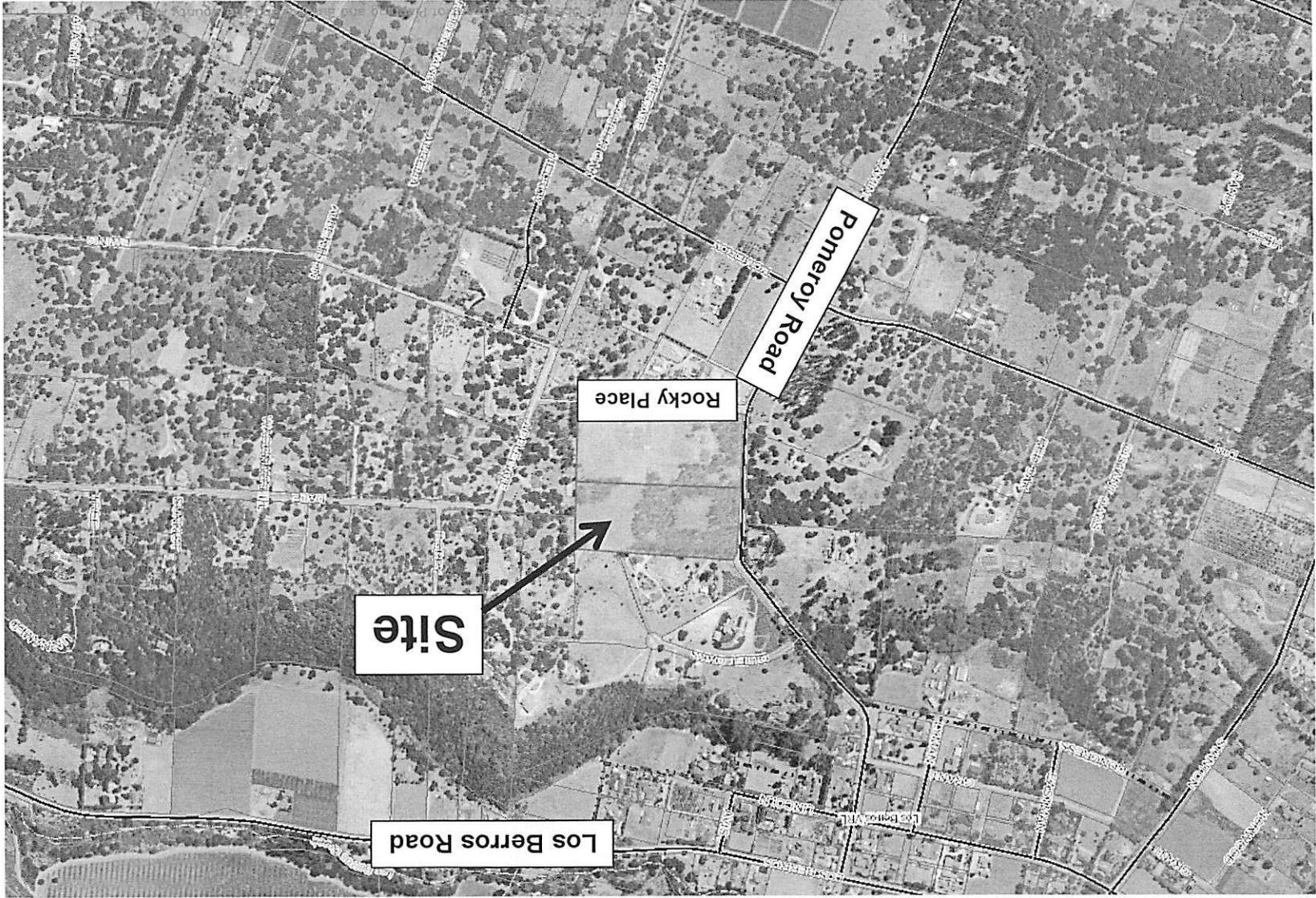




EXHIBIT
Aerial Photograph



PROJECT
Castaneda Vesting Tentative Parcel Map
SUB2015-00006/CO 15-0065

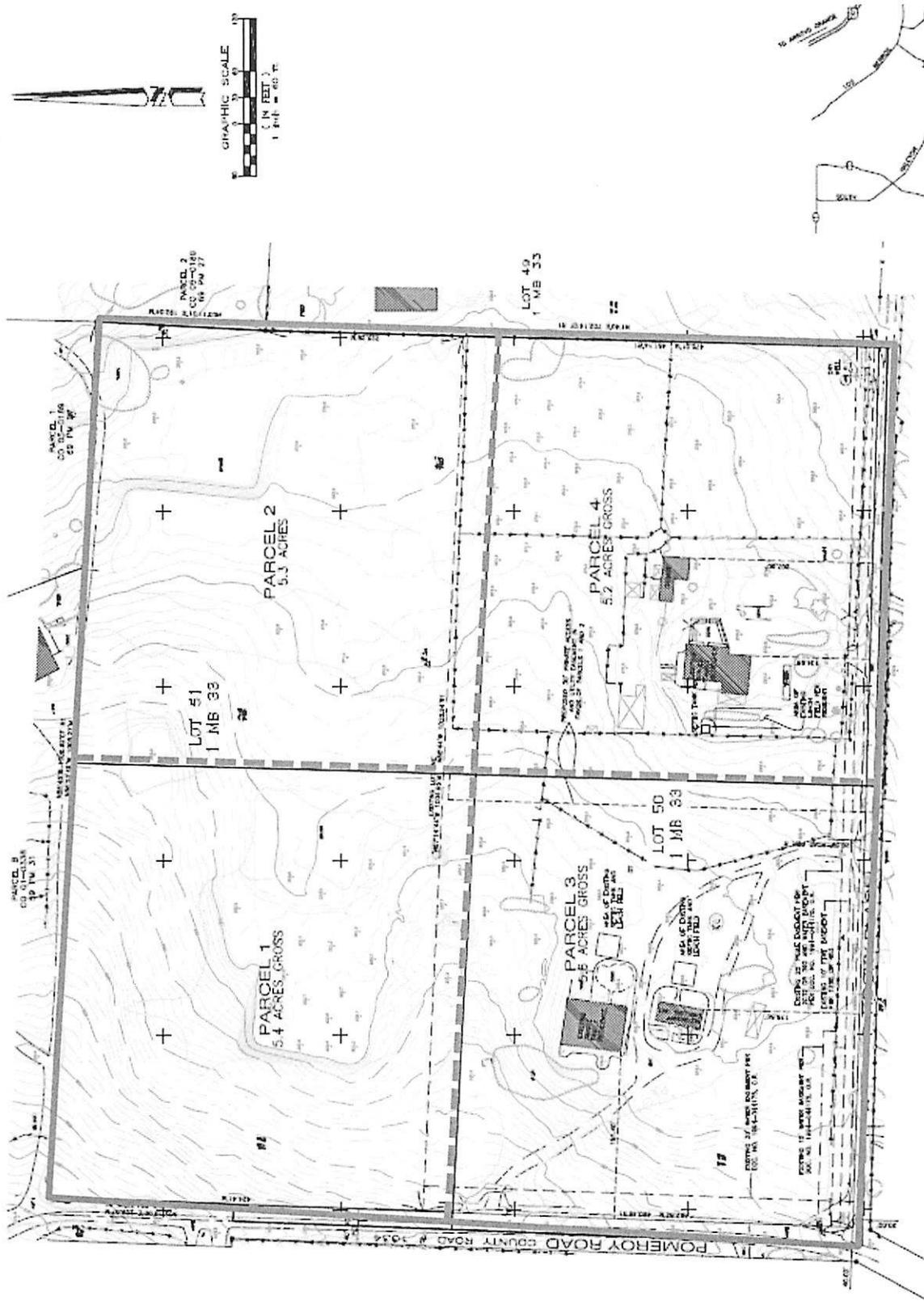


EXHIBIT Parcel Map

PROJECT Castaneda Vesting Tentative Parcel Map
SUB2015-00006/CO 15-0065