COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

PLN-2042
05/08/2024

NOTICE OF EXEMPTION & CONSISTENCY WITH PREVIOUS MITIGATED NEGATIVE DECLARATION

Project Applicant: John Frantz
2320 Bolsover St. Houston, TX 77005
frantzjohn@sbcglobal.net
(281) 788-5114

DATE: July 19, 2024

TO File: N-DRC2024-00001

FROM: Elizabeth Moreno

SUBJECT: N-DRC2024-00001 Amendment to Minor Use Permit DRC2014-00069.
The Negative Declaration prepared and issued under **ED14-230 (SCH#2018061012)**for the previously reviewed project ***DRC2014-00069 Minor Use Permit Bethel Holding Company,*** (see attached), is still adequate. No potential environmental impacts that were not previously addressed are anticipated; therefore, no new environmental determination is necessary.

STATEMENT OF FINDINGS
The Environmental Coordinator, after review of the previously-prepared Negative Declaration, finds that: there are no substantial changes proposed for the project which would require substantial revisions of the previous Negative Declaration; no substantial changes have occurred with respect to the circumstance under which the project is undertaken; and, no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted. Therefore, use of the previously-prepared Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) is proposed.

Notice of Determination **State Clearinghouse No. _2018061012_**

This is to advise that the San Luis Obispo County Planning Department Hearing Officer as ☒ *Lead Agency* ☐ *Responsible Agency* approved ~~/denied~~ the above described project on July 19, 2024, 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 were made a condition of the 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:

Department of Planning and Building, County of San Luis Obispo,
976 Osos St., Room 200, San Luis Obispo, CA 93408-2040

Signature	Title	Date	Public Agency
Elizabeth M	Senior Planner	7.9.24	County of San Luis Obispo

emoreno@co.slo.ca.us

Initial Study Summary – Environmental Checklist

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

(ver 5.6)Using Form

Project Title & No. Bethel Holding Company Inc / Minor Use Permit / DRC2014-00069 (ED14-230)

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Holly Phipps

Prepared by (Print) Signature Date

Ellen Carroll,
Environmental Coordinator

Reviewed by (Print) Signature (for) Date

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: Request by Bethel Holding Co. for a Minor Use Permit to allow for construction of a single family residence, guesthouse, barn, outdoor features and driveway improvements. The project will result in the disturbance of approximately **1.0 acres and 814 cubic yards of cut and 778 cubic yards of fill on a project site totaling 612 acres.** The project site is in the Rural Lands land use category on the north side of Lopez Drive, at 4455 Lopez Drive, approximately 0.5 miles west of Lopez Lake and approximately 7.8 miles (southeast) of the City of San Luis Obispo. The site is in the in the Huasna-Lopez sub area of the South County planning area.

The project includes the following:

- A 1,520-square foot single-family residence (28 feet maximum height);
- An attached, 3,200 square foot barn with two adjoining interior and exterior accessible restrooms (255 square feet);
- A detached 600 square foot, one-story guesthouse (roughly 17 feet tall);
- A 1,740-square foot, trellis covered walkway connecting the residence/barn and the guest house;
- A swimming pool, landscaping, retaining walls and gardens;
- A minimum 45,000-gallon water storage tank and a new water line from an existing well located south of Lopez Drive;
- A new well house of approximately 144 square feet located on the south side of Lopez Drive;
- A septic tank and leach fields.
- Driveway and parking improvements. No covered off-street parking is proposed; a turf block area will be located between the dwelling and Lopez Drive. Project plans show two driveway entrances from Lopez Drive: one as the primary entrance and the other leading directly to the front of the proposed single family residence.

The project will result in the disturbance of approximately 1.0 acres and 814 cubic yards of cut and 778 cubic yards of fill to accommodate the proposed buildings, landscaping, outdoor features, driveway/road improvements, and utilities.

The project site consists of two parcels totaling 612 acres (APNs 048-061-035 & 034). The area of disturbance is located in the southerly portion of the property on APN 048-061-035 (Figure 3). The site is currently vacant except for a well house. Two existing mature redwood trees will be retained at the south side of the proposed residence. A grading permit (GRA2013-00011) was approved in 2013 to allow for the planting of 31 acres of avocados and the construction of an access road immediately west of the area of disturbance. Grading, site clearing and construction of the access road have been comp

leted. As a result, the project site/area of disturbance has been largely cleared of vegetation. To date, there are no agricultural activities occurring on the property. Existing vegetation is a mix of grassland and disturbed/ruderal areas. The surrounding hillsides outside the building envelope include oak woodland and coastal scrub. The project site/area of disturbance is located between two small ephemeral drainages (to the east and west) that are tributary to Arroyo Grande Creek. Outside the area of disturbance the topography rises steeply to the north and includes slopes of 50% or more.

Elevations submitted for the project show the proposed residence/barn oriented perpendicular to Lopez Drive, with the barn, pool, covered walkways, outdoor features, and guest house located at the rear (north) of the site. The residence/barn will incorporate rural agrarian architectural elements with a double pitched metal roof, dormers, vertical wood lap siding, and stone accents. The residence and barn are one-story, 28 feet tall. The guest house will be a simple single story structure of about 17 feet in height with a metal pitched roof and wood siding. Colors and materials submitted for the residence show brown wood siding with green trim, a dark red metal roof.

The approximately 612-acre parcel is in the Rural Lands land use category on the north side of Lopez Drive, at 4455 Lopez Drive, approximately 0.5 miles west of Lopez Lake and approximately 7.8 miles (southeast) of the City of San Luis Obispo. The site is in the in the Huasna-Lopez sub area of the South County planning area. Agricultural activities in the vicinity include orchards, row crops and grazing. Lopez Lake Recreation area and Lopez Dam are located directly to the east (Figure 1).

Figure 1 – Project Location

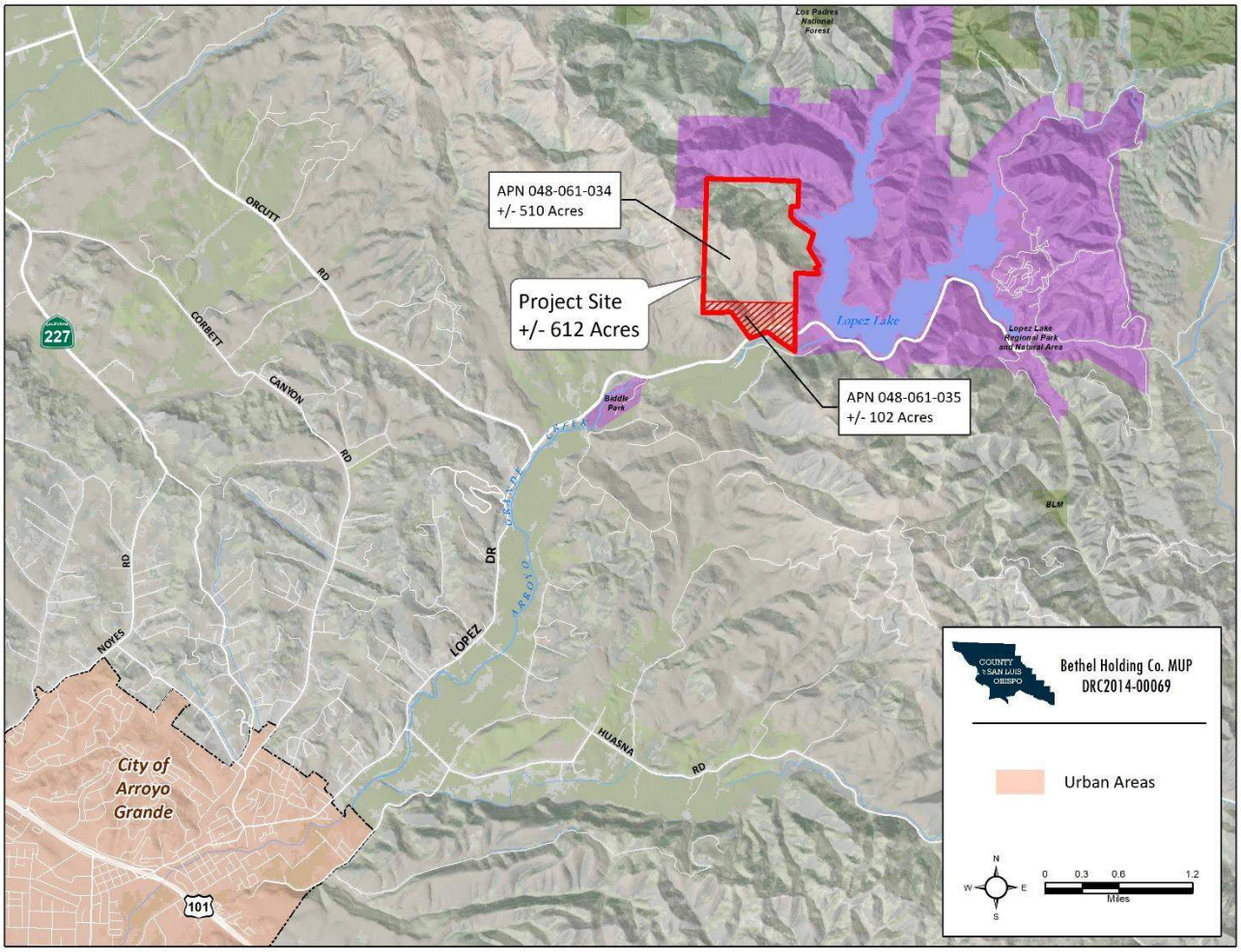


Figure 2 – Project Vicinity

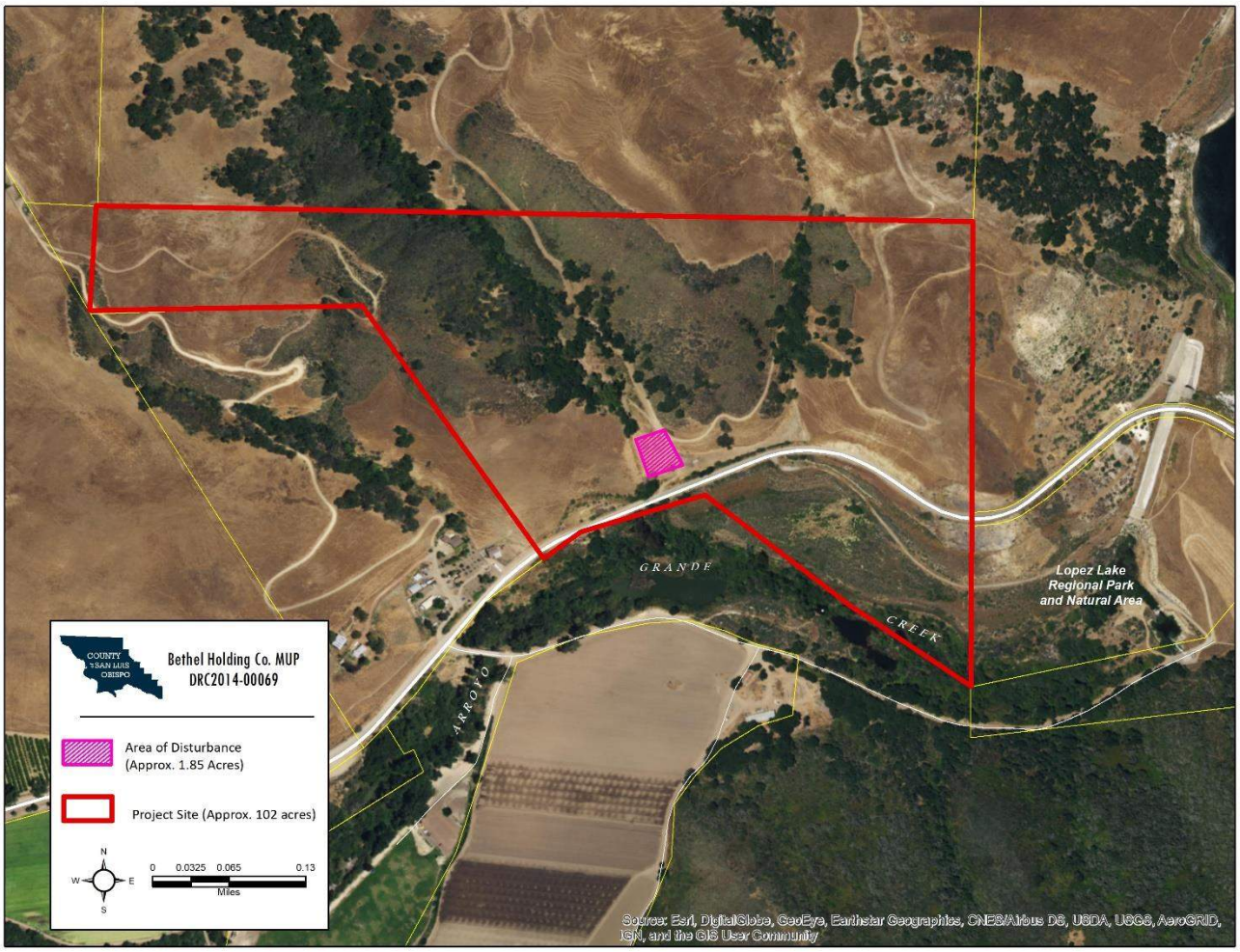
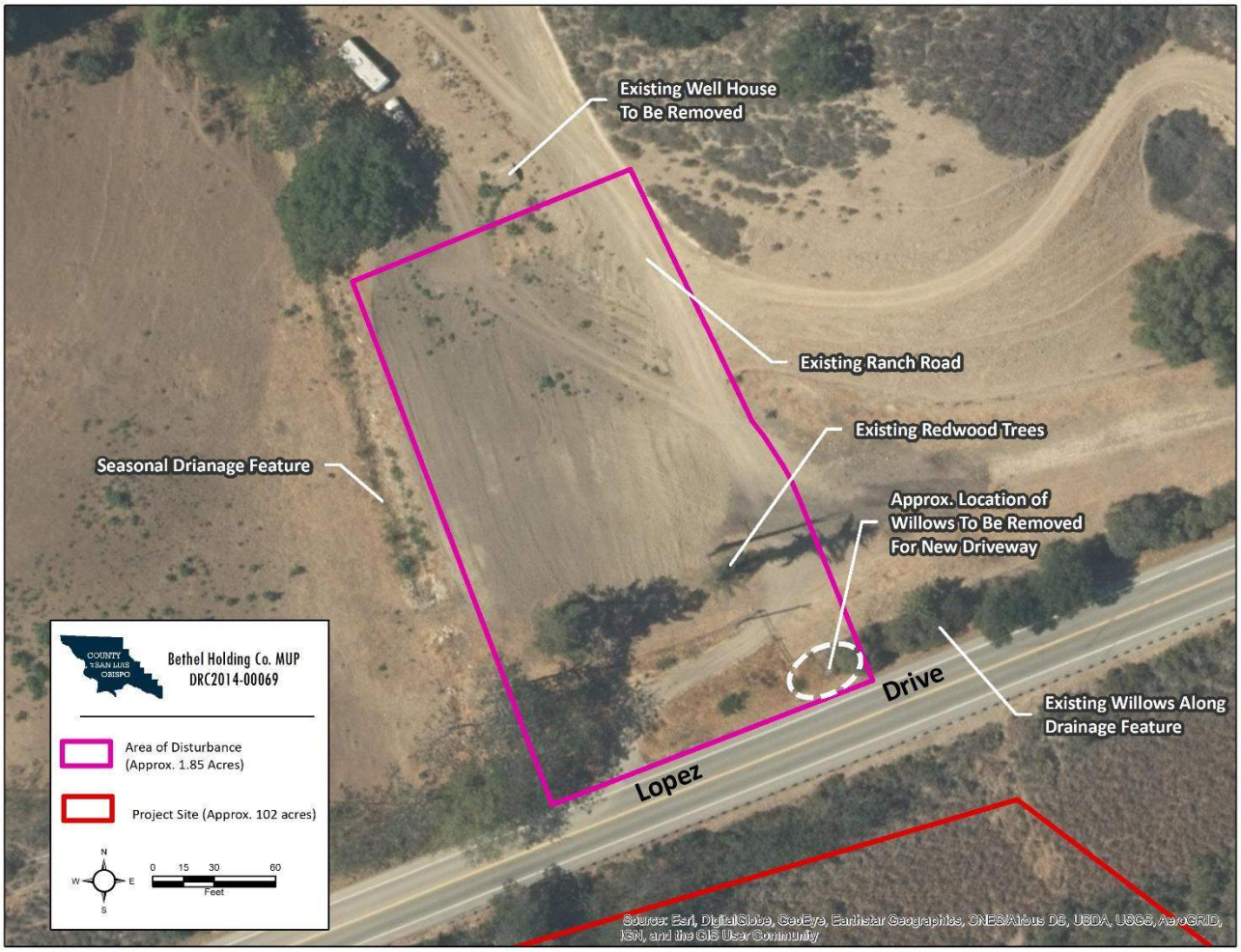


Figure 3 – Aerial of Area of Disturbance



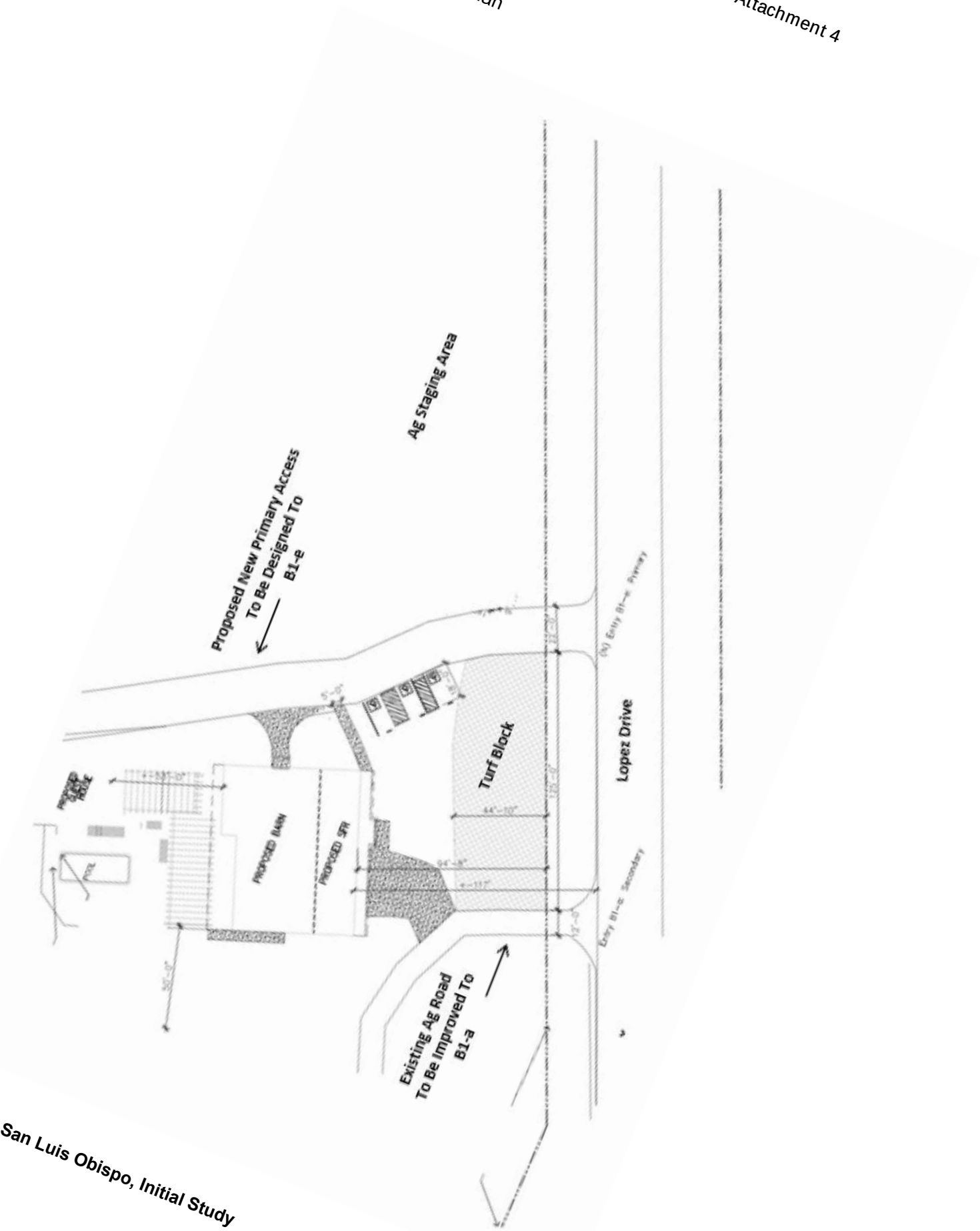
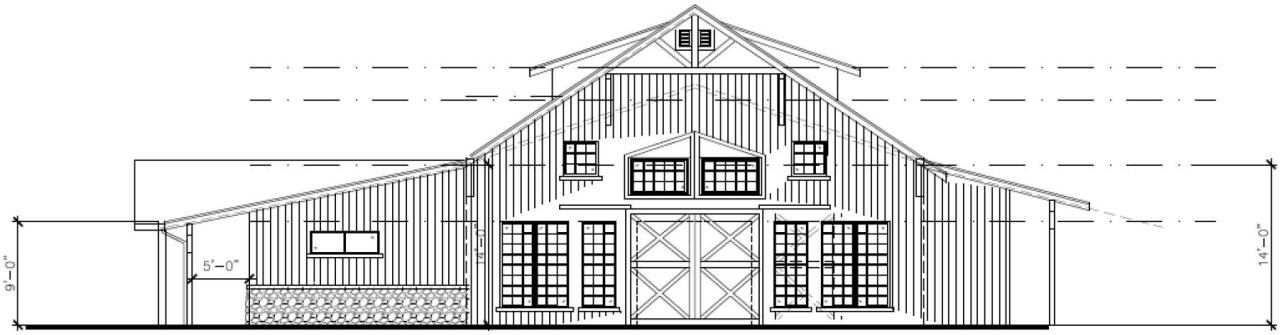

Proposed New Primary Access
To Be Designed To
B1-e
Ag Staging Area
Turf Block
Lopez Drive
Existing Ag Road
To Be Improved To
B1-a

Figure 5 – Building Elevations

Main Residence/Barn – South Elevation

Main Residence/Barn -- East Elevation



Guest House – West Elevation

ASSESSOR PARCEL NUMBER(S): 048-061-035 & 034

Latitude: 35 degrees 11' 20.3814" N Longitude: -120 degrees 29' 48.717" W **SUPERVISORIAL DISTRICT** # 4

B. EXISTING SETTING

PLAN AREA: South County **SUB**: Huasna-Lopez **COMM:** NA

LAND USE CATEGORY: Rural Lands

COMB. DESIGNATION: Geologic Study Sensitive Resource Area Flood Hazard

PARCEL SIZE: 612 acres (two parcels totaling)

TOPOGRAPHY: Gently sloping to very steeply sloping

VEGETATION: Wooded wetland, Coast Live Oaks

EXISTING USES: Vacant; Ag Roads

SURROUNDING LAND USE CATEGORIES AND USES:

North: Rural Lands; Vacant agricultural uses	*East:* Recreation; Lopez Lake Recreation Area
South: Agriculture; agricultural uses	*West:* Agriculture; agricultural uses

C. ENVIRONMENTAL ANALYSIS

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

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

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

Setting. The project site is located on the north side of Lopez Drive which extends east-west from Orcutt Road near the City of Arroyo Grande to the Lopez Lake Recreation area and the National Forest beyond. Traveling east from Arroyo Grande on Lopez Drive the visual character transitions from one dominated by urban and suburban development (single family residences) to agricultural lands and hillsides vegetated with oak woodlands and chaparral species. Near the project site, land on the south side of Lopez Drive is lower in elevation than the roadway affording views across the canyon formed by Arroyo Grande Creek. Views to the north from Lopez Drive consist of rolling hills with oak woodlands and chaparral (Figures 6, 7 and 8).

Figure 6 -- View Looking East Approaching the Project Site

Figure 7 -- View Looking East At the Project Site

Figure 8 -- View Looking West Approaching The Project Site

Lopez Drive is not a State designated Scenic Highway; however, Lopez Drive from Huasna Road to Lopez Lake Recreation Area is included on the County's list of "Suggested Scenic Corridors" provided in Table VR-2 of the Open Space and Conservation Element. The project site is not subject to the Highway Corridor Design Standards overlay but is located within the Lopez Lake sensitive resource (SRA) combining designation. This area includes private lands within the view shed and immediate watershed of Lopez Lake Recreation Area and the highly visible hillsides along the Lopez Drive corridor near Lopez Dam. The SRA boundary largely follows the ridgelines of the areas visible from the recreation area. Development on the scenic hillsides around the lake could threaten the Park's visual scene, water quality, primitive values and wildlife habitat. The Lopez 2000 Master Plan includes policies recommending that scenic hillsides be protected from indiscriminate grading or insensitive development to preserve the lake both as a water supply and for recreational use. In addition, Land Use Ordinance section 22.98.020 (E)(3) sets forth standards for new development within the *Agriculture* and *Rural Lands* land use categories within the Lopez Lake SRA that are aimed at protecting the scenic qualities of the park and views from Lopez Lake Drive. Project consistency with these standards is discussed below.

Impact

The project site is located in the southern portion of the parcel near Lopez Drive (Figure 2). The residence would be approximately 90 feet from Lopez Drive, with guest parking for the residence located between the residence and Lopez Drive. The site is flanked by a drainage to the west (roughly 50 feet) and to the east (roughly 600 feet) which are outside the building area and area of disturbance. Approximately 814 cubic yards of cut, 778 cubic yards of fill and approximately 1.0 acres of disturbance. About 300 square feet of willows and three 12" coast live oak trees will be removed from a drainage ditch adjacent to Lopez Drive to accommodate project access; replacement willows will be planted along the same drainage feature west of the proposed access driveway along Lopez Drive. Exterior lighting is proposed for the residence.

Impacts to Visual Character

In assessing project impacts on visual resources, the following factors were considered:

- *The potential for, and frequency of, viewing by the general public*.

The aesthetic effects of a project are more likely to be significant if they are highly visible to large numbers of the public over an extended period of time. Changes to views that are seen by a limited number of people, or for only limited duration, may be found to be less than significant.

The project site fronts Lopez Drive, a two-lane arterial that provides relatively unobstructed views of adjacent agricultural lands to the south and the steep hillsides that frame the Arroyo Grande Creek canyon below Lopez Dam. The road makes several turns as it climbs the hill past the project site toward the Lake. Traffic counts taken for Lopez Drive east of Orcutt Road in May, 2016 revealed an afternoon peak hour volume (measured on Saturday) of 341 vehicles, or about 6 vehicles per minute. Traffic speeds vary from 25 to 45 miles per hour, but are closer to 45 mph at the project site. Assuming a speed of 40 mph, vehicles on Lopez Drive would pass the area of disturbance/project site (about 170 feet) in about 3 seconds. Thus, although the project site is visible to a fairly large number of viewers on a weekend afternoon, the project site is only visible for a very brief time. The potential for viewing of the project is further diminished by the existing vegetation along the north side of Lopez Drive as shown in Figures 7 - 8.

Another important consideration is the potential for viewing the project site by visitors to Lopez Lake Recreation Area. As discussed above, the project site is within the Lopez Lake SRA and subject to the standards set forth in LUO section 22.98.020 (E)(3)(c.):

c. Special requirements for residential development.

(1) **Permit requirement.** Minor Use Permit approval is required for all new residential development involving structures and access road construction.

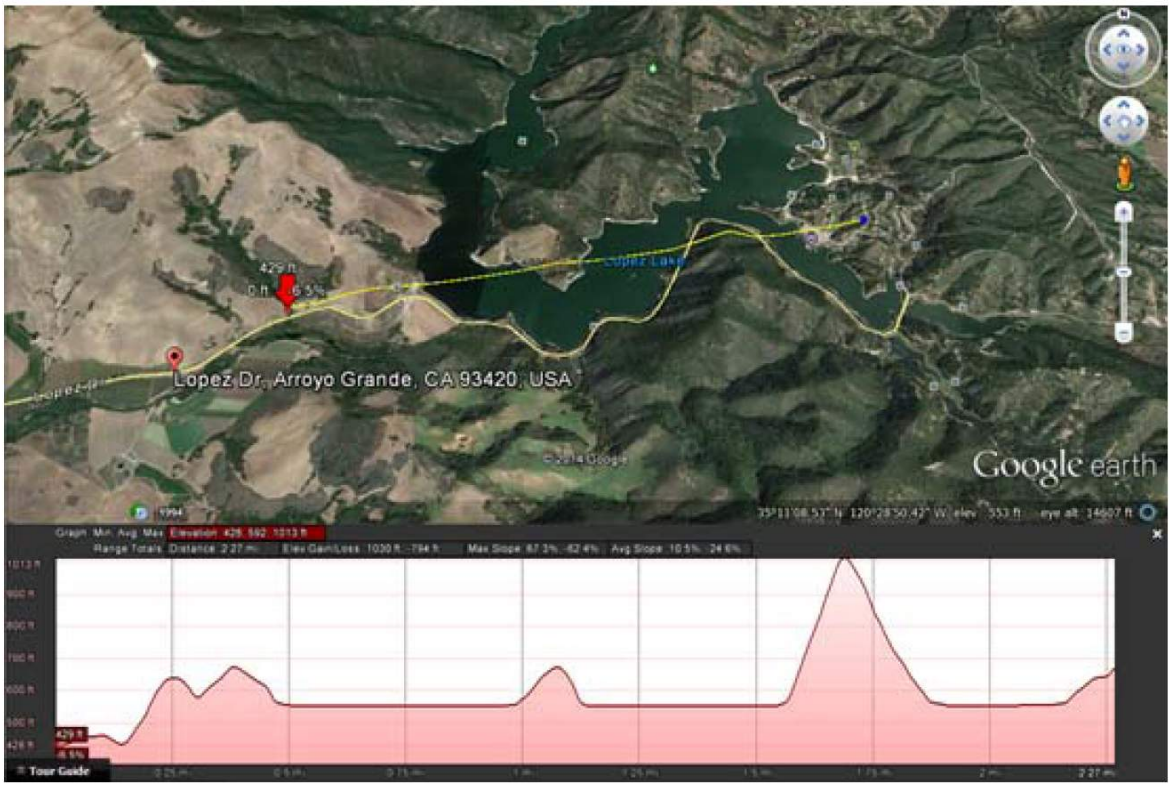
Discussion. The project site is within the Rural Lands land use category and a Minor Use Permit application is the subject of this initial study.

(2) **Application content.** All Minor Use Permit and Conditional Use Permit applications shall include a grading plan, erosion control plan, landscaping plan and architectural elevations. Applications shall also include a visual analysis of the project to show how the location and design of the project will mitigate its visual impact on the Lopez Lake Recreation Area. A visual analysis shall include topographic maps with lines of sight, cross Sections, photographs, or other supporting documentation to demonstrate that the project complies with the location and site development criteria of Subsections E.3.c(3) through E.3.c(5).

Discussion: Project plans include the required elements. The project application includes the following exhibits to illustrate project visual impacts on the Lopez Lake Recreation Area:

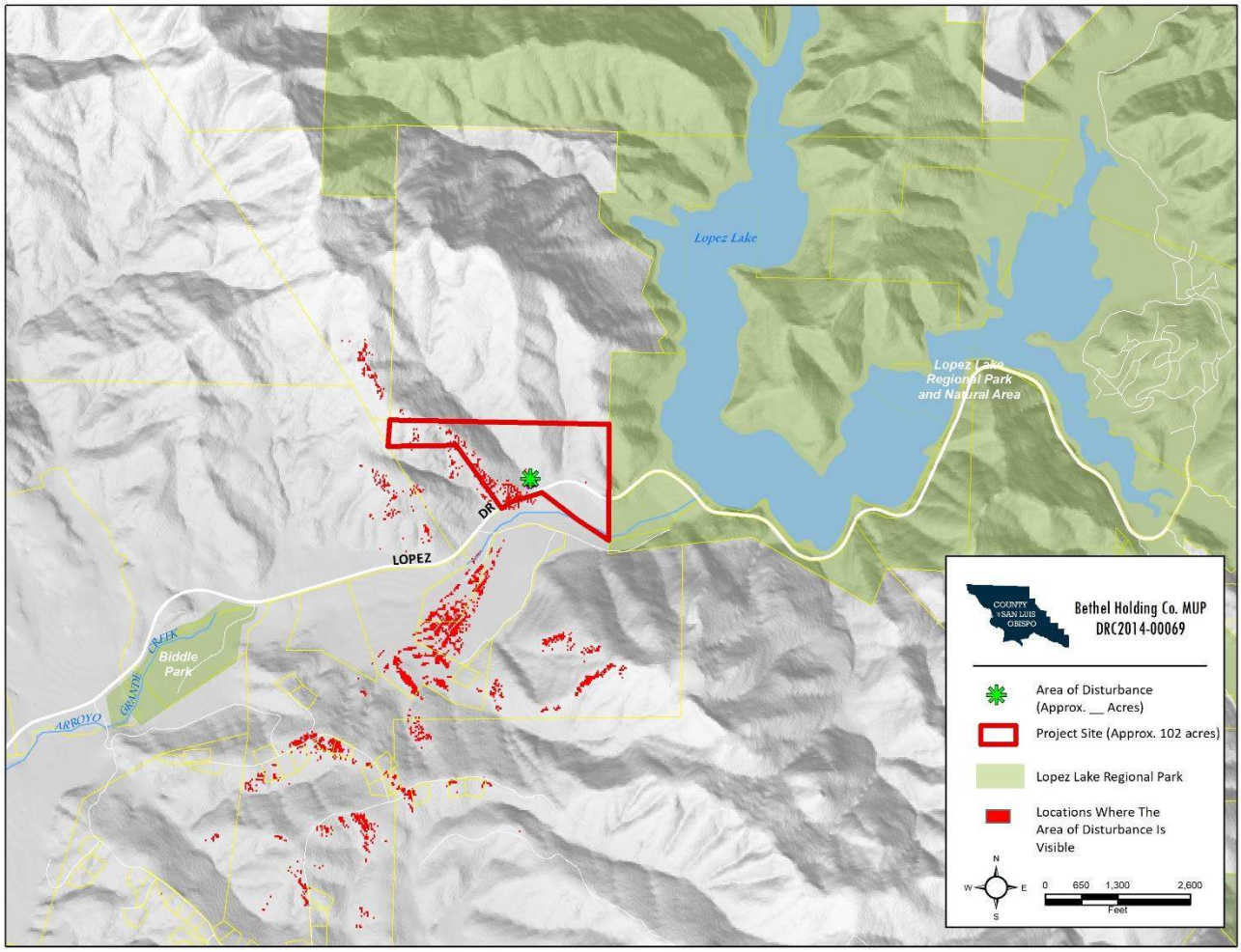
Figure 9 -- Project Site In Relation to Lopez Lake Recreation Area

Figure 10 -- Line of Site Profile



Figures 9 and 10 suggest that the project site will be screened from view of the campground and day-use portions of the Recreation Area by the intervening topography. However, views enjoyed by boaters from the lake itself are also important. Figure 11 provides an illustration of locations where the project site will be visible from surrounding properties, based on a line-of-site analysis using a digital elevation model of the terrain. As shown by the red areas on Figure 11, the project site will not be visible from anywhere within the Recreation Area.

Figure 11 -- Viewshed Analysis



(3) **Building site limitation**. Wherever feasible on properties proposed for development, all building sites and access roads shall be located outside the SRA area, so as not to be visible from the recreation area.

Discussion. The project site does not afford the opportunity to locate the dwelling outside the SRA. However, as shown above, the area of project site/disturbance will not be visible from the Recreation Area.

(4) **Location criteria.** If development cannot comply with Subsection E.3.c(3), compliance with the following location criteria shall be required:
   a) Structures shall be located away from exposed ridges or hilltops to areas of minimum visibility from the Recreation Area.
   b) Locate development to minimize grading for residences and access roads (c) No development, including access roads, shall be permitted on slopes steeper than 30 percent.
   c) Locate access roads to have minimum feasible cross slopes and visibility.
   d) New access to development shall use existing roads wherever feasible.

   Discussion. The dwelling will be located on a relatively level portion of the project site where minimal grading will be required and the buildings will not daylight above the hill. No grading or development is proposed on slopes exceeding 30 percent; existing road cuts will be used.

(5) **Site development criteria.**

   a) Utilize existing vegetation, topographic features and landscaping to screen the visibility of development.
   b) Residences shall be limited to a single story where necessary to reduce visibility.
   c) A maximum road cut of five feet shall be maintained wherever possible in visible areas.
   d) Altered slopes shall be replanted with native plant species.

   Discussion. Existing vegetation along Lopez Drive will be mostly retained and the dwelling will be limited to one story. The project site will be landscaped.

- *The integrity and uniqueness of the existing scenic resource.*

The magnitude of change necessary to create a significant impact to visual resources is greater in a disturbed or non-unique environment than in a pristine or rare environment.

The project site is the last vacant parcel west of Lopez Lake Recreation Area and is visually indistinguishable from the surrounding natural areas managed by the San Luis Obispo County Parks Department. Therefore, development of the project site will degrade the integrity of the existing scenic resource.

- *The magnitude of the change*.

A project that is small in size, or will result in minimal physical changes to the environment, is less likely to cause a significant impact to scenic qualities. Aesthetic changes associated with an individual project may appear significant, but in the context of the entire region may be relatively minor. Changes to visual character of the landscape where the change is minor may be found to be less than significant.

As discussed above, the project site/area of disturbance is currently vacant and surrounded by hillsides on the north, east, and west. However, as discussed above, views of the site are largely screened by dense vegetation along the north side of Lopez Drive. Although the dwelling and guest parking will likely be visible for a brief period from Lopez Drive, which is considered an important view corridor, the buildings will be comparable in size, mass and character to the agrarian architecture of ranches in the area. With these factors, the magnitude of change is not considered significant.

Light and Glare

Land Use Ordinance Section 22.10.060 (Exterior Lighting) requires exterior lighting for new development to be shielded and directed downward. The proposed project includes exterior lighting along the front of the residence as well as the east, west, and north side of the residence/barn. Although not indicated on the plans, guest parking areas may accommodate lighting.

Conclusion/Mitigation

The preceding discussion supports the following conclusions:

- Although the project site is visible to a fairly large number of viewers on a weekend afternoon, the project site is only visible for a very brief time (about three seconds).
- The dwelling and guest house have been designed and located on the project site to minimize the loss of views from the roadway.
- Views of the project site to vehicles travelling on Lopez Drive are partially screened by the existing vegetation.
- The project site will not be visible from Lopez Lake Recreation Area. Project design is consistent with the standards set forth in LUO 22.98.020 (E)(3)(c.).
- The dwelling and guest house incorporate architectural elements that complement the agrarian setting.
- Standard county regulations require exterior lighting to be shielded to minimize glare. The project will be conditioned to provide an exterior lighting plan prior to building permit issuance to ensure the project will not create off-site glare.

With application of the recommended mitigation measures, impacts to aesthetic and visual resources will be reduced to less than significant levels.

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

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

Land Use Category: Rural Lands

State Classification: Not prime farmland

Historic/Existing Commercial Crops: None

In Agricultural Preserve? No

Under Williamson Act contract? No

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

Nacimiento--Calodo complex (50 - 75% slope).

Nacimiento This very steeply sloping shallow loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

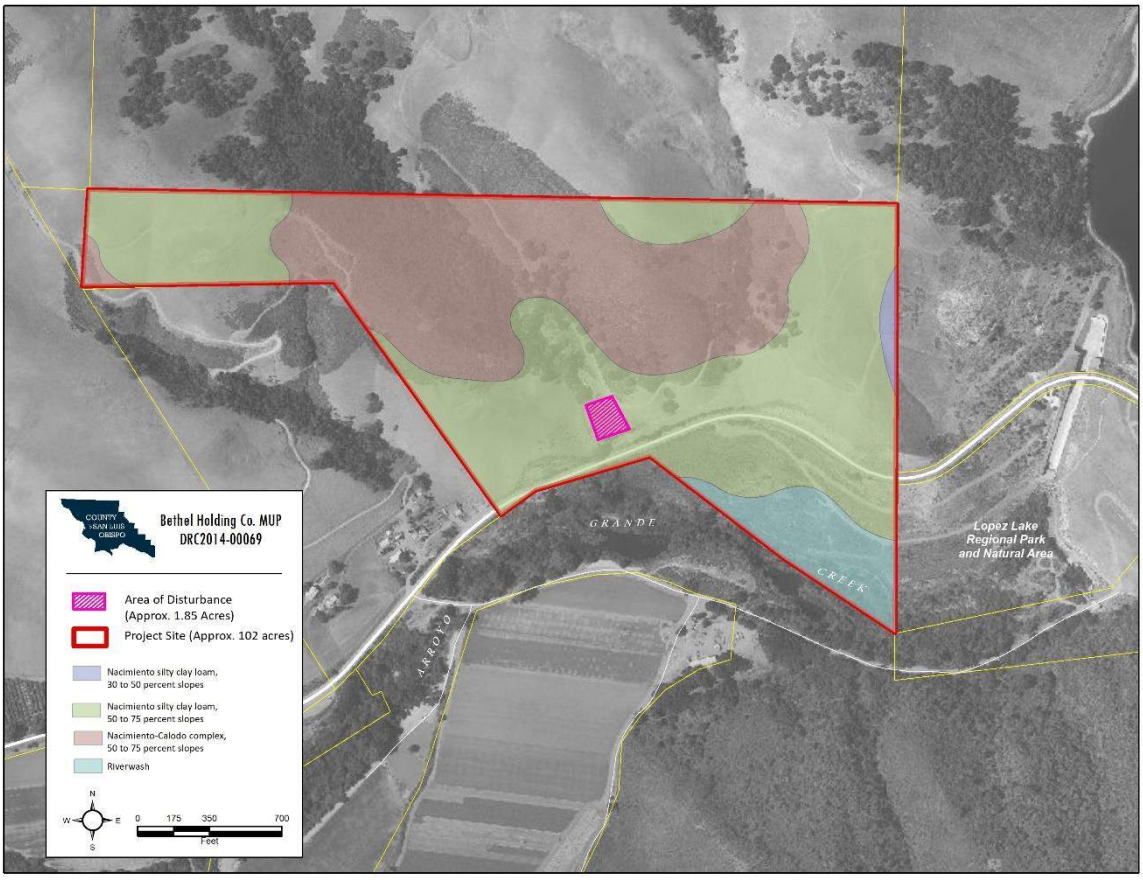
Calodo This very steeply sloping shallow loamy soil is considered not well drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Nacimiento- silty clay loam (30 - 50 % slope). This steeply sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Nacimiento- silty clay loam (50 - 75% slope). This very steeply sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Riverwash. This variably-sloped soil has unrated drainage characteristics. The soil has unrated erodibility and unrated shrink-swell characteristics, as well as having unrated septic system constraints. The soil is considered Class VIII without irrigation and Class is not rated when irrigated.

Figure 12 -- Soils of the Project Site/Area of Disturbance



The approximately 612-acre parcel is located in the Rural Lands land use category, adjacent to Agricultural land to the west and south. Agricultural activities in the vicinity include orchards and row crops and grazing. The project site currently supports about 31 acres of avocados outside the project site/area of disturbance.

A grading permit (GRA2013-00011) was previously approved for the project site, authorized under the alternative review process. The grading would accommodate the establishment of 31 acres of avocados and access roads on the site. Approved grading would include construction of hillside benches to accommodate slopes over 30%.

Impact. The proposed use permit would allow for the construction of a single family residence, barn, guest cottage, pool, and garden. Development would result in the disturbance of approximately 1.0 acres of the site.

Conversion of Prime Farm Land. As shown in Figure 12, the project site/area of disturbance is located on Nacimiento Silty Clay Loam soils of 50 – 75 percent slopes. According to Table SL-2 of the Conservation and Open Space Element, this soil is not considered Prime Farmland. Therefore, the conversion of 1.0 acres to a non-soil based use will have no impact on Prime Farm Land.

Impair the Agricultural Use Of Other Property Or Result in Conversion To Other Uses. As discussed above, there are no ongoing agricultural activities in the vicinity of the project site. Development would not remove or otherwise impair the establishment and/or agricultural use of 31 acres of avocados.

Conflict With Existing Zoning or Williamson Act Program. The project site is within the *Rural Lands* land use category (zoning) and within the Arroyo Grande Valley Agricultural Reserve Area. However, the project site is not subject to a Williamson Act Contract. Properties surrounding the project site to the north west and south are under active Williamson Act contracts. However, construction of a single family residence would not conflict with the agricultural use of surrounding properties or conflict with zoning established for agricultural use.

The project was referred to the Agricultural Commissioner's office for review and comment. Their response (January, 2015) indicates they have no concerns with the project and additional agricultural buffering is not required.

Mitigation/Conclusion. No significant impacts to agricultural resources are anticipated; therefore, no mitigation measures are necessary.

3. AIR QUALITY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	☐	☐	☒	☐
b) Expose any sensitive receptor to substantial air pollutant concentrations?	☐	☒	☐	☐
c) Create or subject individuals to objectionable odors?	☐	☐	☒	☐
d) Be inconsistent with the District's Clean Air Plan?	☐	☐	☒	☐
e) Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?	☐	☐	☒	☐
GREENHOUSE GASES				
f) ***Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***	☐	☐	☒	☐
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
h) Other: _____	☐	☐	☐	☐

Setting. In March, 2002 the San Luis Obispo County Air Pollution Control District (APCD) adopted a Clean Air Plan (CAP) which sets forth strategies for achieving and maintaining federal and State air pollution standards. State standards for ozone and fine particulate matter (PM_{10}) are currently exceeded within the District, and violation of federal standards may occur in future years without adequate planning and air quality management.

The SLO APCD's 2012 CEQA Air Quality Handbook assists lead agencies, planning consultants, and project proponents in assessing the potential air quality impacts from new development. The Handbook defines the criteria used by the APCD to determine when an air quality analysis is necessary, the type of analysis that should be performed, the significance of the impacts predicted by the analysis, and the mitigation measures needed to reduce the overall air quality impacts.

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

be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

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

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

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

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO2/year (MT CO2e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO2e/yr was adopted for stationary source (industrial) projects.

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

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

Impact. As proposed, the project will result in the disturbance of approximately 1.0 acres. Construction activities will generate exhaust emissions from construction equipment and vehicles, and particulate matter (fugitive dust) from earth disturbance. In addition, the emission of ozone precursors (NOx and ROG) associated with these activities would contribute to periodic high ozone levels in the southern portion of the County. Lastly, earth disturbing activities have the potential to release naturally occurring asbestos.

<u>Construction Phase Impacts</u>

The SLO APCD CEQA Handbook establishes thresholds of significance for various types of development and associated activities (Table 1). The Handbook also includes screening criteria for

construction related impacts. According to the Handbook, a project with grading in excess of 4.0 acres and moving 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM_{10}). In addition, a project with the potential to generate 137 lbs per day of ozone precursors (ROG + NOx) or diesel particulates in excess of 7 lbs per day can result in a significant impact (Table 1). The project is not expected to exceed the daily emissions threshold for ROG and NOx combined.

Table 1 – Thresholds of Significance for Construction

Pollutant	Threshold[1]		
	Daily	Quarterly Tier 1	Quarterly Tier 2
ROG+NOx (combined)	137 lbs	2.5 tons	6.3 tons
Diesel Particulate Matter	7 lbs	0.13 tons	0.32 tons
Fugitive Particulate Matter (PM10), Dust2		2.5 tons	
Greenhouse Gases (CO2, CH4, N2O, HFC, CFC, F6S)	Amortized and Combined with Operational Emissions		

Source: SLO County APCD CEQA Air Quality Handbook, page 2-2.
Notes:

1. Daily and quarterly emission thresholds are based on the California Health & Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5 ton PM10 quarterly threshold.

Based on the preliminary grading plan submitted with the project, the project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres, including 1,700 feet of trenching for the new water line. Therefore construction related emissions will fall below the general thresholds triggering construction-related mitigation.

Impacts to Sensitive Receptors. Sensitive receptors are people or other organisms that may have a significantly increased sensitivity or exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. The project is within 1,000 feet of residences to the west on Lopez Drive which can be occupied by sensitive receptors who could be exposed to diesel particulates and fugitive dust from construction activities. This is considered a potentially significant impact.

Naturally Occurring Asbestos. According to the APCD CEQA Air Quality Handbook, Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (CARB). Under the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, 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.

The APCD website includes a map of zones throughout SLO County where NOA has been found and a geological evaluation is required prior to any grading. According to the web site map, the project site lies in the area where a geologic study for the presence of NOA is required.

Development Burning. On February 5, 2000, the SLO APCD prohibited development burning of vegetative material within San Luis Obispo County. However, in under certain circumstances where no technically feasible alternative is available, limited burning may be allowed subject to regulations applied by the SLO APCD. Unregulated burning would result in a potentially significant impact.

Operational Phase Impacts
According to the APCD thresholds of significance, a project with less than 68 single family residences in an urban setting is unlikely to exceed to APCD operational thresholds for ozone precursor emissions. This project is a minor use permit for construction of a single family residence, barn and guest house. Therefore, operational phase emissions relating to ozone precursors and particulate matter are considered less than significant.

Consistency With the Clean Air Plan. The project will accommodate a level of development for the site that was anticipated by the Clean Air Plan. As discussed above, motor vehicle trips associated with operation of the project are expected to generate emissions that fall below the APCD threshold for operational impacts.

With regard to greenhouse gas emissions, 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 Clean Air Plan includes land use management strategies to guide decisionmakers on land use approaches that result in improved air quality. This development is consistent with the "Planning Compact Communities" strategy because it incorporates an increase in development density within an urban area (Templeton URL) which is preferable over increasing densities in rural areas.

Mitigation/Conclusion. With the recommended mitigation measures, the project is expected to have a less than significant impact on air quality resulting from construction emissions.

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

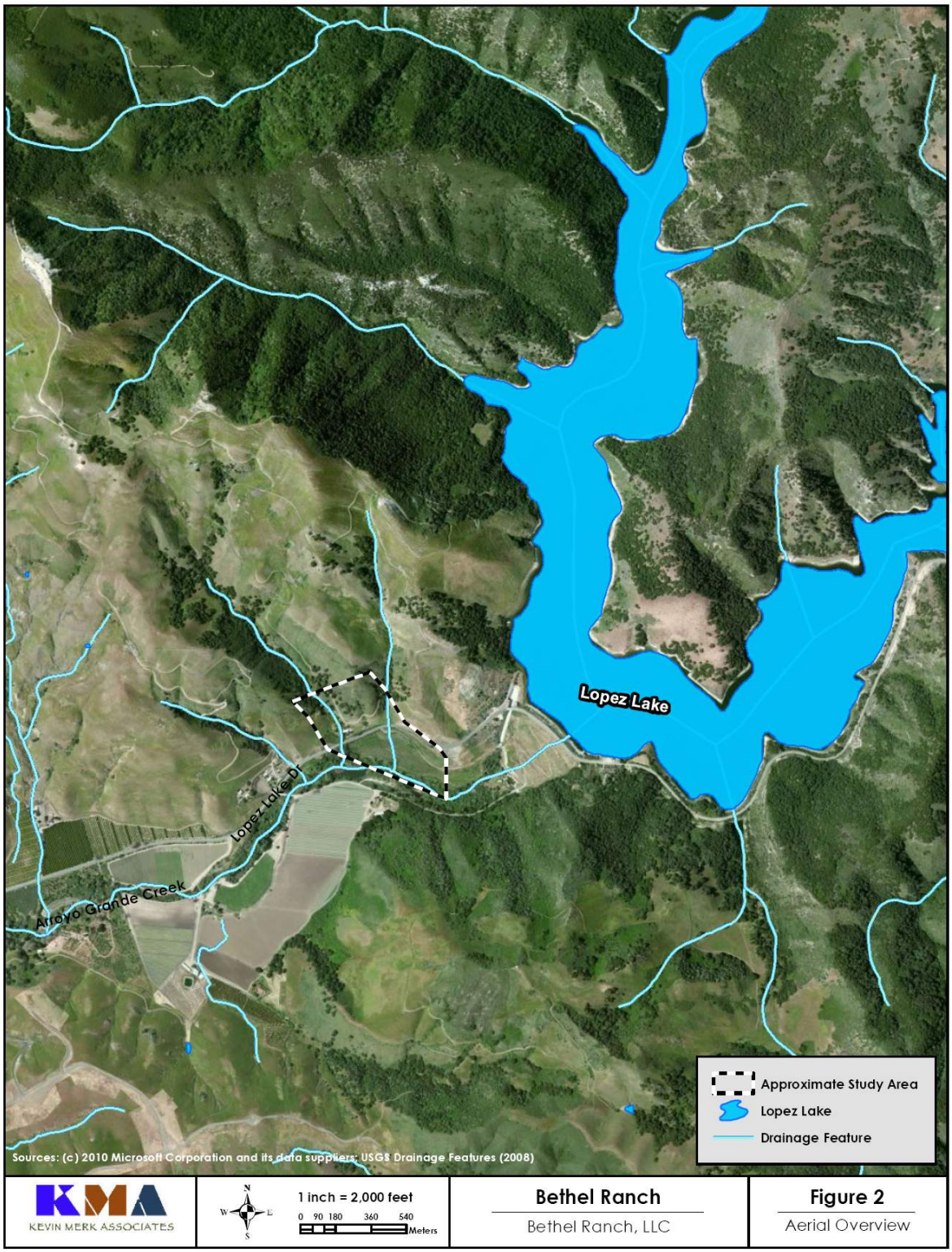
*** Species – as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.**

Environmental Setting. A biological resources assessment (BRA) was prepared for a 30 acre portion the project site in 2014 by Kevin Merk Assoicates, LLC. The study area included the proposed project site/area of disturbance and an area extending to the west along Lopez Drive (Figure 13). The following is a summary of the findings and recommendations of that study.

The BRA study area consists of a rectangular flat to sloping area on the north side of Lopez Drive that is proposed for residential development along the western edge. An additional area south of Lopez Drive and adjacent to Arroyo Grande Creek was also included since an existing well is located in this area and a waterline will be extended from the well to the new residence. The proposed residential site consisted of a flat area with bare soils and ruderal vegetation. The immediately surrounding area is dominated by heavily grazed annual grasslands and non-native trees. A small seasonal drainage feature is present on the west side of the proposed development area, and the upper portion of the channel and surrounding hills contain oak woodland, coastal scrub, and annual grassland habitats. A roadside ditch parallels the north side of Lopez Drive.

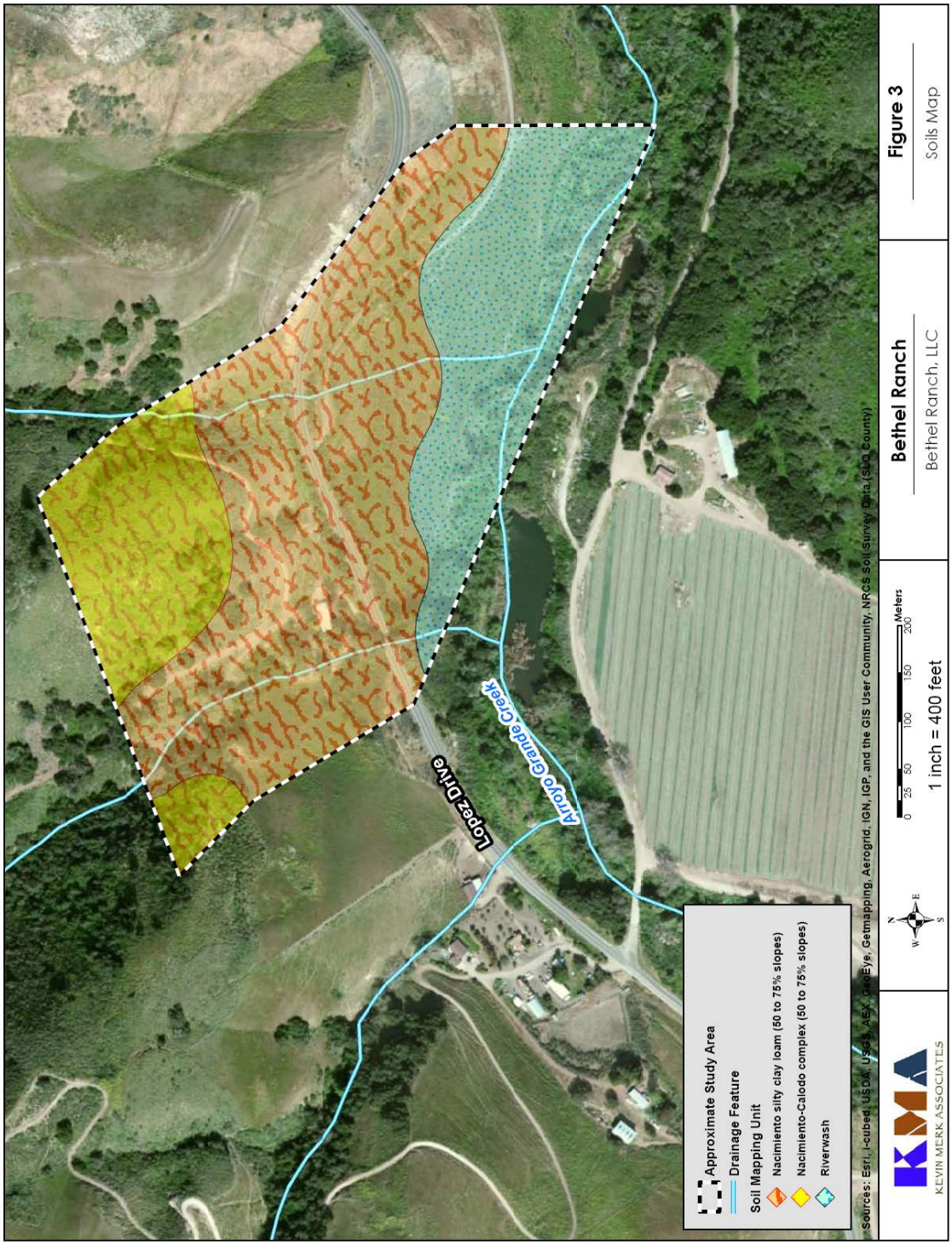
The proposed water line route is located south of Lopez Drive, in a flat area dominated by native grassland and coyote brush scrub habitat adjacent to Arroyo Grande Creek. An existing dirt road provides access to the existing well, and to facilities at the base of Lopez Dam.

Figure 13 -- BRA Study Area



Habitats and Vegetation. Primary habitat types, or plant communities present in the study area include grassland, coastal scrub, oak woodland, and riparian. Disturbed or ruderal areas, and a tree of heaven *(Ailanthus altissima)* stand, which is an invasive species, were also present. Habitat conditions observed in the study area are discussed further below and illustrated on Figure 14.

Figure 14 – Habitats Within the BRA



Oak Woodland

Areas of oak woodland habitat consisting mostly of coast live oak *(Quercus aqrifolia]* trees are present in the study area on hillsides and along the two drainage features. Scattered occurrences of riparian tree species such as arroyo willow *(Salix lasiolepis),* and western sycamore *(Platanus racemosa)* were present in the oak woodland habitat along the drainages, but their extent was not great enough to map separately. Occurrences of oak woodland on the slopes in the center of the study area surrounded by coastal scrub habitat did not include riparian plant species.

Oak woodlands, in general, provide quality habitat for a large variety of wildlife species. Oaks provide nesting sites and cover for many species, as well as "hawking sights" for raptors and other bird species. They also contribute woody debris to the duff in the woodland understory, which provides foraging areas for small mammals, reptiles, and amphibians. Acorns are also a food source for many animal species including scrub jay *(Aphelocoma corulescens)* and western gray squirrel *(Sciurus griseus).* Other species that could potentially occur in the oak woodland onsite include the arboreal salamander *(Aneides luqubris],* western screech owl *(Otus kennicottii),* and the oak titmouse *(Baeolophus inornatus).*

Grasslands (annual and perennial)

Much of the study area consists of annual grasslands dominated by non-native Mediterranean grasses. The grassland areas north of Lopez Drive consist of heavily grazed areas with annual species such as wild oats *(Avena barbata),* ripgut brome *(Bromus diandrus),* soft chess *(Bromus hordeacous),* mallow *(Malva nicaaensis)* and prickly sow thistle *(Sonchus asper).* The annual grassland habitat observed on the property corresponds to the wild oats grassland described in the Manual of California Vegetation (2009, second edition) and the non-native grassland described by Holland (1986).

Areas of native perennial grasses comingling with coyote brush *(Baccharis pilularis)* were observed south of Lopez Drive. In this portion of the site giant wild rye *(Leymus condensatus) w*as present. This grassland habitat does not correspond to habitats described the Manual of California Vegetation (2009, second edition) or Holland (1986). Based on aerial photograph review, past work on the Lopez Lake Dam in the early 2000's graded this area, constructed the earthen berm to confine Arroyo Grande Creek, and subsequently revegetated the area with coyote brush and giant wild rye. Aerial imagery reviewed on Google Earth from 2002 showed the entire area graded and actively under construction during the Lopez Lake Dam retrofit project.

California grasslands provide foraging, breeding habitat and movement opportunities for many wildlife species. Several mammals, such as the California ground squirrel *(Spermophilus beecheyi),* Botta's pocket gopher *(Thomomys bottae),* and deer mice *(Peromyscus* spp.) are common inhabitants. Numerous invertebrate species (such as insects), many of which provide a food source for larger animals such as reptiles, birds and some small mammals are also found within grassland communities.

Coastal Scrub and Cayote Brush Scrub

The majority of the coastal scrub habitat observed onsite is consistent with Holland's classification of Central (Lucian) Coastal Scrub. Black sage *(Salvia mellifera],* California buckwheat *(Eriogonum fasciculatum],* California sagebrush *(Artemisia caliJornica),* monkeyflower *(Mimulus aurantiacus),* buckbrush *(Ceanothus cuneatus),* and coyote brush were among the native species observed within this plant community onsite. Coastal scrub present on hills north of Lopez Drive contained a mix of the species listed above, while scrub in flat areas south of Lopez Drive was dominated by coyote brush, and intermixed with giant wild rye.

Mammals expected to occur in or frequent the areas of coastal scrub habitat present, based on either direct observations or the presence of "sign", include brush rabbit *(Sylvilagus bachmanii),* California mouse *(Peromyscus californicus],* Botta's pocket gopher *(Thomomys bottae),* and California ground

squirrel *(Spermophilus beecheyl).* Bird species expected to occur include American crow *(Corvus brachyrhynchos),* mourning dove *(Zenaida macroura),* California thrasher *(Toxostoma redivivum),* and scrub jay *(Aphelocoma coerulescens).* Common lizards such as western fence lizard *(Sceloporus occidentalis)* are also expected to occur within coastal scrub habitats in the area.

Riparian

Riparian habitat was observed primarily along Arroyo Grande Creek. Elements of riparian habitat were also observed along the roadside ditch on the north side of Lopez Drive and scattered within the oak woodland habitat in the upper reaches of the two drainages in the northern part of the study area. Arroyo willow, sycamore, and coast live oak trees were the primary tree species observed in the Arroyo Grande Creek corridor. An occasional occurrence of California walnut *Uuglans californica)* was also present along the upper reaches of the two drainages in the northern portion of the study area. It was not clear if these were remnants of former agricultural operations onsite that may have naturalized or native occurrences. The roadside ditch along Lopez Drive contained a mix of shrubs including arroyo willow, blue elderberry *(Sambucus nigra* ssp. *caerulea),* coffeeberry *(Frangula californtcai,* coyote brush, and poison oak *(Toxicodendron diversilobum).* The understory was mostly weedy species typical of grazed areas, including horehound *(Marrubium vulgare)* and poison hemlock *(Conium maculatum).*

The riparian forest community provides perching, foraging, and nesting opportunities for resident and migratory bird species. Common non -avian species of riparian woodland habitats expected to occur onsite include reptiles such as the western fence lizard and common kingsnake *(Lampropeltis getula),* and mammals such as raccoon *(Procyon lotor),* opossum *(Didelphis virginiana),* and striped skunk *(Mephitis mephitis).* Riparian areas may also provide shading and microclimate control for a variety of aquatic and amphibian species when water is present. Along more permanent water sources, such as Arroyo Grande Creek, the riparian habitat could support a diverse assemblage of wildlife species.

Disturbed/Ruderal

The ruderal/disturbed areas observed within the study area consisted of dirt roads, bare dirt areas, and areas used for vehicle and trailer parking. Plant species observed in ruderal/disturbed areas included ripgut brome *(Bromus diandrus),* yellow star thistle *(Centaurea solstitialis),* and summer mustard. Two coast redwoods *(Sequoia sempervirens)* were present near the gated entrance to the northern portion of the study area, clearly planted individuals that are not native to the area.

The ruderal/disturbed conditions present would typically attract common wildlife species adapted to human disturbance, and are not expected to provide significant habitat values for native wildlife. Disturbed or ruderal habitat is not a native plant community, and is not described in the Manual of California Vegetation (2009) or in Holland's (1986) vegetation classification.

Tree of Heaven Stand

The southwestern corner of the study area along Lopez Drive and the lower portion of the western drainage contained a stand of tree of heaven that was planted onsite. Tree of heaven is listed by the California Invasive Plant Council as a moderately invasive species. Moderately invasive species are considered to have substantial and apparent, but generally not severe, ecological impacts on physical processes, plant and animal communities, and vegetation structure. Their reproductive biology and other attributes are conducive to moderate to high rates of dispersal, though establishment is generally dependent upon ecological disturbance (CAL-IPC 2012). Tree of heaven causes significant displacement of native vegetation in riparian zones, and should be removed to allow replanting with native species.

Special Status Species. For the purpose of the BRA, special status species are those plants and animals listed, proposed for listing, or candidates for listing as Threatened or Endangered by the U.S. Fish and Wildlife Service (USFWS) under the federal Endangered Species Act (ESA); those listed or

proposed for listing as Rare, Threatened, or Endangered by the California Department of Fish and Wildlife (CDFW) under the California Endangered Species Act (CESA); animals designated as "Species of Special Concern," "Fully Protected," or "Watch List" by the CDFW; and plants occurring on California Rare Plant Rank lists 1, 2, 3 and 4 developed by the CDFW working in concert with the California Native Plant Society. The specific Rare Plant Rank code definitions are as follows:

- IA = Plants presumed extinct in California;
- IB.I = Rare or endangered in California and elsewhere; seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat);
- IB.2 = Rare or endangered in California and elsewhere; fairly endangered in California 20-80% occurrences threatened);
- IB.3 = Rare or endangered in California and elsewhere, not very endangered in California «20% of occurrences threatened or no current threats known);
- 2 = Rare, threatened or endangered in California, but more common elsewhere;
- 3 = Plants needing more information (most are species that are taxonomically unresolved; some species on this list meet the definitions of rarity under CNPS and CESA); and
- 4.2 = Plants of limited distribution (watch list/fairly endangered in California (20- 80% occurrences threatened).
- 4.3= Plants of limited distribution (watch list), not very endangered in California.

In addition, sensitive natural communities are those listed in the CNDDB (California Department of Fish and Wildlife, queried in September 2014).

The evaluation of special status animal species and identification of habitat that could support these species was based on field observations to aid in the development of a habitat suitability analysis level. Definitive surveys for the presence or absence of the species that may be present were not conducted. Definitive surveys for special status wildlife generally require specific survey protocols with extensive field survey time to be conducted only at certain times of the year. Further, the BRA relies on existing information and known occurrence records in the region coupled with site-specific observations to make presence/absence determinations for special status species potentially occurring onsite.

Special Status Natural Communities

The CNDDB five-mile search identified no occurrences of special status natural communities within the vicinity of the study area. The biologist's knowledge of and past studies in the area, however, identified wetland, riparian, native grassland, maritime chaparral, and serpentine rock outcrops in the general area. Within the area of disturbance, riparian habitats were identified along the drainage features. While native grasses were observed onsite, they were components of other habitat types, and no areas of native bunch grass habitat were observed within the study area.

Oak Trees and Oak Woodlands

Although coast live oaks are not a state or federally listed botanical species, the evaluation of impacts to oak woodlands is required by Senate Bill 1334 and the addition of Section 21083.4 to the California Public Resources Code (PRC). PRC Section 21083.4 requires that California lead agencies certify completion of project environmental review under the California Environmental Quality Act (CEQA).

The County's CEQA review process requires the evaluation of potential significant effects to oaks greater than 5 inches DBH, as measured at a height of four feet six inches above ground. Impacts include any ground disturbance within the critical root zone (i.e., 1.5 times the edge of canopy/drip line), trunk damage, or any pruning of branches that are three inches in diameter or greater. Mitigation ratios for removed and impacted trees are 4:1 and 2:1, respectively.

Special Status Plants
The CNDDB identified numerous special status plant species in the general area. Using the five mile search, ten (10) special status plant species were identified within the general project area. None of these ten species were determined to have the potential to occur within the study area due to the lack of potentially suitable habitat conditions. Focused botanical surveys in the spring and summer confirmed that the proposed development project would not result in impacts to special status plants. The majority of the special status plant species identified in the 5-mile radius and larger nine-quadrangle CNDDB search have highly specialized habitat requirements that do not occur in the study area. This includes species that occur on active and stabilized coastal dunes, in maritime chaparral, or on serpentine derived soil habitats. For example, biological survey efforts focused special attention on locating Pismo clarkia due to its state and federal status, and known occurrence in the surrounding area. Field surveys conducted during the 2013 blooming period did not observe the species. Pismo clarkia generally occurs on sandy soils, which according to survey observations and NRCS soil data are not present on site.

Botanical surveys conducted in 2013, did not identify any special-status plants within the study area or surrounding portions of the property. Appendix B of the BRA provides further detail and a determination as to the potential presence of special-status plant species in the study area. Given the disturbed conditions of the proposed development area, special status plants are not expected to be affected by the proposed project.

Special Status Animals
The five mile radius and nine-quadrangle CNDDB search contained a number of recorded occurrences of special-status wildlife species in the area. Similar to listed plants in the region, many wildlife species listed in Appendix B are not expected to occur onsite based on the lack of suitable habitat. For example, coastal species such as tidewater goby *(Eucyclogobium newberryi),* Morro Bay blue butterfly *(Plebejus icarioides moroensis)* and western snowy plover *(Charadrius alexandrinus nivosus)* are not expected to occur onsite based on the study area's distance from the ocean. Please refer to Appendix B for further detail and a determination as to the potential presence of special-status wildlife species in the study area.
The CNDDB identified eight (8) special status animal species observed within five miles of the site. Of these, five (5) species have potential to occur due to presence of potentially suitable habitat conditions, and are listed below.

- California red-legged frog *(Rana draytoniiy,*
- Coast Range newt *(Taricha torosa),*
- coast horned lizard *(Phrynosoma blainvilliiy.*
- southern steelhead *(Oncorhynchus mykiss irideus),* and,
- western pond turtle *(Emys marmorata).*

A number of avian species could also utilize Arroyo Grande Creek, oak woodlands, and open grasslands in the larger Ranch area for nesting and foraging habitat. Suitable nesting habitat for various raptors and other avian species is present in the oak woodlands and riparian habitats of the Ranch. While a potential occurrence is unlikely within the proposed development site, the following special-status avian species could occur in the study area:

- Cooper's hawk *(Accipiter cooperii);*
- Loggerhead shrike *(Lanius ludovicianus);*
- Purple martin *(Progne subis);*
- Sharp-shinned hawk *(Accipiter striatus);* and
- White-tailed kite *(Elan us leucurus).*

Other special-status species known from the region that could occur in the study area due to the presence of suitable habitat are as follows:

- Two-striped garter snake *(Thamnophis hammondii);*
- American badger *(Taxidea taxus);*
- Hoary bat *(Lasiurus cinereus);*
- Western red bat *(Lasiurus blossevilli);* and
- Yuma myotis *(Myotisyumanensis)*

The evaluation of special status wildlife species occurrence within the study area was based on a habitat suitability analysis. It did not include definitive surveys to determine their presence or absence, but did include direct observation of the development site and adjacent area conditions, review of biological reports, and CNDDB records documenting recorded occurrence data from the area to conclude whether or not a particular species could be expected to occur. Based on surveys and site analysis, it is highly unlikely that any special status wildlife species are present within the proposed development area and would be adversely affected by the proposed project.

The southern portion of the study area includes federally designated critical habitat elements for Central California Coast steelhead distinct population segment associated with Arroyo Grande Creek. This determination is based on information obtained from the U.S. Fish and Wildlife Service (USFWS) critical habitat website. No work is proposed within the bed or banks of Arroyo Grande Creek, and the project has established a 50-foot setback from a small drainage tributary to Arroyo Grande Creek.

Impacts. The proposed development has been sited to provide a setback from existing coast live oak woodlands, and to generally avoid the onsite drainage features. The proposed main entrance road will bisect a small band of riparian vegetation along the drainage ditch. In addition, the proposed waterline will be installed in a previously disturbed area that was graded during construction activities associated with the Lopez Lake Dam retrofit project. Overall, proposed development activities will avoid and minimize impacts to special status biological resources such as freshwater seep/wetland habitat in the eastern part of the site, and Arroyo Grande Creek and its associated riparian habitat in the southern part of the site.

The potential exists for special status wildlife, primarily birds, bats and other highly mobile species such as the American badger, to occur on site.

Impacts to Unique or Special-status Plant Species. Field surveys were conducted within the appropriate blooming period for all special-status plants with potential to occur within the BSA as listed in the BRA. No listed species were found within the area of disturbance and none are expected to be adversely impacted by the project.

Impacts to Unique or Special-status Wildlife Species. Considering the small size of the proposed development in relation to the amount of open space on the larger property and surrounding area, and current human uses onsite, the project is expected to have a less than significant impact to wildlife resources. Potential indirect impacts associated with construction and the increase of human presence would include increased noise, introduction of domestic pets and presence of non-native pest plants and animals.

Development of the property is not anticipated to significantly affect wildlife resources, and would not be expected to adversely affect wildlife migration or movement in the region.

The defined project area is small in relation to the remainder of the property, and a setback from the drainage features have been incorporated into the project. As a result, movement opportunities for wildlife currently using the area will persist post construction and occupation of the site.

Proper design and use of new lighting (i.e., shielding to prevent spill-over and light contamination in

open space) will help minimize indirect impacts to wildlife post development. Certain species of aerial-foraging bats may actually be helped by night lighting because of their attraction to prey items such as flying insects. Night lighting for the project should be kept to the minimum necessary for safety purposes and should comply with current County standards.

American Badger and Coast Horned Lizard. As stated above, although it is unlikely that these two species occur within the proposed development footprint north of Lopez Drive, both species are known to occur in the general area and could be present onsite prior to construction of the access road improvements and waterline.

Bats. Bats could use the existing trees as roosts.

Impacts to Migratory Birds. Construction of the proposed residence (e.g., site grading, vegetation removal) could also impact a variety of nesting migratory bird species, if site disturbance is implemented during the typical nesting bird season (February 15 through September 15).

Impacts Effecting the Extent, Diversity, or Quality of Native or Other Important Vegetation. To meet County standards for driveway access and sight distance, the Public Works Department is requiring a single driveway access to Lopez Lake Drive. To satisfy the County's sight distance standards (discussed in Section 12. Transportation) three 12 inch oak trees will be removed within the right-of-way. Per Section 21083.4 of the PRC, if the County determines that there may be a significant effect to oak woodlands (e.g., oak trimming or removal), the County must require one of the following four methods of impact mitigation under CEQA:1) conservation of existing oak woodlands, 2) planting and subsequent success monitoring of an appropriate number of trees, 3) contribution to the Oak Woodlands Conservation Fund, or 4) other measures established by the County.

The County requires mitigation for impacts to, or removal of, native oak trees with a diameter at breast height (DBH) of five inches or greater, as measured at a height of four feet six inches above ground. Impacts include any ground disturbance within the critical root zone of one and one-half times the canopy/drip line diameter, trunk damage, or any pruning of branches three inches in diameter or greater. Mitigation ratios to removed and impacted trees are 4:1 and 2:1, respectively.

The project would also result in the removal of non-native annual grassland for the entrance driveway and disturbed/ruderal area for the proposed home and associated landscaping. This is considered a less than significant impact pursuant to CEQA. Disturbed areas dominated by non-native species are not considered sensitive plant communities by the CDFW and are common throughout the region. Furthermore, the non-native grasslands observed onsite have been disturbed by grazing and do not support any special-status species. Any loss of the non-native habitat types onsite would be considered a less than significant impact pursuant to CEQA and mitigation would not be required to offset these impacts to a less than significant level.

Impacts on Wetland or Riparian Habitat. Access road improvements from Lopez Drive to the proposed residence will cross a small roadside drainage ditch and thin bank of riparian habitat. Residential development is proposed in a flat disturbed area, and will be setback from a small drainage feature approximately 50 feet from the drainage centerline. The lower reach of this drainage has been degraded by past disturbances such as cattle grazing, and contains a high percentage of invasive plant species.The project will incorporate invasive species removal in the vicinity of the homesite, which will greatly improve habitat value and the overall quality of the area. Removal of tree of heaven would also greatly enhance the ecological values of the lower portion of the drainage.

The construction of a water pipeline to bring water from an existing well south of Lopez Drive to the new homesite is not expected to impact riparian habitat or the natural drainage features. An approximately 15 foot wide area along the pipeline path would be temporarily impacted by construction, and this area would be seeded with the native erosion control seed mix specified below. All construction will be outside the Arroyo Grande Creek riparian corridor.

Impacts to Riparian Habitat and the Drainage Ditch. Project plans show the removal of about 300 square feet of willows from the drainage feature that parallels Lopez Drive for the construction of the primary driveway. Compensatory planting is provided to the west along the same drainage feature. The thin band of riparian habitat along Lopez Drive is not likely considered waters of the United States under the jurisdiction of the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act since there was no ordinary high water mark present or evidence of sufficient ponding to establish the hydric soil criterion. As such, permitting from the U.S. Army Corps of Engineers and subsequently the Regional Water Quality Control Board is not expected for access road construction. Given the small band of riparian habitat that may require trimming or removal during construction, it is anticipated that the CDFW would require a Streambed Alteration Agreement pursuant to California Fish and Game Code Sections 1600 et seq.

Impacts to Water Quality. Construction of the residence could pose a risk to water quality and aquatic species downstream of the site. Potential risk comes from the following sources: (a) fuels, hydraulic fluids, concrete washout, paints, solvents, and other chemicals; (b) increased erosion and sedimentation during construction; and (c) pesticides, fertilizers, and herbicides. Because of the sensitivity of aquatic habitats, the introduction of sediments, fuels, oils, solvents, pesticides, fertilizers, and herbicides to the onsite drainages and subsequently to Arroyo Grande Creek would be a potentially significant impact, especially considering the presence of special status aquatic species in the Arroyo Grande Creek corridor. Ensuring sediment-laden runoff does not leave the site during construction, and that post construction runoff is consistent with preconstruction conditions will be important to avoid potential impacts to water quality.

Mitigation/Conclusion.

The applicant shall replace removed oaks tree at a 4:1 ratio and any impacted trees at a 2:1 ratio. Adequate watering, weeding and remedial work should be done to care for the oak seedlings until they are successfully established for no less than seven years.

If work occurs during the nesting season, birds protected by the Migratory Bird Treaty Act and/or the California Department of Fish and Game Code may be impacted. Short-term, temporary impacts to nesting birds (and other wildlife in the area) include noise and vibration during construction. Mitigation is offered to avoid any impacts to nesting birds

To avoid or minimize potential adverse impacts to unique or special plant species and impacts to unique and special wildlife species, the applicant has agreed to implement avoidance measures listed in detail in Exhibit B, Mitigation Summary Table. With the incorporation of these measures, impacts upon biological resources will be reduced to a less than significant level.
Yessssyes ples

5. CULTURAL RESOURCES

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

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

In July, 2015, the legislature added the new requirements to the CEQA process regarding tribal cultural resources in Assembly Bill 52 (Gatto, 2014). By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, § 21080.3.1.) If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code §20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.

In accordance with AB52, referrals were sent to the tribal organizations listed with the Native American Heritage Commission. No responses were received.

A Phase I archaeological surface survey was conducted for the project site in May, 2014 by Thor Conway, Heritage Discoveries, Inc. The following is a summary of the findings and recommendations of that study.

Sources Consulted
A search was made for pertinent background information relating to prehistoric and historic land use in the project area. An archaeological sites record search from the Central Coast Information Center of the California Historical Resources Information System at the University of California at Santa Barbara included information about recorded archaeological sites and surveys within a half-mile radius of the study area. The project area does not appear to have had a previous archaeological survey.

Cultural Background
The study of Chumash prehistory has become increasingly divided into chronological and regional divisions starting with earlier syntheses (Greenwood 1972; Gibson 1994) and continuing with comprehensive studies (Bouey & Basgall 1991). While archaeological surveys are commonly made throughout the Northern Chumash territory, sizeable excavations had been more limited and generally located at coastal sites. Studies that are more recent have identified regional trends and adaptations such as work at Pico Creek and Little Pico Creek (Jones & Waugh 1995), a series of sites at Morro Bay (Jones et al. 1994), and an early settlement inland at Cross Creek (Fitzgerald & Jones 1999). Over 2,400 archaeological sites have been recorded in San Luis Obispo County, although many of these heritage resources have been destroyed or damaged by development.

Archaeological Background
A number of site surveys and test excavations have taken place near the study area. Over a dozen recorded archaeological sites exist with the City of Arroyo Grande and nearby Pismo Beach.

Ethnography
The entire San Luis Obispo area, including all of the project area, was home to the Northern Chumash, or *Obispeno*, for over 9,000 years. The *Obispeno* territory covered an area from Arroyo Grande Creek to San Simeon along the coast with inland settlements across the Coastal Range and into the Salinas River drainage north of Paso Robles (Gibson 1983; King 1984). The Northern Chumash world bordered upon the Yokuts of the Central Valley in the area now defined as eastern San Luis Obispo County, while their neighbors to the north were the Salinans. South of Arroyo Grande related Chumash groups, such as the Purisimeno and inland the Cuyama Chumash, were settled. The Chumash made use of several ecological settings including coastal resources, oak openings in the valleys, foothill areas and extensive grasslands.

The Chumash language family is composed of six languages that are part of the larger Hokan division of Native American languages (Grant 1978). Their distinctive language and geographic setting held define the *Obispeno* Chumash whose name was taken from the first Spanish mission located in their territory—Mission San Luis Obispo de Tolosa. Numerous historic *Obispeno* villages have been identified from mission records and informant interviews. The *Obispeno* area showed a somewhat dispersed settlement pattern as compared to the intensive settlement and larger village sizes found along the Santa Barbara Channel (King 1984).

The earliest recorded visit to an Obispeno village took place in 1595 when the Spanish sailed into San Luis Obispo Bay under the command of Cermeno. He anchored in front of the premiere village named *Sepjato* which was located at the mouth of San Luis Obispo Creek on the hill now occupied by the San Luis Bay Inn. The Spanish account noted that these Indians "... are fishermen and there is fish and some shell–fish with which they sustain themselves"—a statement which applied to the descendants of this village who resided at the San Luis Obispo mission two hundred years later (Wagner 1929: 161). By the time of the Spanish expansion into California at the end of the 1700's, Chief Buchon lived at *Sepjato* and held the status of a grand–chief leader of several villages in the greater San Luis Obispo area from Avila to Pismo Beach to Morro Bay.

The area that later became San Luis Obispo County re–entered the historic era on September 1st, 1772 when the first mission was founded beside San Luis Obispo Creek. This first mission within Chumash territory gradually expanded in size and importance. In its first decade, some Obispeno Chumash were dissatisfied with the mission and attempted to burn it down (Kocher 1972). The influence of the mission increased in the 1780's when Pedro Fages reported that the Indians at the San Luis Obispo mission "...have readily adapted themselves to what it was sought to teach them" (Englehardt 1933: 39). Judging from the mission records listing the number of Indians recruited by this mission, in 1803 most of the numerous Obispeno Chumash groups had moved away from their traditional villages to the vicinity of the mission (King 1984: 14).

History
The community of Arroyo Grande had its origins with an early settler, Francisco Zeba Branch, who visited the area while bear hunting in 1832. He established a large ranch in the area. When drought in the late 1880's ruined his operation, Branch sold parcels that lead to the development of the community of Arroyo Grande. Agriculture quickly became a part of the local economy. Historians have studied the growth and development of communities across San Luis Obispo County (Angel 1883; Krieger 1988).

Impacts

The archaeological records search identified two studies at and near the present study area. A large surface survey was completed just east of the study area (Gibson 1983). Several prehistoric sites were recorded. Another archaeological surface survey included the portion of the present survey area located south of Lopez Drive (SAIC 2003). It yielded negative results.

The archaeological surface survey was completed in April 2014. The project area lies along the north side of Lopez Canyon covered with field grasses and some oak trees (Figure 1). The study areas occur on both sides of Lopez Drive. An archaeological surface survey of the study area was made at three meter intervals. Soil exposure was average to good (50%) visibility for the surface survey.

A well and waterline trench are planned for the property south of Lopez Drive (Figure 3). This area is very steep and cultural resources were not present. The road and higher elevations of the property also yielded negative results for cultural resources.

The Lopez Drive Archaeological Site
A number of shellfish remains were found on the southern part of the study area which includes the proposed project site/area of disturbance. This area was recorded as the Lopez Drive archaeological site (CA–SLO–2789). The site is elevated above Arroyo Grande Creek at the base of a steep mountain (Figure 2). The area has oaks and grasses. Numerous shellfish fragments are scattered across an area roughly measuring 125 meters east to west by 35 meters north to south. Visibility was average to below average, so the full surface extent of this site is tentative.

Based on the positive results of the archaeological surface survey for one part of the study area, the Phase I survey recommended that Phase II archaeological subsurface testing be conducted to answer the following questions:

1. How far do the boundaries of archaeological site CA-SLO-2789 extend across the project area?
2. Are prehistoric cultural deposits uniformly present?
3. Do archaeological deposits show evidence of prior disturbances or are intact soils also present in the site area?
4. Will Phase III archaeological mitigation excavations and archaeological monitoring of construction be required to lessen or avoid impacts to the archaeological resources?
5. Are prehistoric burials present within the study area?
6. What is the significance under CEQA of the prehistoric cultural resource? (Conway 2014)

To answer these questions, in accordance with requirements of the County of San Luis Obispo Department of Planning and Building Cultural Resource Management Services (CRMS) conducted in October 2016 an additional surface survey and test excavations at recorded site CA-SLO-2789 in 2016. Survey transects were conducted with approximately 2-3 meters spacing. Overall visibility of the ground surface was very good, about 80%. The spoils, burrowing rodents and other areas of disturbance were also thoroughly examined for evidence of subsurface archaeological deposits.

Subsurface testing was conducted across the property to ascertain if any site materials were present. This investigation consisted of the hand excavation in the form of four Shovel Test Probes (STP). These 40 cm diameter units were excavated by shovel in arbitrary 20 cm levels. All soil was passed through 6mm (1/4 inch) mesh hardware cloth. Each STP was mapped using GPS coordinates.

Extended Phase I Results
The investigation was conducted with the goal of determining the nature and extent of the cultural resources present within the property boundaries. With the exception of large Pismo clam shell fragments, no other marine shell fragments were seen on the surface. No evidence of stone tools, flaking debris, or other cultural indicators was found. Only one STP produced cultural material, consisting of a large Pismo clam fragment and a clear glass bottle fragment.

Given the evidence, the authors have determined that the project area does not contain a prehistoric element. The Pismo clam fragments appear to be historic, and attributable to the 20th century occupation of the property. Pismo clam shells are found at many rural and urban historic home sites in San Luis Obispo County.

This site is actually a historic archaeological site, not a prehistoric one. The location of the now demolished ranch house, which probably dated from the very early 20th century, represents a locus of activity for early ranching and farming families. An updated site record will be submitted to the Central Coast Information Center, detailing the results of this investigation. A 1969 aerial photo and the 1969 USGS 7.5' Quadrangle, Tar Spring Ridge, show a residence within the area of potential effect.

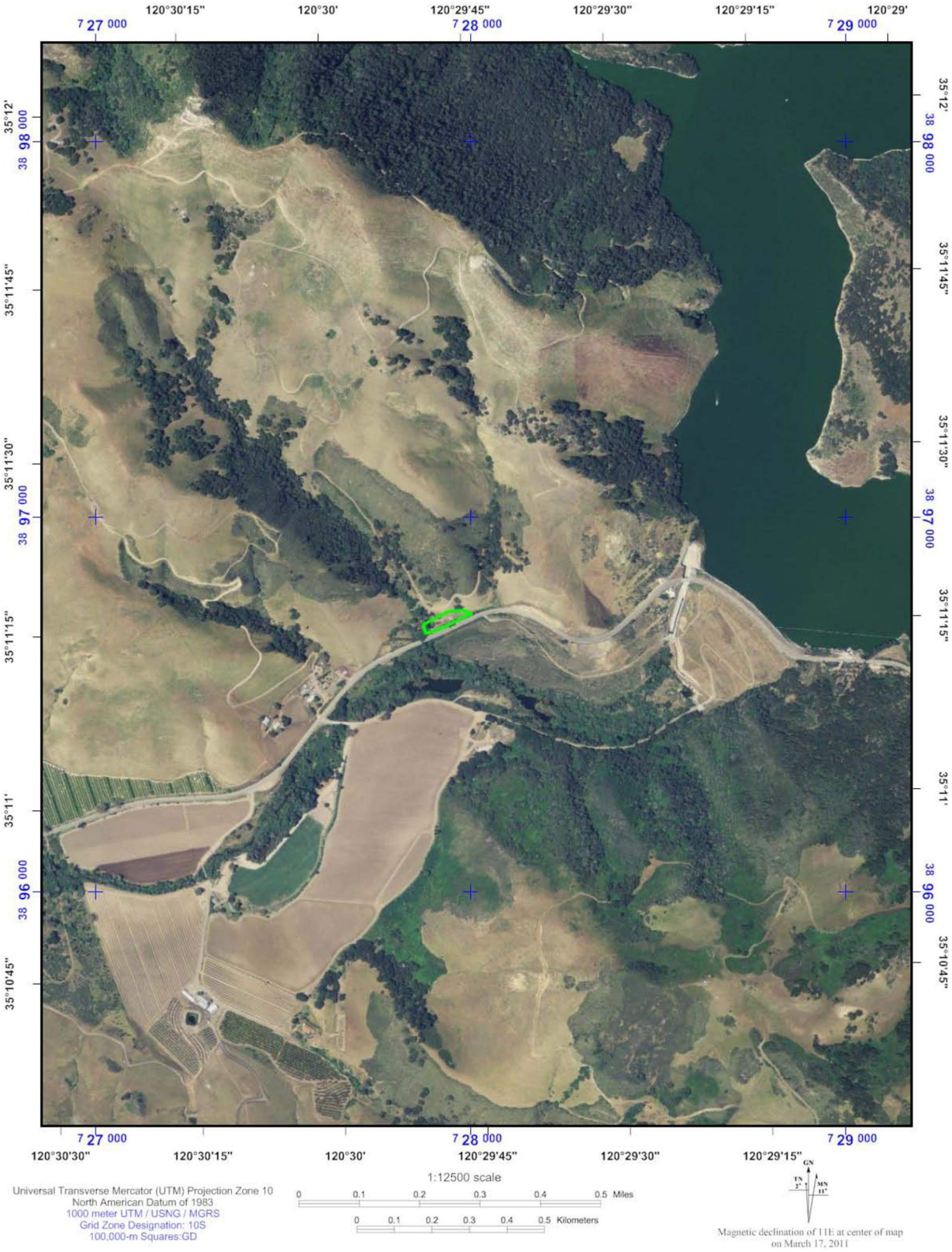
Conclusions/Mitigation.

Site CA-SLO-2789H is an historic rather than a prehistoric site and may contain information that sheds light on the life and occupation of the Arroyo Grande watershed, much of which is now under water.

While it is unfortunate that the historic ranch house was demolished without documentation, there may be archaeological deposits present, such as a privy and trash dump. Archaeological monitoring should be conducted while initial grading, over-excavation, and trenching is carried out at this location.

With the recommended mitigation measures, impacts to cultural resources are less than significant.

Figure 15 -- General Location of CA-SLO-2789



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

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

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

Topography: Nearly level

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Low

Nearby potentially active faults?: Yes Distance? Within project boundary

Area known to contain serpentine or ultramafic rock or soils?: Yes

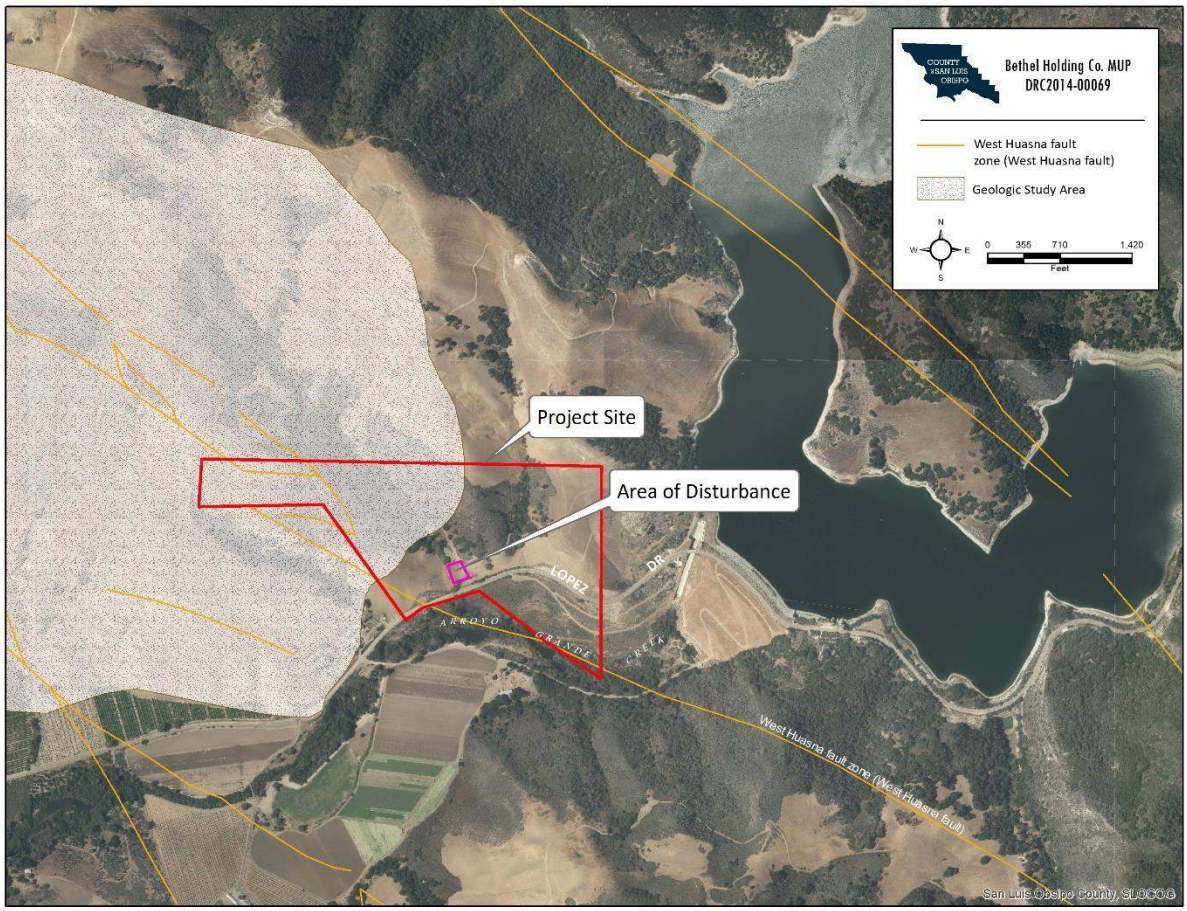
Shrink/Swell potential of soil: Moderate

Other notable geologic features? None

GEOLOGY - The topography of the project site/area of disturbance is nearly. The project site is just outside the Geologic Study Area designation (Figure 16). Liquefaction potential during a ground-shaking event is considered low. However, landslide risk is considered moderate. The project is not within an area known to contain serpentine or ultramafic rock or soils.

This portion of Central California is subject to significant seismic hazards from moderate to large earthquake events. Ground shaking resulting from earthquakes is the primary geologic hazard at the project site. Ground displacement resulting from faulting is a potential hazard at or near faults. The site does not lie within an Earthquake Fault Zone identified on a State of California Earthquake Fault Zone Map. The nearest potentially active fault to the project site is the West Huasna Fault which may cross the project site (Figure 16).

Figure 16 -- West Huasna Fault Zone



DRAINAGE/EROSION – As described in the Natural Resource Conservation Service Soil Survey, soils on the project site are considered moderately to poorly drained. According to the Department of Public Works the project is not located in an a Storm Water Management Area. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) 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.

Impacts

Geology and Unstable Building Conditions. The West Huasna Fault zone passes thru the area and may pass through the project site (Figure 16). According to the Safety Element, the fault is considered potentially active and could produce groundshaking capable of damaging buildings. However, grading

and excavation activities, construction of retaining walls, building foundations, parking areas and private roadways are subject to the provisions of the California Building Code and County standards for grading and road construction and seismic safety. Therefore, no significant impacts associated with unstable earth conditions, earthquakes or ground failure are expected to occur so long as relevant building codes.

Soil Erosion, Topographic Changes, Loss of Topsoil or Unstable Soil Conditions. The project will result in the disturbance of approximately 1.0 acres, with 814 cubic yards of cut and 778 cubic yards of fill to create a building site for the single family residence and to construct the driveway and guest cottage. The intensification of impervious surfaces on the project site will increase the volume and velocity of runoff generated by the site compared with existing conditions. Based on the NRCS soil survey, soils covering the project site exhibit a low susceptibility for erosion. Compliance with relevant provisions of the Building Code and Land Use Ordinance (described in the Setting, above) will address potential impacts to erosion. The project application includes an erosion and sedimentation control plan that includes measures to protect water quality and prevent erosion during and after construction. These measures include the placement of gravel bag silt traps, silt fences, fiber rolls and hydroseeding all denuded slopes.

The project was referred to the Building Division and the Department of Public Works for review. Grading activities are subject to the provisions of the California Building Code and County standards for grading and road construction. A complete grading and drainage plan will be required prior to building permit issuance in accordance with Section 22.52.080 of the ZLUO. The recommendations of the Public Works and Building Departments will be incorporated as conditions of approval.

Mineral Extraction. The project site is not located within an extractive zone, and no mineral resources are known to be present within the project site.

Conclusion/Mitigation Measures.

The project is not expected to result in adverse impacts associated with grading, erosion and sedimentation because:

- The project will be required to submit a complete grading and drainage and erosion prevention plan to demonstrate compliance with County regulations relating to the prevention of erosion and the protection of surface water quality in accordance with relevant State and federal laws including, but not limited to, the Clean Water Act (CWA, 33 USC 1251-1376), the National Pollutant Discharge Elimination System (NPDES), the Basin Plan adopted by the Central Coast Regional Water Quality Control Board, the Porter-Cologne Water Quality Control Act (California Water Code §§ 13000 et seq.) and the California Building Code.

- Compliance with existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project.

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

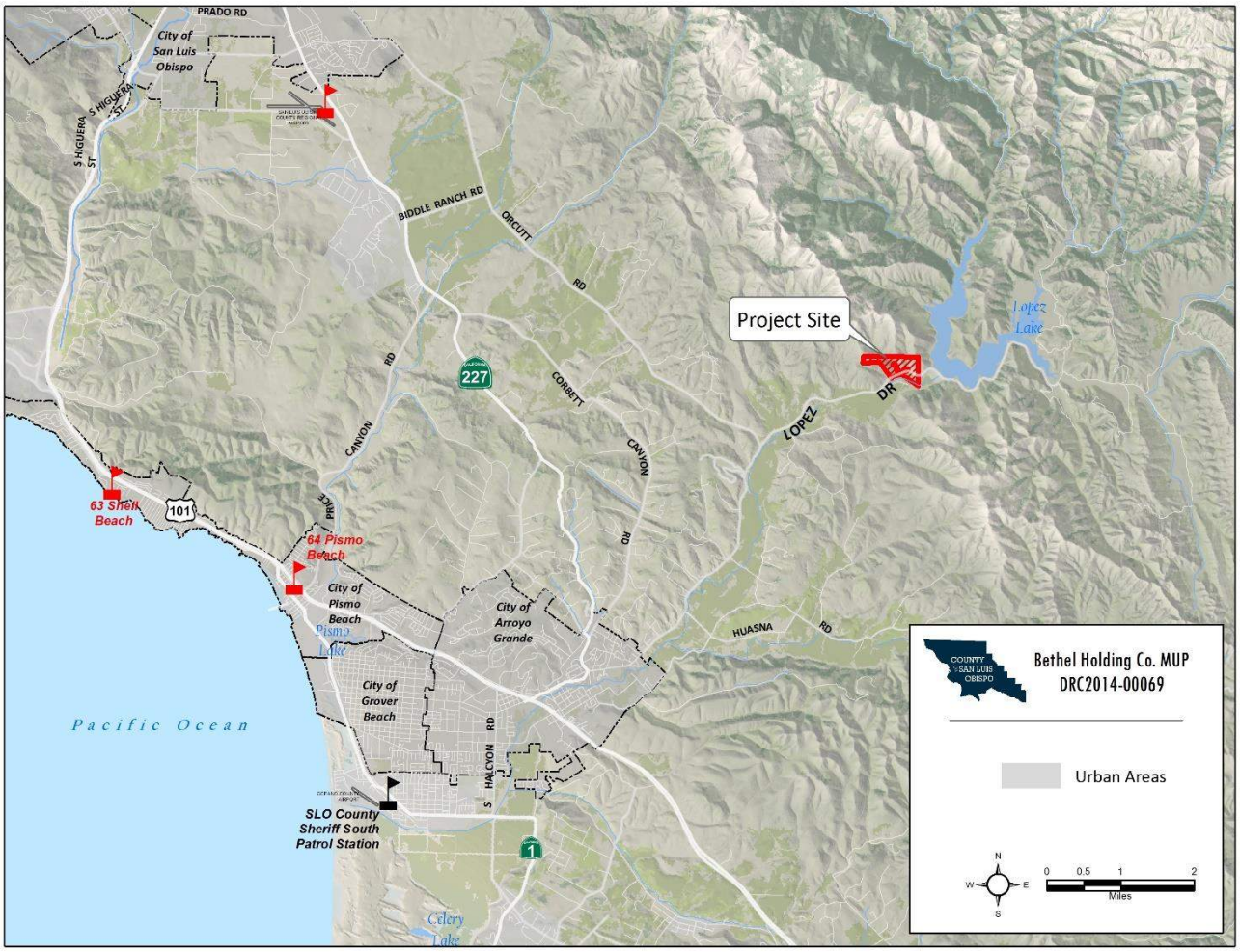
7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a hazard to the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

Setting. The State of California Hazardous Waste and Substances Site List (also known as the "Cortese List") is a planning document used by state and local agencies and developers to comply with the siting requirements prescribed by federal, State, and local regulations relating to hazardous materials sites. A search of the Cortese database conducted in October, 2017 revealed no active sites in the vicinity, including the project site.

The project is not within an Airport Review area.

According to the CalFire map of fire hazard severity zones for San Luis Obispo County, the project site is located in a *Moderate Fire Hazard Severity Zone* but is surrounded by steep hillsides with dense vegetation. Based on the County's fire response time map, it will take approximately 10 - 15 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for a further discussion of project impacts on fire protection facilities.

Figure 17 -- Fire and Police Stations



Impact. Construction activities may involve the use of oils, fuels and solvents. In the event of a leak or spill, persons, soil, and vegetation down-slope from the site may be affected. The use, storage, and transport of hazardous materials is regulated by the Department of Toxic Substances Control (DTSC) (22 Cal. Code of Regulations Section 66001, et seq.). The use of hazardous materials on the project site for construction and maintenance is required to be in compliance with local, state, and federal

regulations. In addition, compliance with the requirements of a SWPPP and standard best management practices would also address this impact (refer to Section 13 Water).

A Fire Protection Plan (FPP) was prepared for the project by Collings and Associates in March, 2017. The FPP states that, although the project site is located in a Moderate Fire Hazard Severity Zone, the entire geographic area surrounding the site is classified as Very High. Based on the steep terrain, fuel types and relative remoteness, this geographic area presents significant concerns relative to large scale and destructive wildland fires. In addition, the project site has an extensive response time from emergency services (10 – 15 minutes). In the event of a medical aid or other emergency, it would take 15 – 20 minutes for response. Accordingly, the FPP recommends the following fire protection features:

- Structures are located a minimum 5 feet from all property lines;
- Fire sprinklers;
- An access drive of sufficient width, grade and surface to accommodate emergency vehicles;
- A fire hydrant is required.
- 50,000 gallons minimum water storage is required for domestic and fire protection use.

The Master Fire Protection Plan (Figure 18) shows the following:

- A new minimum steel water storage tank on a hillside north of the dwelling at an elevation of 561 feet with a minimum storage of 45,000 gallons;
- A new 8 inch water service line from the storage tank to the automatic fire sprinkler risers and new fire hydrant.

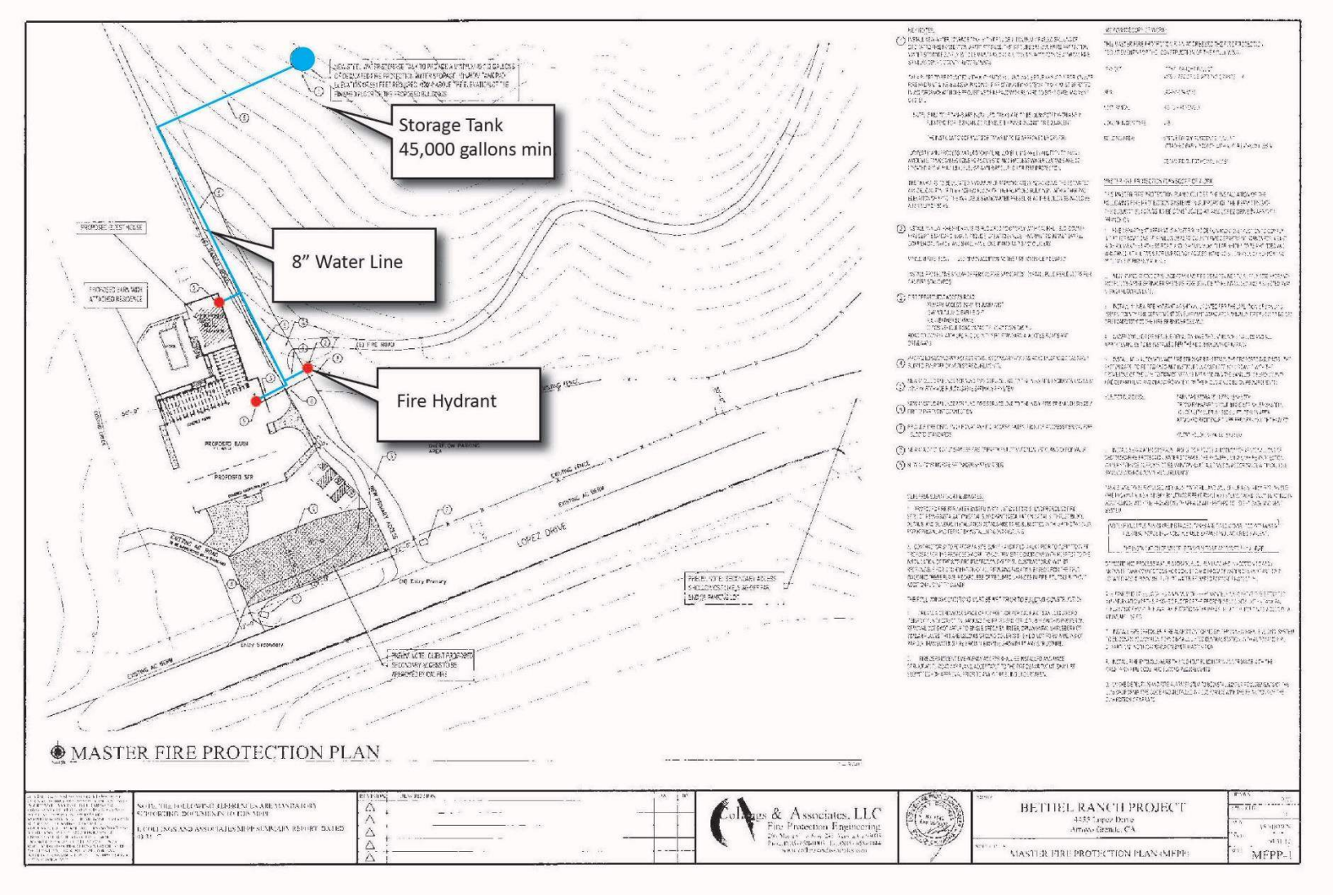
The project has been reviewed by CalFIRE (Tony Gomes, letter of February 20, 2015), project was revised and no comments submitted for code requirements relating to fire protection. CalFire's standards for emergency access and water supply for fire suppression will be incorporated into conditions of project approval. In addition, the project is required to comply with the California Building Code. CalFire will review the construction plans prior to building permit issuance to ensure installation of adequate fire safety measures (e.g., adequate road width and road grade).

Regarding road impacts, the project has been reviewed by County Public Works, which is discussed further in the Transportation section.

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.

Figure 18 -- Master Fire Plan



8. NOISE

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

Setting. The project site is located in a rural area of the county where ranching and agricultural operations are the prevailing land use. Consequently, noise levels on the project site and in the vicinity are low; however, the project site is adjacent to Lopez Drive which is a source of traffic noise, especially on the weekends. Sensitive receptors in the vicinity of the project site include single family residences about 1,000 feet to the west.

The Noise Element establishes a threshold for acceptable exterior noise levels for sensitive uses (such as residences) of 60 decibels[a] along transportation noise sources. The County's Noise Element also includes a table describing the "existing" (1990) and “future” (20I0 estimated) noise exposure along Lopez Drive. The lower row of numbers represents the distance from the roadway centerline to the indicated L_{DN} contour. Future (2010) noise contours are illustrated by Figure 19 which shows that a portion of the project site/area of disturbance will be subject to noise levels between 60 and 65 dB which is below the maximum daytime and nighttime standards.

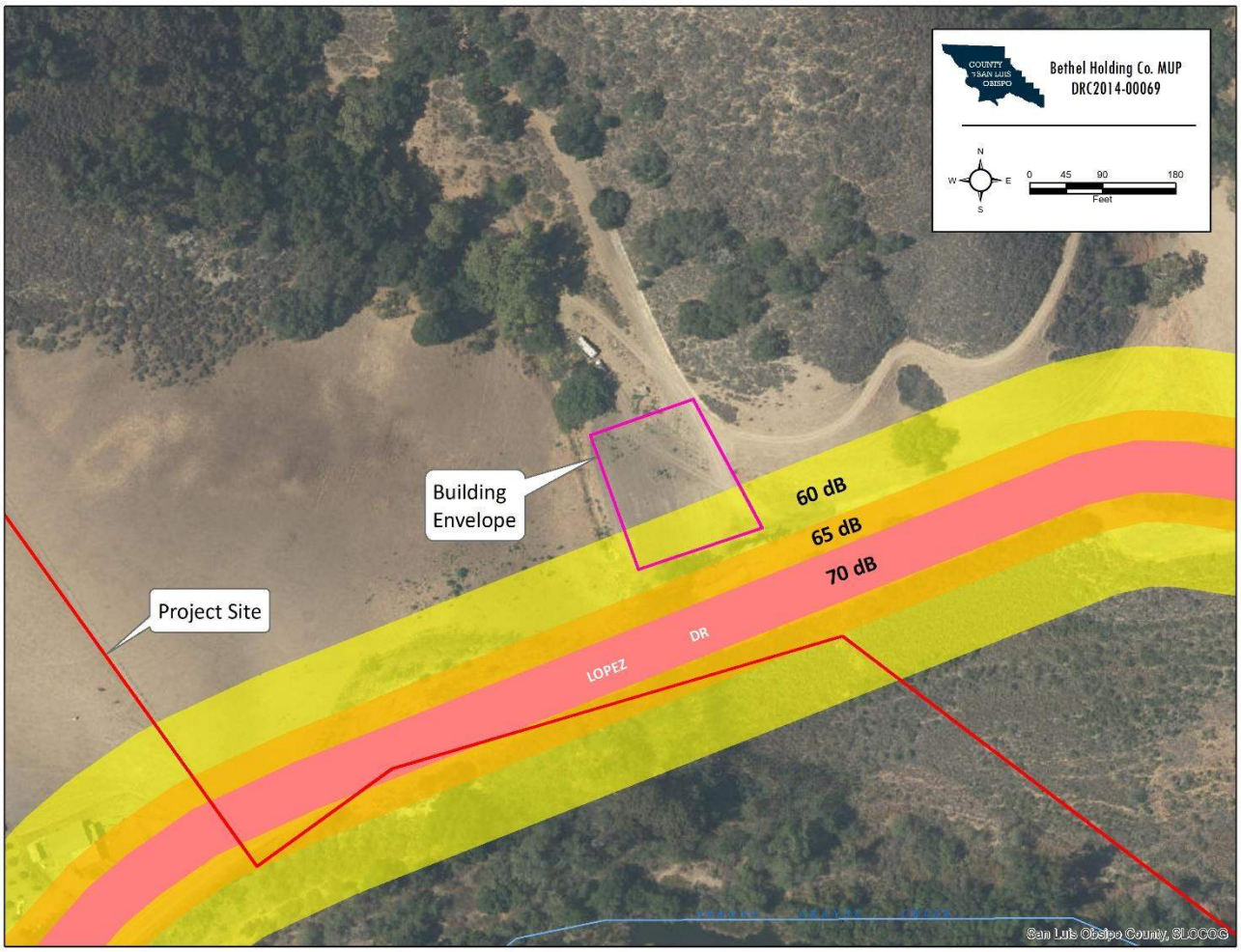
[a] The sound level obtained by using the A-weighting filter of a sound level meter, expressed in decibels (dB). All sound levels referred to in this policy document are in A-weighted decibels. A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighting, as it provides a high degree of correlation which human annoyance and health effects.

Table 2 -- Existing (1990) and Future (2010) LDN Contours for Lopez Drive[1]						
Road Segment	**Existing (1990)**			**Future (2010)**		
Lopez Drive	**60dB**	**65dB**	70 dB	**60dB**	**65dB**	**70dB**
Distance From Centerline to Contour	108	50	23	148	69	32

Source: San Luis Obispo County General Plan Noise Element, Appendix D

Notes:
1. Lopez Drive at the Arroyo Grande Fringe.

Figure 19 -- 2010 Noise Levels Associated With Lopez Drive



Impact.

Construction Impacts. Construction activities may involve the use of heavy equipment for grading and for the delivery and movement of materials on the project site. The use of construction machinery will also be a source of noise. Construction-related noise impacts would be temporary and localized. The nearest residences are approximately 1,000 feet west of the project site. Therefore, construction activities are not likely result in temporary adverse noise impacts to surrounding residences. County regulations limit the hours of construction to day time hours between 7:00 AM and 9:00 PM weekdays, and from 8:00 AM to 5:00 PM on weekends.

Operational Impacts. With regard to transportation-related noise sources, the single family residence and guest house constructed on the project site would contribute about 20 average daily trips to Lopez Drive. Following construction, noise generated by the project would be comparable to the background noise generated by surrounding ranches. Noise exposure to private outdoor areas will be shielded from the road noise by the dwelling and barn.

Mitigation/Conclusion. No significant noise impacts are anticipated. Compliance with County standards for the management of construction noise will ensure impacts to surrounding residences will be less than significant. No additional mitigation measures are recommended.

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

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

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

Mitigation/Conclusion. No significant population and housing impacts are anticipated. The project will mitigate its cumulative impact to the shortage of affordable housing stock by providing affordable housing unit(s) either on-site and/or by payment of the in-lieu fee (residential projects), or housing impact fee (commercial projects). No mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Fire protection?	☐	☐	☒	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☐	☒	☐
c) Schools?	☐	☒	☐	☐
d) Roads?	☐	☐	☒	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☒	☐	☐
g) Other: _____	☐	☐	☐	☐

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

Police: County Sheriff Location: Oceano (Approximately 8.8 miles to the west)

Fire: Cal Fire (formerly CDF) Hazard Severity: Moderate Response Time: 10-15 minutes

Location: Approximately 11 miles to the west at 4671 Broad Street

School District: Lucia Mar Unified School District.

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

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

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

11. RECREATION

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

Setting. The County's Parks and Recreation Element shows a trail corridor in this area associated with Arroyo Grande Creek. However, according to the County Parks Department, the trail is unlikely to be constructed on the project site. The project is not proposed in a location that will affect any park, recreational resource, and/or Natural Area.

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

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

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

Setting. The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. Traffic counts taken for Lopez Drive east of Orcutt Road in May, 2016 revealed an afternoon peak hour volume (measured on Saturday) of 341 vehicles, or about 6 vehicles per minute. Traffic speeds vary from 25 to 45 miles per hour, but are closer to 45 mph at the project site. Project plans show two driveways from Lopez Lake Drive to access the residence and guest house. Referrals were sent to County Public Works. Because of existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered a potential traffic safety hazard. A Sight Distance Analysis was prepared for the project by Civil Designs Solutions (January, 2018) and the results and recommendations are discussed below. No other significant traffic-related concerns were identified.

Impact.

Construction Related Impacts. Construction of a single family residence and guest house will generate temporary, short-term construction traffic. Because of the small number of trips and the temporary nature of construction activities, construction related traffic impacts are considered less than significant.

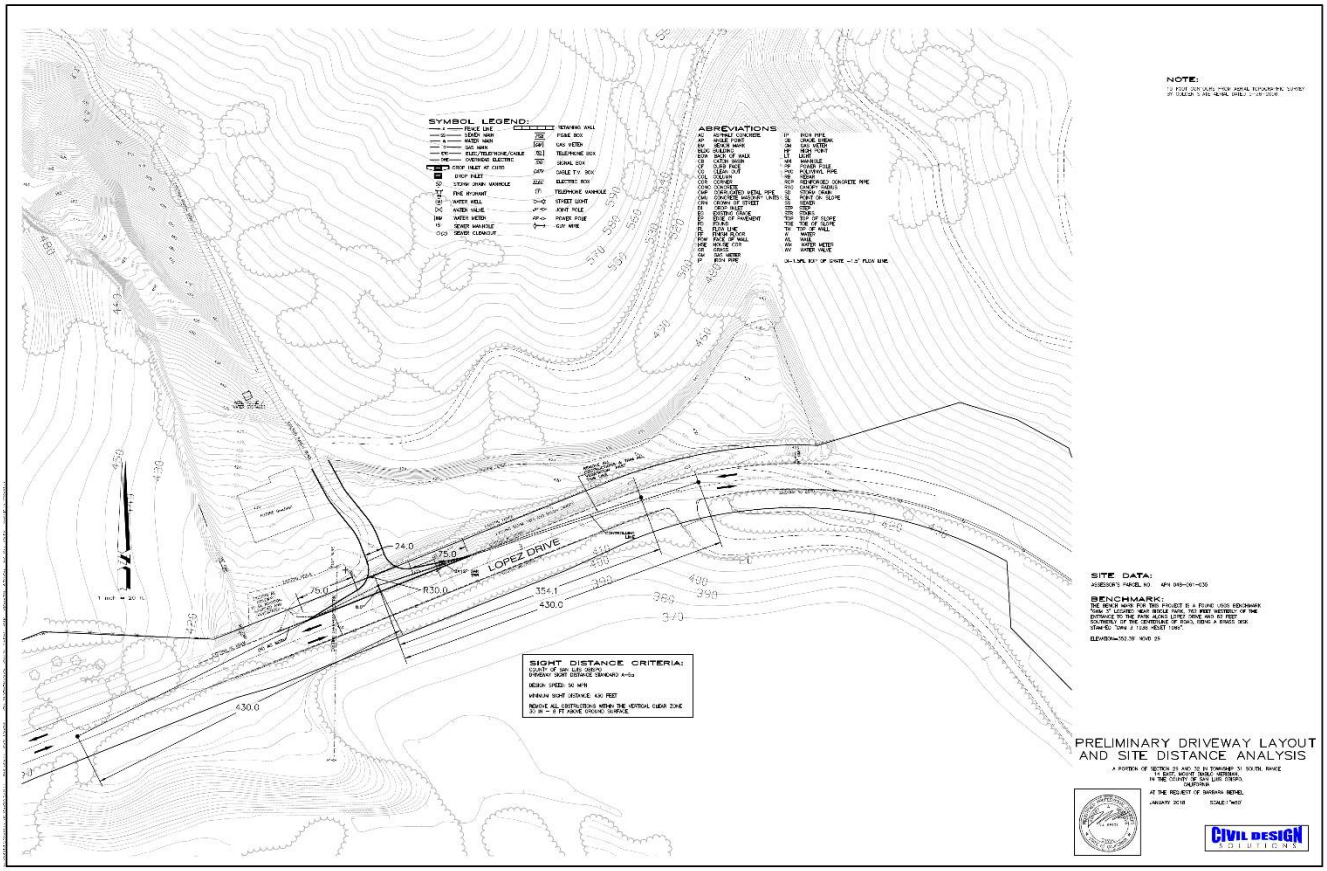
Operational Traffic Impacts. The proposed single family residence and guest house are estimated to generate about 20 trips per day, and 2.0 trips per peak hour based on the Institute of Traffic Engineers. Assuming 341 trips per afternoon peak hour in 2016, the two additional PM peak hour trips associated with the project will not reduce the level of service of Lopez Drive. The project does not conflict with

adopted policies, plans and programs on transportation.

Safety/Sight Distance. Project plans show two driveways accessing Lopez Lake Drive, a main entrance and a smaller driveway leading to the residence. The project was referred to Public Works who required a sight distance study to be performed to ensure compliance with County standards. The Sight Distance Study assumes a design speed of 50 miles per hour on Lopez Lake Drive and a minimum sight distance of 430 feet. As a result of this study, the Public Works Department is requiring that the project be served by a single driveway and that all other vehicular access to Lopez Lake Drive be removed. The driveway design is shown on Figure 20. The driveway does not require a left turn lane.

Mitigation/Conclusion. With the required mitigation measure, project impacts to traffic are considered less than significant.

Figure 20 -- Proposed Driveway Design



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

Setting. Regulations and guidelines for proper wastewater system design and criteria are found in 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.

Soil types for the project site are listed in Section 2. Agricultural Resources. Project plans show a septic leach field area on soils composed of the Nacimiento silty clay loam on slopes of 50 – 75 percent. Based on the Natural Resource Conservation Service (NRCS) Soil Survey, the main limitations of this soil for wastewater effluent include:

Shallow depth to bedrock, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface.

Steep slopes, In this case, the proposed leach lines are on or located within close proximity of steep slopes where some potential of effluent daylighting exists. A registered civil engineer familiar with wastewater systems, shall prepare an analysis that shows the location and depth of the leach lines will have no potential for daylighting of effluent.

Slow percolation, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch.

Impacts/Mitigation. The plans show a septic tank and leach fields to serve the residence and guest house. 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 in the proposed area for leach field 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.

14. WATER & HYDROLOGY

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

14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
k) Other: _____	☐	☐	☐	☐

Setting. The project proposes to obtain its water needs from an on-site well. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is gently rolling The closest creek from the proposed development is approximately 0.4 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

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

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

Within the 100-year Flood Hazard designation? No

Closest creek? Arroyo Grande Creek Distance? Approximately 1,500 feet

Soil drainage characteristics: Not 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 to moderate

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

Impact – Water Quality/Hydrology

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

- ✓ Approximately 1.0 acres of site disturbance is proposed and the movement of approximately 800 cubic yards of material;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;

- ✓ 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;
- ✓ Well water was tested in 2012 by Oilfield Environmental and Compliance, Inc. and found to be within Safe Drinking Water Standards.

Water Quantity

Based on the project description, the project's water usage is estimated to be about 0.80 acre-feet per year (AFY) and will be served by an existing on-site well. A four hour well test was performed on the well on August 2, 2012 by Arroyo Well Supply. The test revealed a rate of flow of between 445 and 465 gallons per minute, or about 744 acre feet per year which is more than enough to serve the residence and guest house.

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

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

Based on the proposed amount of water to be use and the water source, no significant impacts from water use are anticipated.

15. LAND USE

Will the project:

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

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

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

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

1. LUO Section 22.98.030 Huasna-Lopez Sub-Area Standards
2. LUO Section 22.14.070 Geologic Study Area (GSA)
3. LUO Section 22.14.100 Sensitive Resource Area (SRA)
4. LUO Section 22.14.060 Flood Hazard Area (FH)
5. LUO Section 22.96.030 Combining Designations – Sensitive Resource Area (SRA)
6. LUO Section 22.30.610 Temporary Events

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

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

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

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

Exhibit A - Initial Study References and Agency Contacts

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

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

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

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

☒ Project File for the Subject Application

County documents

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

Other documents

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

In addition, the following project specific information and/or reference materials have been considered

as a part of the Initial Study:

Oilfield Environmental and Compliance, Inc., 2012, Drinking Water Testing

Arroyo Water Well Supply, well test August 2, 2012

Kevin Merk Associates, 2014, Biological Resources Assessment for the Bethel Ranch Residential Development Project

Thor Conway, Heritage Discoveries, Inc., Archaeological Surface Survey of the Bethel property, May 7, 2014

LSA Associates Inc., Update of Phase I Archaeological Survey for a Residential Development Project at 4455 Lopez Drive, August 12, 2014

CRMS Extended Phase I Archaeological Survey at Bethel Property, October 2016

Civil Design Solutions, January 2018, Sight Distance Analysis for Bethel Project

Exhibit B - Mitigation Summary Table

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

Aesthetic and Visual Resources

AES-1 **Landscape Plan. At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16.040 of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately blend the new development, including driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment when viewed from Lopez Road. The landscaping plan shall ensure at least 50 percent screening of the structure at plant maturity and shall include mitigation planting or seeding to cover and screen visible graded cut and fill areas.

Retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment when viewed from Lopez Road. Landscaping shall be established **prior to final inspection or issuance of a certificate of occupancy, whichever occurs first**.

AES-2 **Exterior Lighting. Prior to issuance of construction permits**, the applicant shall provide a lighting plan showing shielded exterior street and home lighting in order to screen light sources from neighboring properties.

Air Quality

AQ-1 **"Naturally-occurring asbestos"** has been identified by the State Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to construction permit issuance**, a geologic investigation will be prepared and then submitted to the county to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. If NOA is not present, an exemption request shall be filed with the APCD. (For any questions regarding these requirements, contact the APCD at (805) 781-5912 or go to http://www.slocieanair.org/business/asbestos.php). **Prior to final inspection or occupancy**, whichever occurs first, when naturally-occurring asbestos is encountered, the applicant shall provide verification from APCD that the above measures have been incorporated into the project.

AQ-2 **Developmental burning**. 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, contact the APDD at (805) 781-5912.

AQ-3 **Dust Mitigation. During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

a. Reduce the amount of the disturbed area where possible;
b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. The contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants. see Section 4.3 of the CEQA Air Quality Handbook;
c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible. following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating. non-invasive grass seed and watered until vegetation is established;
f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders. jute netting, or other methods approved in advance by the APCD;
g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with evc Section 23114;
j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
l. All PM10 mitigation measures required should be shown on grading and building plans;
m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to

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

Biological Resources

BIO-1 **Prior to grading permit issuance**, all native oak trees (*Quercus* sp.) expected to be trimmed or impacted within the critical root zone as a result of project activities will be identified and included on development plans. The following avoidance and minimization measures shall be implemented if project construction requires impacts to oak trees on the site, or if work is conducted within 50 feet of the oak canopy:

- All native oak trees within 50 feet of proposed grading activities (DBH>5 in) to be preserved will be fenced and avoided at the drip line with a sturdy, high visibility fencing.
- No ground disturbance shall occur within the drip lines of fenced trees.
- No construction materials or vehicles may be stored within the fenced area surrounding the trees.
- An arborist certified by the International Society of Arboriculture (ISA) will be hired for all removal of existing roots and branch trimming.
- Pavement within the driplines of existing trees shall not exceed 25 percent coverage.
- In the event impacts to roots or limbs of oak trees occur, the Applicant shall provide mitigation (on site) per the County's guidelines (e.g., 2:1 for impacted trees and 4:1 for removed trees). This shall include development of an oak tree replacement plan and establishment of an oak tree planting site that shall be protected in perpetuity.
- A final list of oak trees impacted as part of the project shall be submitted to the County by the certified arborist or project biologist following all site grading and remedial improvements on site.
- All replacement trees will have supplemental irrigation installed and maintained for no less than seven years.

BIO-2 **Oak Trimming.** The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks:

a. Minimize removal of larger lower branches
b. Avoid making tree top heavy and more susceptible to "blow-overs"
c. Reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation
d. Retain the wildlife that is found only in the lower branches
e. Retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers)
f. Retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance.

g. If trimming is necessary, the applicant agrees to either use a skilled certified arborist or apply techniques accepted by the International Society of Arboriculture when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

BIO-3 **Prior to construction and during construction**, to minimize impacts to nesting bird species protected by the Migratory Bird Treaty Act, all initial vegetation removal and site disturbance shall be limited to the time period between September 1 and November 1 if feasible. If initial site disturbance cannot be conducted during this time period, pre-construction surveys for active bird nests and bat roosts within 250 feet of the project disturbance footprint shall be conducted by a qualified biologist. Visual surveys for bats should be conducted in the vicinity of trees that have cavities, broken limbs resulting in hanging woody debris, and large patches of loose bark that are within 100 feet of the proposed grading footprint.

Surveys shall be conducted a minimum two weeks prior to any construction activities. If no active nests or roosts are located, ground disturbing/construction activities can proceed. If active nests or roosts are located, then all construction work should be conducted outside a non-disturbance buffer zone to be developed by the qualified biologist based on the species (i.e., 50 feet for common species and upwards of 250 feet for special status raptor species should they be present), slope aspect and surrounding vegetation. No direct disturbance within this buffer shall occur, and the biologist shall monitor the site until the young have fledged and are no longer reliant on the nest site as determined by the qualified biologist.

BIO-4 **Pre-construction Surveys for Sensitive Wildlife.** A qualified biologist shall conduct a pre-activity survey(s) prior to the initiation of initial project activities to ensure special-status wildlife species are not present during the start of construction. In the event sensitive wildlife species are found, they shall be allowed to leave the area on their own volition or relocated (as permitted) to suitable habitat areas located outside the work area(s). If necessary, resource agencies will be contacted for further guidance. Preactivity surveys shall be conducted as follows:

American badger - A qualified biologist shall conduct a pre-construction survey within two weeks prior to the onset of construction activities within all suitable badger habitat. If new or active dens are discovered, they will be inspected to determine if they are currently occupied. Any potential badger dens shall be avoided during construction. If the biologist determines that a den may be active or occupied during the pre-construction survey, CDFW shall be contacted for further guidance. In order to avoid potential direct impacts to badgers and nursing young, no grading shall occur within 50 feet of an active badger den as determined by the project biologist.

Coast horned lizard. A qualified biologist shall conduct a pre-construction survey within two weeks prior to the onset of construction activities within all suitable coast horned lizard habitat. Any coast horned lizards observed within the development footprint shall be captured and relocated to suitable habitat on the property outside harm's way. A clearance survey report shall be prepared by the biologist documenting the methods and results of the surveys and submitted to the County prior to the start of construction.

Bats. if bat roosts are found in trees that require trimming or removal, bat exclusionary measures (such as netting placed over cavities) shall be used to prevent bats from returning to the roost until the tree can be trimmed or removed. A biologist shall monitor any tree trimming or vegetation removal activities in case a bat is injured. If required, trees shall be trimmed gradually to allow bats potentially using these trees for roost sites

time to leave the area unharmed. Arrangements shall also be made with a veterinarian specializing in wildlife rehabilitation to care for any wildlife injured as a result of project construction.

BIO-05 **Riparian Resources**. The applicant shall notify the CDFW by submitting a Streambed Alteration Agreement for access road improvements that affect riparian habitat and the small drainage ditch. The applicant shall provide the County with a copy of the acquired Streambed Alteration Agreement or written verification from the CFDW that an agreement was not required. As part of the permitting process, the applicant will be required to delineate impact area and determine the extent of riparian area impacted. The CDFW will also require a compensatory mitigation plan for impacts to their jurisdictional area. The applicant shall prepare a riparian habitat restoration plan written and implemented by a qualified biologist familiar with restoration and mitigation techniques.

Compensatory mitigation shall occur onsite using site specific plant material at a minimum ratio of 1:1 (habitat restored/created/enhanced to habitat impacted). The final Streambed Alteration Agreement may require a higher mitigation ratio. The plan shall follow County accepted guidelines for preparing Habitat Mitigation and Monitoring Plans. It will include, but not be limited to, a description of the project impact area(s), goals and objectives of the mitigation program, types of habitat to be restored, enhanced and/or established, an implementation plan, maintenance activities, monitoring requirements, and final success criteria. The plan shall also include contingency measures to cover unforeseen circumstances.

BIO-6 **Installation of water lines to the existing well and new water tank**. The following native grassland seed mix shall be applied to the disturbed trench area as well as any graded slopes requiring erosion control through either direct hand seeding or hydroseeding methods:

Table 1. Native Grassland Erosion Control Seed Mix

Species	Application Rate (lbs/acre)
Bromus carinatus (California bromel	5
Hordeum brachyantherum (meadow barley)	5
Vulpia microstachys (six weeks fescue)	3
Stipa pulchra (purple needlegrass)	10
Trifolium wildenovii (tomcat clover)	5
Total	**28**

BIO-7 **Project Disturbance Limits and Erosion Controls. Prior to any construction activities**, the work areas shall be demarcated with highly visible construction fencing or staking for the benefit of contractors and equipment operators. Erosion control measures shall be implemented to prevent runoff from the site entering onsite drainages or protected areas. Silt fencing, straw bales, and/or sand bags shall be used in conjunction with other methods to prevent erosion and sedimentation of the drainage channels. Biotechnical approaches using native vegetation shall be used as feasible. The erosion and sediment control plan shall also describe how any and all pollutants originating from construction equipment would be collected and disposed.

BIO-8 **During construction**, washing of concrete, paint or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing of equipment, tools, roads, etc. shall not be allowed in any location where the tainted water could affect the drainage or other sensitive biological resources on site. Dust control requirements shall be carefully implemented to avoid water sprayed onto the site for dust abatement entering the drainages or covering native vegetation. Dust control is an important component to minimize impacting native vegetation growing on or adjacent to the site. BMP's for dust abatement shall be a component of the project's construction documents.

Cultural Resources

CR-1 **During any ground disturbing activities,** per Section 22.10.040 of the County's Land Use Ordinance In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

a. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

b. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Fire Safety

FS-1 **Fire Safety – Compliance. Prior to issuance of construction permits**, the applicant agrees to abide by the recommendations made by the CAL FIRE, in the letter dated September 10, 2015 and the Fire Safety Standards LUO Sec. 22.05.086.

Public Facilities and Services

PS-1 **Prior to issuance of construction permits,** the applicant shall pay all applicable school and public facilities fees.

Transportation

TR-1 **At the time of application for construction permits,** the applicant shall submit fees and plans to the Department of Public Works to secure an Encroachment Permit to construct or reconstruct a single project access driveway in accordance with County Public Improvement Standard B-1a (B-1e is recommended option) driveway, A-5 sight distance standards, and the recommendations and exhibit prepared by Civil Design Solutions, dated 2/7/18. All other existing driveways must be removed and scarified, and the shoulder restored per County standard B-1.

Water Quality

WQ-1 **At the time of application for construction permits**, the applicant shall submit sedimentation control plans in accordance with the recommended Best Management Practices (BMPs) as listed in Table 4.10 of the "Arroyo Grande Creek Erosion, Sedimentation and Flooding Alternatives Study" (Swanson Hydrology & Geomorphology, January 2006), and county Public Improvement Standards. These BMPs shall include and not be limited to:

a. Dispersing and/or slowing runoff with swales, infiltration trenches or similar

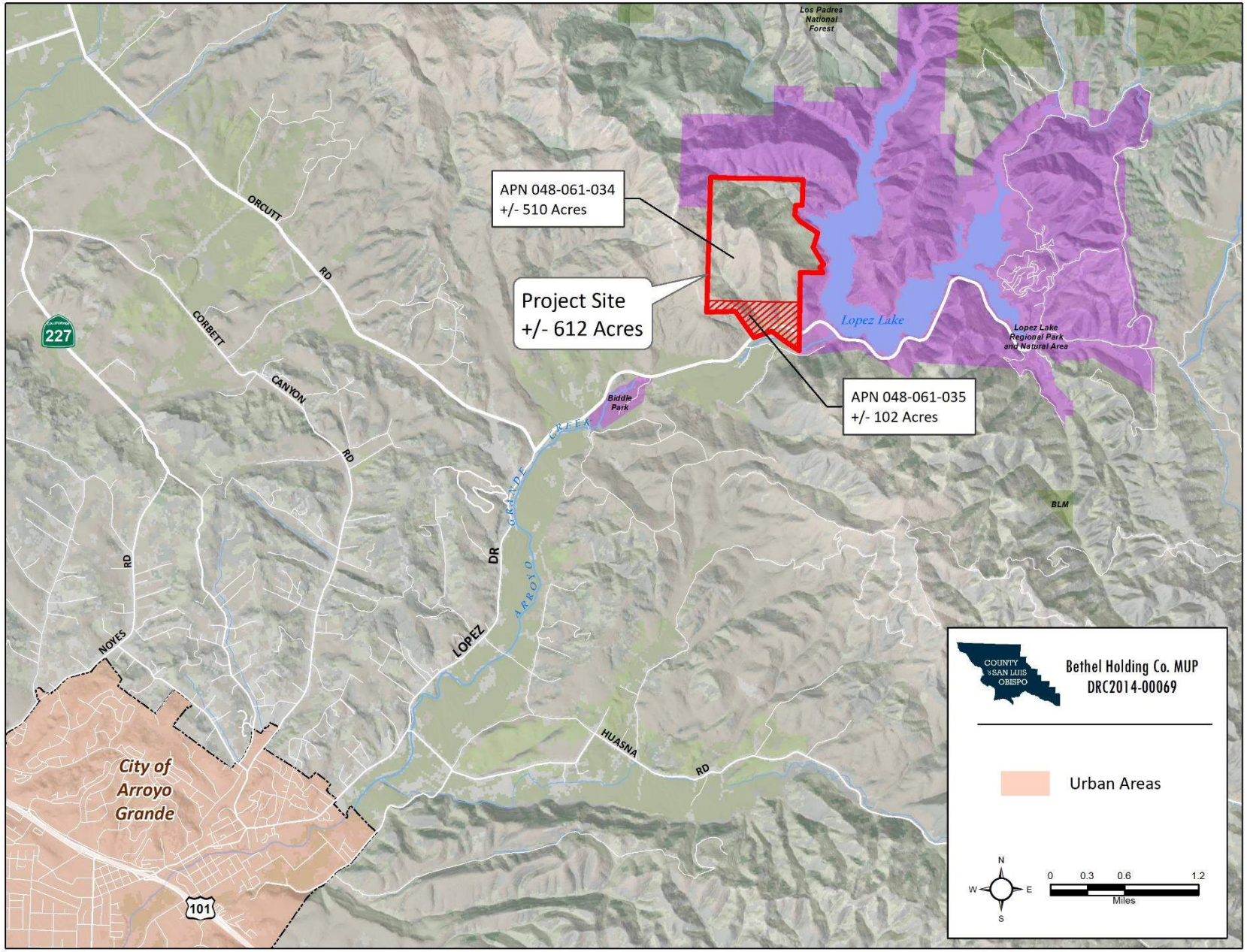
b. Controlling concentrated runoff with curb usage or culverts or similar

c. Soil stabilization with decomposed granite, retaining walls or slough walls or similar

d. Sediment retention with staged catch or retention basins, vegetated filter strips or similar.

Monitoring

EM-1 At the time of application for construction permits, the applicant shall submit an environmental compliance package to the Planning Department that details each /mitigation measure/condition of approval. This package shall verify how each condition of approval has been met or will be met, with supporting documentation.


Los Padres National Forest
APN 048-061-034
+/- 510 Acres
Project Site
+/- 612 Acres
APN 048-061-035
+/- 102 Acres
Lopez Lake
Lopez Lake Regional Park and Natural Area
Biddle Park
BLM
ORCUTT RD
CORBETT CANYON RD
227
NOYES RD
LOPEZ DR
ARROYO GRANDE CREEK
HUASNA RD
City of Arroyo Grande
101
COUNTY of SAN LUIS OBISPO
Bethel Holding Co. MUP
DRC2014-00069
Urban Areas
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