

**DEVELOPER'S STATEMENT FOR
HR HOLDINGS TRACT MAP
SUB2020-00024 / ED25-0099**

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

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

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

EXHIBIT B - MITIGATION SUMMARY

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

Air Quality

AQ-1 Fugitive Dust Construction Control Measures. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. When water use is a concern due to drought conditions, the contractor or builder shall consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control.;
3. All dirt stock-pile areas shall be sprayed daily as needed;
4. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
5. 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) or otherwise comply with California Vehicle Code (CVC) Section 23114.
6. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then

fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

7. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
8. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation 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 (for example, wind-blown dust could be generated on an open dirt lot). 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 (Contact the Compliance Division at 805-781-5912).
9. 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.
10. 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.
11. 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.
12. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
13. 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 where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
14. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

AQ-2 **ROG, NOx, DPM Emissions.** The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. **These measures shall be shown on grading and building plans:**

1. Implement Mitigation Measure AQ-1, as identified above.
2. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed

for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:

- a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - b. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
3. Maintain all construction equipment in proper tune according to manufacturer's specifications.
 4. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
 5. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and comply with the State Off-Road Regulation.
 6. Use on-road heavy-duty trucks that meet the CARB's 2010 or cleaner certification standard for on-road heavy-duty diesel engines and comply with the State On-Road Regulation.
 7. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
 8. Electrify equipment when possible.
 9. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
 10. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-1 & AQ-2 Monitoring: The applicant shall ensure all activities are consistent with the mitigation measures noted above. Where required, a contact person responsible for ensuring these requirements are met on site shall be provided to the Department of Planning and Building. Department of Planning and Building shall verify compliance (AQ-1 & AQ-2) in consultation with the Environmental Coordinator.

Biological Resources

BIO-1. Purple needlegrass mitigation. Prior to recordation of the final tract map. Impacts to 0.73 acre of purple needlegrass grassland shall be mitigated by creating and/or restoring 0.73 acre of purple needlegrass grassland within a designated open space area in the Heritage Ranch master planned community or other suitable area outside of the Ranch. Creation entails converting a non-purple needlegrass grassland to a purple needlegrass grassland; restoration entails returning degraded purple needlegrass grassland habitat to a pre-existing (or better) condition. A Mitigation Monitoring and Reporting Plan detailing the specifics of the mitigation approach shall be prepared for review and approval by the County prior to issuance of grading permits. At a minimum, the plan shall:

1. Quantify Project impacts to purple needlegrass grassland habitat.
2. Provide site selection and justification.
3. Describe a work plan including methodologies, schedule, plant materials, and implementation strategies.
4. Include a description of annual maintenance and monitoring activities for five years.
5. Describe success criteria, including a minimum 10% relative cover of purple needlegrass at the site after 5 years.
6. Include an adaptive management plan that allows for adjustments to methods or maintenance activities to adapt to unforeseen circumstances.
7. Identify responsible parties.

Mitigation implementation and success shall be monitored for a minimum of five years, which may be extended if necessary, at the discretion of the Department of Planning and Building. Annual reports shall be prepared and sent to the County by December 15th of each year. The habitat shall be fenced for protection.

BIO-2 Oak Tree Mitigation I. At the time of site disturbance associated with tract improvements or on individual lots. Impacts to the oak canopies or critical root zones shall be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage. The CRZ radius is determined using ratio of 1.5 feet for every inch of DBH. For example, a tree with a 10- inch DBH has a 15-foot radius CRZ.

BIO-3 Oak Tree Mitigation II. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. Impacts to oak trees 6 inches dbh or greater shall be mitigated by planting additional oaks on site. Oaks removed shall be replaced in kind at a 4 to 1 ratio. Oaks impacted shall be replaced in kind at a 2 to 1 ratio. Dead oak trees shall not require mitigation. Replacement trees shall be one-gallon containers, of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained (browse protection, weed reduction, and irrigation, as needed) and monitored annually for at least seven years. When replacement trees are required, the applicant shall provide a replacement and monitoring plan to the satisfaction of the Department of Planning and Building.

BIO-4 Oak Tree Mitigation III. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. Management recommendations from the Arborist Report for HR Holdings – Tract Map 2879 (September 2022) shall be implemented to minimize impacts to oak trees during construction of the Project. Oak tree protection measures shall be shown on all site and grading plans.

Fencing. Prior to any site disturbance, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project and removed only under the direction of the project's Certified Arborist. The owner shall be responsible for maintaining intact fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. Weatherproof signs shall be permanently posted on the fences with the following information: Tree Protection Zone: No personnel, equipment, materials, or vehicles allowed. All areas behind fencing are off limits unless pre-approved by the arborist.

Soil Aeration Methods. Soils within the CRZ that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2-3 feet apart with a 2- to 4-inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

Chip Mulch. All areas within the CRZ of the trees that can be fenced shall receive a 4- 6-inch layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching within CRZ. Trenching within the CRZ must be approved by the project's Certified Arborist and shall be done by hand or with an air spade. All major roots shall be avoided whenever possible. All exposed roots larger than 1 inch in diameter shall be clean cut with sharp pruning tools and not left ragged. Any roots exposed during construction shall be evaluated and treated by the arborist.

Grading within the CRZ. Grading should not encroach within the CRZ unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound. Any exposed roots shall be covered the same day they are exposed if possible. If they cannot, they must be covered with burlap or another suitable material and wetted down 2 times per day until reburied.

Equipment Operation. Vehicles and heavy equipment shall not be driven under oak trees, as this will contribute to soil compaction. Additionally, there is to be no parking of equipment or personal vehicles in these areas.

Existing Surfaces. The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans and approved by the arborist.

Construction Materials and Waste. No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials.

Arborist Monitoring. An arborist shall be present for soil disturbance work within the CRZ of oak trees. Monitoring does not necessarily have to be continuous but observational at times during these activities.

Impacted Root Treatment. Roots impacted during construction (e.g., trenching or grading operations) shall be treated by the arborist on a case-by-case basis using best practices such as clean cuts accompanied by application of appropriate fungicides and insecticides by a licensed pest control applicator.

Pruning. A certified arborist shall direct all pruning. No pruning shall take more than 25 percent of the live crown of any native tree.

Landscape. All landscape within the CRZ shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

Fertilization. As the project moves toward completion, the arborist may suggest either fertilization and/or mycorrhizal inoculation applications that will benefit tree health. Application of mycorrhizal inoculum offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

BIO-5 Jurisdictional Waters. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. As applicable, the applicant shall provide evidence to the County that either no jurisdictional areas will be impacted or that any necessary authorizations from the United States Army Corps of Engineers, State Water Resource Control Board, and/or California Department of Fish and Wildlife have been issued.

BIO-6 Bat pre-construction survey. Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots. A pre-construction survey shall be completed within 7 days prior to removal or trimming of any tree over 10-inches DBH (including dead trees and snags) to determine if they harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist may install one-way valves or other BR-7. Bat eviction plan. If a bat roost is detected during the maternal season, a minimum 50- foot no-disturbance buffer will be maintained. For roosts that require removal during the non-material season, a one-way valve will be placed over the occupied access point to allow bats to safely leave and prohibit reentry.

BIO-8 Reduce light impact to nocturnal species. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. The applicant shall provide verification to the Department of Planning and Building that the following measures will be implemented for temporary and permanent light sources used during construction/grading activities to minimize potential light impacts to bats and other nocturnal wildlife:

1. Use the lowest intensity lighting appropriate for the task
2. Light only the area intended – keep lights directed and shielded to avoid light spill.

BIO-9 Crotch's bumble bee pre-construction survey. Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots. a focused survey for Crotch's bumble bee shall be performed by a qualified biologist following the guidance set forth in the California Department of Fish and Wildlife (CDFW) Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (June 6, 2023). This includes at least 3 surveys during the Colony Active Period of April – August. If Crotch's bumble bee is detected during the survey the applicant shall consult with CDFW on recommendations for impact avoidance and/or take authorization through acquisition of an Incidental Take Permit, pursuant to Fish and Game Code section 2081 subdivision (b).

BIO-10 Badger pre-construction survey. Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots. A pre-construction survey shall be conducted within thirty days prior to the beginning of work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire Study Area and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent reuse of dens during construction. If badgers are found in dens on the Property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1st and February 1st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found within the Study Area during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices.

BIO-11 Nesting bird pre-construction survey. Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots. Within one week prior to ground disturbance activities, if work occurs between March 1 and August 30, nesting bird surveys shall be conducted to determine whether yellow-billed magpie or other bird species protected under the MBTA are nesting within or adjacent to the construction zone. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BIO-12 Retain qualified biologist(s). Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. the applicant shall provide verification to the Department of Planning and Building that a qualified biologist/ biologist(s) have been retained to complete all of the necessary preconstruction surveys which are to occur prior to site disturbance activities.

BIO-1 through BIO-12 Monitoring: The applicant shall ensure all activities are consistent with the mitigation measures noted above. Where required, a contact person responsible for ensuring these requirements are met on site shall be provided to the Department of Planning and Building. Department of Planning and Building shall verify compliance with all requirements in consultation with the Environmental Coordinator and project biologist / arborist.

Hazards and Hazardous Materials

HAZ-1 Equipment maintenance and refueling. During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

HAZ-2 Spill response protocol. During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.

HAZ-1 & HAZ-2 Monitoring: The applicant shall ensure all activities are consistent with the mitigation measures noted above. Where required, a contact person responsible for ensuring these requirements are met on site shall be provided to the Department of Planning and Building. Department of Planning and Building shall verify compliance with all requirements in consultation with the Environmental Coordinator and project applicants on-site contact.

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



Signature of Agent(s)/Owner

5-15-25

Date

DANIEL R. LLOYD

Name (Print)