

**DEVELOPER'S STATEMENT FOR
ARMET MAJOR GRADING PERMIT
GRAD2022-00120**

AUGUST 1, 2025

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.

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 issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

- a. Reduce the amount of the disturbed area where possible;
- b. 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;
- c. All dirt stock-pile areas shall be sprayed daily as needed;
- d. 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;
- e. 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.
- f. "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.

- g. All of these fugitive dust mitigation measures shall be shown on grading and building plans;
- h. 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).
- i. 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.
- j. 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.
- k. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advanced by the APCD.
- l. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- m. 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.
- n. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

AQ-2 ROG, NO_x, DPM Emissions. The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO_x), 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:

- a. Implement mitigation measure AQ-1, as identified above.
- b. 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:
 - i. 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,

- ii. 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.
- c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- e. 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.
- f. 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.
- g. 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.
- h. Electrify equipment when possible.
- i. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
- j. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-1 and AQ-2 Monitoring: Required prior to issuance of construction permits. Compliance will be verified by the County Department of Planning and Building.

Biological Resources

BIO-1 Nesting Bird Season. Vegetation removal and initial site disturbance shall be conducted between September 1 and January 31 outside of the nesting season for birds. If vegetation and/or tree removal is planned for the bird nesting season (February 1 to August 31), then preconstruction nesting bird surveys shall be conducted by a qualified biologist to determine if any active nests would be impacted by project construction. If no active nests are found, then no further mitigation shall be required. If any active nests are found that would be impacted by construction, then the nest sites shall be avoided with the establishment of a non-disturbance buffer zone around active nests as determined by a qualified biologist. Nest sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the nest site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active nest would reduce potential impacts on nesting birds to a less-than-significant level.

BIO-1 Monitoring: Required within one week of site disturbance or construction activities. A final report is required within 30-days of completion of surveys. Compliance will be verified by the County Department of Planning and Building.

BIO-2 Oak Tree Mitigation. Ground disturbing and oak tree construction monitoring by a qualified arborist shall be conducted in accordance with the recommended Tree Protection Plan (TPP) measures (Kokers, January 2023; Appendix C). Per the TPP, inadvertent or accidental oak trees removed shall be replaced in kind at 4:1 ratio. Oak trees shall be replaced in kind at 2:1 ratio for trees within the impact area that do not survive through the construction process and 18 months following the completion of construction. Replacement trees must be planted onsite in an area ideal for the tree to thrive and receive all necessary nutrients for survival (soil type, exposure to sunlight, and necessary water requirements for the tree to reach maturity). Upon construction completion, arborist to report to the County that all safety measures were followed and mitigation measures were met.

BIO-2 Monitoring: Required prior to permit final. Compliance will be verified by the County Department of Planning and Building.

CR-1 Cultural Resources Monitoring Plan. Prior to issuance of grading or construction permits, the applicant shall submit an Archaeological Resources Monitoring Plan (Monitoring Plan), prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Monitoring Plan shall be to monitor all initial ground-disturbing activities on site. The Monitoring Plan shall include at a minimum:

- a. List of personnel involved in the monitoring activities;
- b. Inclusion of involvement of the Native American community, as appropriate (shall include Tribal representative from the Salinan Tribe of San Luis Obispo County);
- c. Description of the required cultural training element to occur prior to site disturbance;
- d. Description of how the monitoring shall occur;
- e. Description of frequency of monitoring (e.g. full time, part time, spot checking);
- f. Description of what resources are expected to be encountered;
- g. Description of procedures for halting work on the site and notification procedures; and
- h. Description of monitoring reporting procedures; and
- i. Specific, detailed protocols for what to do in the event of the discovery of human remains.

CR-1 Monitoring: Required prior to issuance of construction permits. Compliance will be verified by the County Department of Planning and Building.

CR-2 Cultural Resources Monitoring. For all ground disturbing construction activities, the applicant shall retain a County-approved archaeologist and Native American representative to monitor these activities, per the approved monitoring plan. The applicant shall install any necessary protective field measures, as directed by the archaeologist, and shall keep them in good working order during construction. Upon discovery, the applicant shall take immediate remedial actions should corrective measures be needed. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals.

CR-2 Monitoring: Required during site disturbance and construction activities. Compliance will be verified by the County Department of Planning and Building.

CR-3 Cultural Resources Reporting. Prior to final inspections and granting final occupancy of structures, the project archaeologist shall submit a detailed summary of all site monitoring that took place and acknowledge any discoveries made during the monitoring process or conflicts that occurred. The report shall be submitted to the Department of Planning and Building and approved by County staff prior to scheduling final building inspections.

CR-3 Monitoring: Required prior to permit final. Compliance will be verified by the County Department of Planning and Building.

CR-4 Cultural Resources Unearthed. In the event that archeological resources are unearthed or discovered during any construction activities, the following standards apply:

Construction activities shall cease, and the County of San Luis Obispo Project Manager 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.

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

CR-4 Monitoring: Required during site disturbance and construction activities. Compliance will be verified by the County Department of Planning and Building.

Geology and Soils

GEO-1 Plans submitted for grading/construction permits shall incorporate the findings and recommendations of the geotechnical investigation of the project site prepared by Beacon Geotechnical, dated March 10, 2024.

GEO-2 A Paleontological Resources Management Plan (PRIMP) shall be prepared and implemented by a San Luis Obispo County Certified Paleontologist for this project. At minimum it shall include: (1) paleontological resources awareness training for all earthmoving personnel, (2) specify paleontological personnel qualifications, (3) identify an established and recognized professional repository for any fossils recovered, (4) take into account the latest information on cut depth and location and specify where monitoring shall be required, (5) require and specify the full-time monitoring of the site, (6) specify fossil recovery procedures and locality documentation, (7) specify laboratory procedures, (8) require a detailed catalogue of specimens recovered with identification by experts, and (9) require a final report with the catalogue and all specialists reports as appendices.

GEO-1 and GEO-2 Monitoring: Required prior to issuance of construction permits. Compliance will be verified by the County Department of Planning and Building.

GEO-3 Full-time paleontological monitoring shall be conducted throughout the duration of excavation into rocks of the at all depths in the Monterey Shale and full-time monitoring at depths of 5 feet or greater in the Holocene alluvial deposits. Should identifiable or otherwise potentially informative fossils be exposed by excavation, these

shall be excavated, collected, and preserved, following guidelines presented in the PRIMP.

- GEO-4** If unanticipated fossil resources are unearthed during construction excavations, the contractor shall notify the County Department of Planning and Building and cease all earth-disturbing activities within a 50-foot radius of the area of discovery until the discovery can be evaluated by a San Luis Obispo County approved paleontologist.

GEO-3 and GEO-4 Monitoring: Required during site disturbance and construction activities. Compliance will be verified by the County Department of Planning and Building.

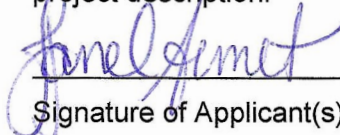
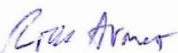
Hazards and Hazardous Materials

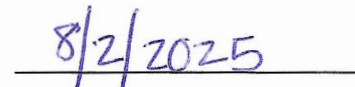
- HAZ-1 Equipment Maintenance and Refueling.** During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge 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.

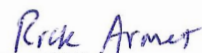
- HAZ-2 Spill Response Protocol.** During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.

HAZ-1 and HAZ-2 Monitoring: Required during site disturbance and construction activities. Compliance will be verified by the County Department of Planning and Building.

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 Applicant(s)


Date

 
Name (Print)