

**DEVELOPER'S STATEMENT
FOR WEYRICK TRACT MAP
N-SUB2024-00077 / TR 3193)**

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

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

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:

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 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.

Biological Resources

BIO-1 Environmental Awareness Training. An environmental awareness training shall be presented to all construction personnel by a qualified biologist prior to the start of any project activities. The training shall include color photographs and a description of the ecology of all special-status species known or with potential to occur on site, as well as other sensitive resources requiring avoidance near the project site. The training shall include a description of protection measures required by discretionary permits, an overview of the Federal and State Endangered Species Acts, and implications of noncompliance with these regulations. The biologist will provide an overview of the required avoidance, minimization, and mitigation measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training, and the names

and signatures of the environmental awareness trainees will be kept. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel and anyone else who may enter the project site. Prior to issuance of grading or construction permits, the applicant shall provide a copy of a contract with an approved/qualified biologist and a scope of work which includes, at a minimum, the conduct of environmental awareness training and ongoing monitoring as outlined in the adopted list of mitigation measures. Prior to ground disturbance and following conclusion of the awareness training, the project biologist shall provide a copy of the completed attendance sign-in sheet, and the required fact sheet, to the County.

BIO-2 Site Maintenance and General Operations - The following measures are required to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be included on project plans. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

- All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events.
- The Project impact area shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits shall be considered environmentally sensitive and shall not be disturbed.
- All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.
- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated staging areas. These activities will occur at a minimum of 100 feet from sensitive habitat. Sandbags and/or absorbent pads and spill control kits shall always be available on site to clean up and contain fuel spills and other contaminants.

- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
- Plastic monofilament netting (erosion control matting) or similar material will not be used on site due to the potential to entangle special-status wildlife. Acceptable substitutes are coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds.
- The use of pesticides (including rodenticides) and herbicides on the property shall be in compliance with all local, state, and federal regulations to avoid primary and secondary poisoning of sensitive species that may be using the site.
- After completion of the project's construction, all protective fencing/flagging used to delineate sensitive biological resources shall be removed from the project area and disposed of in appropriate waste receptacles or reused.

BIO-3 Oak Tree Protection. To the maximum extent feasible, impacts to oak trees and oak woodland habitat shall be avoided and minimized. The following measures shall be implemented and included on the project plans:

- Grading and/or construction plans shall provide a 'Native Tree (Oak) Inventory' that accurately identifies the canopy edge and trunk locations of all native trees within 25 feet of the proposed project limits (including ancillary elements, such as trenching); For each of the trees shown, they shall be marked with one of the following 1) to be removed, 2) to be impacted, or 3) to remain intact/protected. This should be noted as the "Native Tree Impact Plan". Trees identified as 'impacted' or 'to remain protected' shall be marked in the field as such and protected to the extent possible.
- Impacts to the oak canopy or sensitive root zone shall be avoided to the extent feasible. Impacts may include pruning, ground disturbance, or placement of impervious surfaces (e.g., asphalt, permanent structures) within the sensitive root zone; installation of year-round irrigation or other supplemental water within the sensitive root zone; and trunk damage.
- Prior to ground-breaking, tree protection fencing shall be installed as close to the outer limit of the sensitive root zone as practicable for construction operations to protect trees located within 50 feet of construction that will be preserved. The fencing shall be in place throughout the duration of construction. Plastic orange safety fencing shall not be used as it may entangle wildlife. Other demarcation such as t-posts and yellow rope is adequate. Protective measures shall be visible to work crews and be able to remain in good working order for the duration of the construction work. Waterproof signage at protective edge is recommended (e.g., "TREE PROTECTION AREA – STAY OUT"). Grading, trenching, compaction of soil, construction material/equipment storage, or placement of fill shall not occur within these protected areas.
- All construction activity shall occur outside delineation fencing installed for protection of oak trees.

- A licensed arborist or qualified botanist shall be hired to oversee all removal or trimming of existing roots and necessary branch trimming. To minimize impacts from tree trimming, the following approach shall be used:
 - Removal of larger lower branches shall be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs" (due to wind), 2) to reduce the number of large limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) to retain the wildlife that is found only in the lower branches, 4) retain shade to keep summer temperatures cooler (retains higher soil moisture, creates greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree.
 - If trimming is unavoidable, no more than 10% of the oak canopy shall be removed.
 - If trimming is done, either a certified arborist will be used, or trimming techniques accepted by the International Society of Arboriculture will be used. Unless a hazardous or unsafe situation exists, trimming will be done only during the winter for deciduous species.
- Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots are exposed during construction, they shall be covered with a layer of soil to match existing topography.
- Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection and reported to the County.

BIO-4 Oak Tree Mitigation. For oak tree removals or impacts during project implementation, the applicant shall provide mitigation (on site if feasible) per the County's guidelines, typically 4:1 for removals and 2:1 for impacted trees. This shall include development of an oak tree mitigation plan and establishment of an oak tree planting site or conservation easement that shall be protected in perpetuity. A mitigation plan shall be prepared by a licensed arborist or qualified biologist that details the methods and requirements for oak tree mitigation. At a minimum, the plan shall:

- Include a detailed inventory of the species and quantity of all oak trees to be removed or impacted.
- Discuss the proposed construction methods, construction schedule, and the implementation schedule of activities proposed as part of the plan.
- Quantify and describe the anticipated impacts to individual oak trees and/or oak woodland habitat, as applicable.
- Identify all appropriate methods for fulfillment of required mitigation (e.g., on-site plantings, conservation easement, or in-lieu fee).
- Describe detailed planting methods, as appropriate. Replacement trees shall be of one-gallon size 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.

- Identify suitable areas for establishment of new oak trees and/or protection of existing oak woodland habitat, as appropriate.
- Describe short-term and long-term monitoring protocols and/or vegetative growth performance criteria for mitigation success.
- The plan shall be prepared by a licensed arborist or qualified botanist and be submitted to the County for approval prior to the start of construction.

BIO-5 Impacts to the oak canopies or critical root zones (CRZ) 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-6 Prior to issuance of grading permits, 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-7 Protection of Jurisdictional Waters. In addition to BIO-2 and HAZ-1 and HAZ-2, the following recommendations are provided to protect drainages and aquatic resources from indirect impacts.

- Project construction shall comply with County Code Title 19.11 Stormwater Management.
- A minimum 50-foot setback from the top of bank or upland edge of any potentially jurisdictional wetland or water shall be maintained throughout all phases of construction and operation. This buffer shall be clearly demarcated in project plans and protected with temporary fencing during construction. No grading, trenching, or equipment staging shall occur within this buffer without agency review and approval.
- Construction activity within 100 feet of drainages shall occur only when conditions are dry.
- To prevent erosion and sedimentation into jurisdictional waters during construction, an erosion and sedimentation control plan shall be developed and implemented. It shall outline Best Management Practices for temporary stabilization. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) rolls, jute or coir netting, and/or other industry standard materials. Erosion control devices shall be installed and maintained for the duration of the project.

BIO-8 Pre-construction survey for bats. 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 appropriate passive relocation method.

BIO-9. 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-maternal season, a one-way valve will be placed over the occupied access point to allow bats to safely leave and prohibit reentry.

BIO-10 Reduce Light Impact to Nocturnal species. The following measures shall be implemented for temporary and permanent light sources 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-11 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-12 Badger pre-construction survey. A pre-construction survey shall be conducted within thirty days of beginning 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.

Construction activities shall not commence within the exclusion area until the badger has moved of its own accord. A preconstruction survey letter report shall be submitted to the lead agency for review within one week after completion of the survey.

BIO-13 Nesting bird surveys. Within one week of 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-14 Preconstruction Survey and Monitoring for Special-status Reptiles. A qualified biologist shall conduct a preconstruction survey immediately prior to the start of work within 50 feet of suitable habitat for Northern California legless lizard and lesser salamander. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. Construction monitoring shall also be conducted by a qualified biologist during all initial ground disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, or vegetation removal including tree removal) within suitable habitat. With approval from CDFW, if Northern California legless lizards are discovered during surveys and monitoring, they will be hand captured and relocated to suitable habitat outside the area of impact. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project area.
- Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat.
- Construction monitors shall capture and relocate horned lizards as specified above. A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

November 18, 2025

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.



Signature of Applicant

COLIN WEYRICK 11/18/25

Name (Print)

Date